

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 7-8, 2010

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

From: NORMA ORTEGA  
Chief Financial Officer

Prepared by: Denix D. Anbiah  
Division Chief  
Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT ALLOCATION FOR  
LOCALLY-ADMINISTERED STIP PROJECTS, PER STIP GUIDELINES  
WAIVER-10-14**

**CTC ACTION TAKEN: The California Transportation Commission approved Project 5 (PPNO 02-2399C) and Project 13 (05-2254) as requested. Project 8 (PPNO 02-2478) was approved for five months only. All other extension requests were deferred and to be reprogrammed in the 2010 STIP.**

## **RECOMMENDATION:**

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) extend the period of project allocation for the projects listed on the attached document for the time periods shown.

## **ISSUE:**

The attached document identifies 13 projects totaling \$5,721,000 that are programmed in the State Transportation Improvement Program (STIP) for delivery in Fiscal Year 2009-10. The agencies will not be able to request an allocation of funds by the June 30, 2010 deadline. The attachment shows the details of the projects and the explanation for the delays. The project sponsors are requesting extensions, and the regional planning agencies concur.

## **BACKGROUND:**

Current STIP Guidelines adopted by the Commission stipulate that funds that are programmed for all components of local grant projects or for Department construction costs are available for allocation only until the end of the fiscal year identified in the STIP. 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  
Local Streets and Roads Projects**

<b>Project #</b>	<b>Applicant County PPNO Project Description Reason for Project Delay</b>	<b>Extension Amount (\$ in thousands) E&amp;P (Environmental &amp; Permits) PS&amp;E (Plans, Specifications &amp; Estimates) ROW (Right of Way) CON (Construction) <b>TOTAL</b></b>	<b>Number of Months Requested Extended Deadline CT Recommendation</b>
1	City of Yreka Siskiyou County PPNO: 02-2293 Oregon Street Rehabilitation	\$0 \$0 \$0 \$351 <b>\$351</b>	20 Months 02/29/2012 Support
<b>DEFERRED</b>	<p>The City of Yreka (City) is requesting a 20-month extension to the period of project allocation for construction of the Oregon Street Rehabilitation project. The City requested an allocation for the PS&amp;E component of this project at the April 2009 Commission meeting, and the project was placed on the Department's list of Projects Delivered But Not Yet Allocated. Currently, the PS&amp;E funds remain on the Department's list of Projects Delivered But Not Yet Allocated. The County is not able to request an allocation for the construction component of this project until PS&amp;E funds are made available and design is completed.</p> <p>The County requests a 20-month time extension to February 29, 2012, for the allocation of the funds programmed for construction.</p>		
	2	County of Siskiyou Siskiyou County PPNO: 02-2302 Ash Creek Bridge	\$0 \$0 \$2 \$220 <b>\$222</b>
<b>DEFERRED</b>	<p>The County of Siskiyou (County) is requesting a 20-month extension to the period of project allocation for right of way and construction of the Ash Creek Bridge project. A CEQA mitigated negative declaration was filed for this project on August 22, 2005. However, the project was very complicated to begin with, and then a number of environmental and other issues were discovered, including endangered fish, Bureau of Land Management (BLM) public lands, eligible historic resources, a wild and scenic river, major floodplain constraints, right of way issues, and a mining complex. These required a number of studies, reports, and other actions. In addition, NEPA standards were revised and the federal law changed with regard to Section 4(f) pertaining to park lands and historic properties. Because this is a historic bridge, it must be disassembled per a legal agreement with the state historic preservation officer, and reconfigured with old and new piers. Section 4(f) also requires the County to develop multiple design alternatives and evaluate the impacts of each alternative. The County has evaluated the bridge and the archeological structures found at the site, and has prepared a Memorandum of Agreement (MOA) and a Historic Bridge 4(f) form per the NEPA requirements. The County plans to submit the documents to the Department, the Bureau of Land Management (BLM), and the State Historic Preservation Office (SHPO) by March 2010. The County anticipates that the review process may take up to a year due to the complicated BLM and SHPO review processes and the complexity of the project.</p> <p>The County is scheduled to complete NEPA by March 2011, right of way by September 2011, and final design by February 2012. The County requests a 20-month time extension to February 29, 2012, for allocation of the funds programmed for right of way and construction.</p>		

