State of California
**DEPARTMENT OF TRANSPORTATION**

Business, Transportation and Housing Agency

# M e m o r a n d u m

**To:** CHAIR AND COMMISSIONERS

**CTC Meeting:** June 6-7, 2007

**Reference No.:** 2.8a.(1) - **REVISED**
Action Item

**From:** CINDY McKIM
Chief Financial Officer

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Transportation Programming

**Subject:** **REQUEST TO EXTEND THE PERIOD OF PROJECT ALLOCATION PER RESOLUTION G-05-07, STATE TRANSPORTATION IMPROVEMENT PROGRAM GUIDELINES WAIVER-07-12**

**CTC ACTION UPDATE: The California Transportation Commission approved the extension requests as requested except for Project #3 (City of Los Angeles, PPNO 3161), which was approved for 12 months only.**

## RECOMMENDATION:

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve Waiver-07-12, extending the period of project allocation for the time periods identified for each project on the attached document.

## ISSUE:

The Commission programmed funds totaling $2,654,000 in FY 2006-07 for the four projects, as shown on the attachment. The funds will not be allocated by the June 30, 2007 deadline. The attachment shows the details of the projects and the explanation of the delays. The project sponsors have requested an extension, and the regional planning agencies concur.

## BACKGROUND:

Resolution G-05-07, State Transportation Improvement Program (STIP) Guidelines, adopted by the Commission on September 29, 2005, stipulates that the Commission may approve a waiver to the timely use of funds deadline one time only for up to 20 months in accordance with Section 14529.8 of the Government Code.

Attachment

# Time Extension/Waiver – Project Allocation Deadline
## STIP Projects on the State Highway System

| | Dist-Co-Rte<br>Implementing Agency<br><br>PPNO<br>Project Description | Program/Year<br>Extension Amount<br>By Component ($ in thousands)<br>E&P (Environmental & Permits)<br>PS&E (Plans, Specifications and Estimates)<br>R/W (Right of Way)<br>CON (Construction)<br>TOTAL | Number of Months Requested<br><br>Extended Deadline<br><br>CT Recommendation |
|---|---|---|---|
| 1 | 03-Sac-99<br>City of Galt<br><br>PPNO: 03-6894<br>Central Galt/99 Interchange | RIP / 06-07<br>$0<br>$1,200<br>$0<br>$0<br>**$1,200** | 12 months<br><br>06/30/2008<br><br><br>Support – meets STIP guidelines |
| | The City of Galt is requesting a 12-month time extension for the period of allocation for PS&E. Prior to an allocation for PS&E, the agency must address several constraints as they relate to the California Environmental Quality Act (CEQA) and the National Environmental Protection Act (NEPA). The environmental review has been delayed due to issues related to delineation and verification of wetland impacts as well as ongoing hazardous waste clean-up activities. In addition, air quality conformity issues are also a concern, including the potential air quality conformity lockdown and an air quality conformity lapse. Due to these circumstances beyond the City's control, this project will not be allocated by June 30, 2007, and will need a time extension. It is anticipated that 12 months will be sufficient so that CEQA and NEPA can be completed to address these issues. | | |
| 2 | 06-Mad-41<br>Madera County<br><br>PPNO: 06-A006<br>Route 41 Sidewalks | RIP / 06-07<br>$0<br>$0<br>$0<br>$79<br>**$79** | 12 months<br><br>6/30/2008<br><br><br>Support – meets STIP guidelines |
| | The project proposes to construct sidewalks along State Route 41 in Oakhurst in Madera County. A sidewalk project funded by CMAQ funds was constructed back in 2002. During construction of that project, it was determined to remove the extremely difficult locations from the project. Madera County then applied for TE funds in 2004 to proceed with the difficult locations. A time extension of 12 months is requested for this project mainly because the new locations were not determined until very recently due to difficult topography of the project area. The new locations require R/W acquisition and utility relocation. | | |
| 3 | 07-LA-101<br>City of Los Angeles<br><br>PPNO: 07-3161<br>Route 101 Freeway<br>Crossing Enhancements | RIP / 06-07<br>$0<br>$145<br>$0<br>$0<br>**$145** | ~~13~~ **approved for 12 months only**<br><br>~~7/31/2008~~ **6/30/2008**<br><br><br>Support – meets STIP guidelines |
| | The City of Los Angeles is requesting a 13 month time extension for the period of allocation for PS&E. This project is a locally administered on-system project. Except for certain limited cases, the Department's current and long-standing policy for on-system projects is to be the lead agency for environmental clearance under the California Environmental Quality Act (CEQA). In June 2006, the Commission approved an allocation of $350,000 to the City of Los Angeles for PA&ED. Following the allocation of PA&ED to the City of Los Angeles, there were questions over which agency, the Department or the City, should be the lead for environmental clearance. After a number of meetings / discussions between the Department and the City, both parties agreed that the City should be the lead agency. This delayed initiation of PA&ED work and the Cooperative Agreement process between the Department and the City. It is anticipated that the Cooperative Agreement will be executed in June 2007. At that time, the City will proceed with environmental clearance and allocation of PS&E. | | |
| 4 | 10-Ama-49<br>Amador County<br><br>PPNO: 10-2130F<br>Relinquishment of Route 49 | RIP / 06-07<br>$0<br>$0<br>$0<br>$1230<br>**$1230** | 6 months<br><br>12/30/2007<br><br><br>Support – meets STIP guidelines |
| | The project proposes to relinquish a portion of Route 49 as part of the Sutter Creek bypass project. The Commission allocated $1,438 on March 15, 2007, for a Financial Contribution Only to Sutter Creek and the City of Amador. A new Cooperative Agreement needs to be executed with Amador County before a request for allocation for the remaining $1,230,000 can occur. Additionally, Amador County is requesting that an additional $1,000,000 to be programmed as part of the 2006 STIP augmentation for this project. A time extension of six months is requested for this project. The agreement has not been finalized with the County partly due to outstanding scope - slope stabilization at two locations - that required further field reviews. It is anticipated that the scope can be agreed upon within the time period being requested. | | |