

# Memorandum

To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: June 22-23, 2011

Reference No.: 2.5b.(2)  
Action Item

From: NORMA ORTEGA  
Chief Financial Officer

Prepared by: Steven Keck  
Division Chief  
Budgets

Subject: **FINANCIAL ALLOCATION FOR SHOPP PROJECTS (GERALD DESMOND BRIDGE)**  
**RESOLUTION FP-10-32**

## **RECOMMENDATION:**

The California Department of Transportation (Department) recommends the California Transportation Commission allocate \$470,000,000 for two projects to replace the Gerald Desmond Bridge using the design-build method of procurement that were amended into the State Highway Operation and Protection Program (SHOPP) by Department action.

## **ISSUE:**

The attached vote list describes two SHOPP projects totaling \$470,000,000. The Department is ready to proceed with these projects and is requesting an allocation at this time.

## **FINANCIAL RESOLUTION:**

Resolved, that \$470,000,000 be allocated from the Budget Act of 2011, Budget Act Item 2660-302-0890 for the two SHOPP projects described on the attached vote list, contingent upon passage of the 2011 Budget Act.

The Department has complied with the National Environmental Policy Act and the California Environmental Quality Act requirements in preparing these projects.

Attachment

2.5 Highway Financial Matters

Project # Allocation Amount County Dist-Co-Rte Postmile	Location Project Description	PPNO Program/Year Prgm'd Amount Project ID AdvPhase EA	Budget Year Item # Fund Type	Amount by Fund Type
<b>2.5b.(2) Gerald Desmond Bridge Project in Los Angeles County</b>			<b>Resolution FP-10-32</b>	
1 \$299,795,000 Los Angeles 07S-LA-710 3.7/6.0	At the Port of Long Beach at the Gerald Desmond Bridge . <u>Outcome/Output:</u> Replace the Gerald Desmond Bridge to restore bridge load capacity.  (SHOPP funded Trade Corridor Improvement Fund (TCIF) project.)	07-3037 SHOPP/10-11 \$299,795,000 0700000379 4 228304	2011-12 302-0890 FTF 20.20.201.110	\$299,795,000
<b>CONTINGENT UPON PASSAGE OF THE 2011 BUDGET ACT</b>				
2 \$170,205,000 Los Angeles 07S-LA-710 3.7/6.0	At the Port of Long Beach at the Gerald Desmond Bridge. <u>Outcome/Output:</u> Replace the Gerald Desmond Bridge to restore bridge load capacity.	07-4425 SHOPP/10-11 \$200,000,000 0700021080 4 288604	2011-12 302-0890 FTF 20.20.201.110	\$170,205,000
<b>CONTINGENT UPON PASSAGE OF THE 2011 BUDGET ACT</b>				



May 11, 2011

Ms. Bimla Rhinehart  
Executive Director  
California Transportation Commission  
1120 N Street, Room 2221 (MS-52)  
Sacramento, CA 95814

**RE: Gerald Desmond Bridge Replacement Project FEIR/EA Status**

Dear Ms. Rhinehart:

The Gerald Desmond Bridge Replacement Project continues to make significant progress. In February, the Port and Caltrans completed their evaluation of the submitted Statements of Qualifications for potential design-build contractors for the Project, which resulted in the selection of five (5) teams. The project is quickly moving forward using the "design/build" model and a Request for Proposals (RFP) is currently being completed. One feature that will be included in the RFP that was not fully discussed in the Final Environmental Impact Report (FEIR) is a "bike path concept". Specific details about the bike path, such as the location of touch-down points and other design features, will not be known until after the winning proposal on this RFP is identified. Once identified, the project's environmental impacts may or may not change, depending upon the proposal that is selected.

At this point, the Port would typically compare the RFP and EIR to ensure consistency and initiate an addendum or amendment to the FEIR if necessary. The bike facility as described in the RFP documents was not envisioned in the FEIR; however, preparing an addendum to the FEIR now to include the bike facility would be severely limited and of very little value due to the current lack of information. At most, it would include a change to the Project Description with no additional technical analysis. Only after the proposals have been received and a winning bid selected will there be sufficient information available to determine whether an addendum or amendment is required. Therefore, the Port will forego an addendum to address the changes to the Project Description and any other analyses related to the selected design until after a design/build contractor has been selected but before the construction contract is awarded. Furthermore, the Port will submit any addendum or amendment to EIR to the CTC immediately upon completion. Until then, the FEIR certified in August 2010 will remain as the applicable CEQA document until that time.

**Gerald Desmond Bridge Replacement Project**  
**FEIR Update**  
**May 11, 2011**  
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Therefore, the POLB, as the CEQA Lead Agency for the project, confirms that the existing FEIR is valid for the project and is sufficient for purposes of identifying and addressing the environmental impacts of the project for which the Commission will be requested to allocate funding for the design/build contract. The POLB does not anticipate the need for a supplemental FEIR with the addition of the bike path concept. However, if such supplement is determined necessary in the future, project work will be halted until such time as a supplemental FEIR is completed and brought forward to the Commission to consider any new impacts identified. Similarly, FHWA, the lead agency on the NEPA document, has agreed to forego re-validation of the FONSI until after a design-build contractor has been selected but before the construction contract is awarded (see attached letter).

Should you have any questions regarding the information provided above or as an accompaniment to this transmittal, please feel free to contact me at (562) 590-4100 or Jolene Hayes at [hayes@polb.com](mailto:hayes@polb.com) or telephone (562) 590-4155.

Sincerely,



Richard D. Steinke  
Executive Director  
Port of Long Beach

Attachment: Letter dated April 8, 2011 from Caltrans to FHWA

**DEPARTMENT OF TRANSPORTATION****DISTRICT 7**

100 SOUTH MAIN STREET, MAIL STOP 16A

LOS ANGELES, CA 90012-3606

PHONE (213) 897-1839

FAX (213) 897-9572

TTY 711

*Flex your power!  
Be energy efficient!*

April 8, 2011

Mr. Scott McHenry  
Federal Highway Administration  
California Division-Office of Local Programs  
650 Capitol Mall, Ste. 4-100  
Sacramento, CA 95814

Re: Gerald Desmond Bridge Replacement Project

Dear Mr. McHenry:

As a follow up of our recent discussions on the Gerald Desmond Bridge, Caltrans is providing the following information. Pursuant to our assumption of NEPA responsibility per 23 U.S.C 327, a NEPA Finding of No Significant Impact (FONSI) was approved for this project on September 23, 2010. The project is quickly moving forward using the "design/build" model and a Request for Proposals (RFP) is currently being completed. One feature that will be included in the RFP that was not fully discussed in the original FONSI is a "bike path concept". Specific details about the bike path, such as the location of touch-down points, will not be known until after the winning proposal on this RFP is identified. Then the project's environmental impacts may or may not change, depending upon the proposal that is selected.

At the present time, FHWA is preparing to approve the E-76 to authorize commencement of right-of-way acquisition and utility relocation. At this point, Caltrans would typically re-validate (re-evaluate) the NEPA document. However, as we discussed, a re-validation prepared now would be severely limited and of very little value due to the current lack of information. Only after the proposals have been received and a winning bid selected will there be sufficient information available to make a re-validation meaningful. Therefore, we (Caltrans and FHWA) have agreed to forego the NEPA re-validation until after a design/build contractor has been selected but before the construction contract is awarded. The September 23, 2010 FONSI will remain as the applicable NEPA document until that time.

Sincerely,

RONALD KOSINSKI  
Deputy District Director  
Division of Environmental Planning  
Caltrans, District 7

cc: Bob Kantor, POLB