**Time Extension/Waiver – Project Allocation Deadline  
Local Streets and Roads Projects**

<b>Project #</b>	<b>Applicant County PPNO Project Description Reason for Project Delay</b>	<b>Extension Amount (\$ in thousands) E&amp;P (Environmental &amp; Permits) PS&amp;E (Plans, Specifications &amp; Estimates) ROW (Right of Way) CON (Construction) <b>TOTAL</b></b>	<b>Number of Months Requested Extended Deadline CT Recommendation</b>
3	County of Lassen Lassen County PPNO: 02-2396 Susan River Overflow #3 Bridge	\$0 \$0 \$0 \$144 <b>\$144</b>	12 Months 06/30/2011 Support
<b>DEFERRED</b>	<p>The County of Lassen (County) is requesting a 12-month extension to the period of project allocation for construction of the Susan River Overflow #3 Bridge project. The delivery of this project has been delayed due to additional time needed to complete a more detailed hydraulic and biological study. The County entered into agreements for the hydraulic study, archeological study, and biological study in the spring of 2003. The Preliminary Environmental Study (PES) form was completed in November 2003. The archeological study was completed in the fall of 2004. The majority of the hydraulic and biological study was also completed in 2004. However, the County was required to do a survey of the project area and discovered an endangered species of butterfly called the Carson Wandering Skipper. As a result of this discovery, a more intensive study and survey of the area was required. Conflicting evidence was discovered when the additional surveys were completed and the biologist needed to complete the additional surveys in the subsequent year to have enough data to support the conclusion that the Carson Wandering Skipper was not present at the project locations. The County revised the hydraulic and biological documents and submitted them in draft for review and updates in May 2009 and updates have been made. The biological studies are close to being finalized. Once finalized, they will need to be reviewed and approved by the Department. The information contained in the approved biology technical study is needed to complete the Environmental Commitments Record, then the Categorical Exclusion can be issued. After the County completes the Right of Way process the NEPA Categorical Exclusion must be revalidated. The County is scheduled to complete NEPA by September 2010 and right of way by May 2011. The County plans to request a construction allocation by June 2011.</p> <p>The County requests a 12-month time extension to June 30, 2011, for allocation of the funds programmed for construction.</p>		
4	County of Lassen Lassen County PPNO: 02-2397 Susan River Overflow #5 Bridge	\$0 \$0 \$0 \$206 <b>\$206</b>	12 Months 06/30/2011 Support
<b>DEFERRED</b>	<p>The County of Lassen (County) is requesting a 12-month extension to the period of project allocation for construction of the Susan River Overflow #3 Bridge project. This project is in the same vicinity as the Susan River Overflow #3 Bridge project and has the same reason for delay. The delivery of this project has been delayed due to additional time needed to complete a more detailed hydraulic and biological study. The County entered into agreements for the hydraulic study, archeological study, and biological study in the spring of 2003. The Preliminary Environmental Study (PES) form was completed in November 2003. The archeological study was completed in the fall of 2004. The majority of the hydraulic and biological study was also completed in 2004. However, the County was required to do a survey of the project area and discovered an endangered species of butterfly called the Carson Wandering Skipper. As a result of this discovery, a more intensive study and survey of the area was required. Conflicting evidence was discovered when the additional surveys were completed and the biologist needed to complete the additional surveys in the subsequent year to have enough data to support the conclusion that the Carson Wandering Skipper was not present at the project locations. The County revised the hydraulic and biological documents and submitted them in draft for review and updates in May 2009 and updates have been made. The biological studies are close to being finalized. Once finalized, they will need to be reviewed and approved by the Department. The information contained in the approved biology technical study is needed to complete the Environmental Commitments Record, then the Categorical Exclusion can be issued. After the County completes the Right of Way process the NEPA Categorical Exclusion must be revalidated. The County is scheduled to complete NEPA by September 2010 and right of way by May 2011. The County plans to request a construction allocation by June 2011.</p> <p>The County requests a 12-month time extension to June 30, 2011, for allocation of the funds programmed for construction.</p>		

**Time Extension/Waiver – Project Allocation Deadline  
Local Streets and Roads Projects**

<b>Project #</b>	<b>Applicant County PPNO Project Description Reason for Project Delay</b>	<b>Extension Amount (\$ in thousands) E&amp;P (Environmental &amp; Permits) PS&amp;E (Plans, Specifications &amp; Estimates) ROW (Right of Way) CON (Construction) <b>TOTAL</b></b>	<b>Number of Months Requested Extended Deadline CT Recommendation</b>
5	County of Trinity Trinity County PPNO: 02-2399C Horsewater Lane Bike / Pedestrian, TE	\$0 \$25 \$0 \$0 <b>\$25</b>	10 Months 04/30/2011 - <b>Approved</b> Support
<p>The County of Trinity (County) is requesting a ten-month extension to the period of project allocation for design of the Horsewater Lane Bike/Pedestrian TE project. The County is also requesting a ten-month extension to the period of project development expenditure in another book item.</p> <p>The Horsewater Lane Bike/Pedestrian TE project was scheduled to be developed simultaneously with a State-Administered TE project to install sidewalks and landscaping along State Route 3 (SR3) through Hayfork, and another County STIP project to realign a County Road intersection with SR3 in the same downtown Hayfork area. The County and the Department cooperated in their public presentation of the proposed changes to the downtown area. The first public meeting was held on May 7, 2008. The projects proved to be highly controversial. The County met with the public again in June 2008 and November 2008 to strengthen public support for the three projects. These negotiations resulted in a six-month project delay.</p> <p>During the meetings with the public and adjacent property owners, one owner was adamant about not losing any property to the Horsewater Lane project right of way. The initial design did not anticipate an encroachment on the owner's commercial property. Further research into the property lines revealed that proposed design would take a five-foot wide strip from the adjacent owner's property. The property owner on the other side of the project was willing to sell property for this project. The County modified the design to avoid the unwilling seller. This change delayed the submittal of an APE map to the Department by approximately one additional month.</p> <p>Also, the County discovered that an adjacent property was once the site of a petroleum plant. Under NEPA delegation, the Department required an Environmental Site Assessment to ensure that contaminated property would not be acquired with federal money. The recruitment process for this specialized work and preparation of the additional study added three months of delay to the project.</p> <p>The County estimates a ten-month total project delay and requests a ten-month time extension to April 30, 2011, for the allocation of the funds programmed for plans, specifications, and estimates.</p>			
6	County of Modoc Modoc County PPNO: 02-2413 County Road 61 Bridge #3C-036 Replacement	\$0 \$0 \$15 \$0 <b>\$15</b>	20 Months 02/29/2012 Support
<p><b>DEFERRED</b></p> <p>The County of Modoc (County) is requesting a 20-month extension to the period of project allocation for right of way for the County Road 16 Bridge #3C-036 Replacement project. The County completed CEQA on January 22, 2010, but has had difficulty finalizing the NEPA environmental documents required for bridge replacement. The County has lost 25 percent of its engineering staff to budget cuts and has had a considerable unforeseen increase in workload due to the American Recovery and Reinvestment Act of 2009 and the impending Jobs for Main Street Act of 2010. The County anticipates having an approved Preliminary Environmental Study (PES) and Area of Potential Effect (APE) map by June 30, 2010. After receiving an approved PES/APE, the County anticipates completing all required technical studies, reports, and permits associated with this bridge replacement project, and completing NEPA by July 31, 2011.</p> <p>Due to the uncertainties with the environmental review process and the unknown impact of the Jobs for Main Street Act of 2010, the County requests a 20-month time extension to February 29, 2012, for the allocation of the funds programmed for right of way.</p>			

**Time Extension/Waiver – Project Allocation Deadline  
Local Streets and Roads Projects**

<b>Project #</b>	<b>Applicant County PPNO Project Description Reason for Project Delay</b>	<b>Extension Amount (\$ in thousands) E&amp;P (Environmental &amp; Permits) PS&amp;E (Plans, Specifications &amp; Estimates) ROW (Right of Way) CON (Construction) <b>TOTAL</b></b>	<b>Number of Months Requested Extended Deadline CT Recommendation</b>	
7	County of Modoc	\$0	20 Months	
	Modoc County	\$0	02/29/2012	
	PPNO: 02-2414	\$15	Support	
	County Road 61 Bridge #3C-037	\$0		
	Replacement	\$15		
<b>DEFERRED</b>	<p>The County of Modoc (County) is requesting a 20-month extension to the period of project allocation for right of way for the County Road 16 Bridge #3C-037 Replacement project. This project is in the same vicinity as the County Road 61 Bridge #3C-036 Replacement project. The County completed CEQA on January 22, 2010, but has had difficulty finalizing the NEPA environmental documents required for bridge replacement. The County has lost 25 percent of its engineering staff to budget cuts and has had a considerable unforeseen increase in workload due to the American Recovery and Reinvestment Act of 2009 and the impending Jobs for Main Street Act of 2010. The County anticipates having an approved Preliminary Environmental Study (PES) and Area of Potential Effect (APE) map by June 30, 2010. After receiving an approved PES/APE, the County anticipates completing all required technical studies, reports, and permits associated with this bridge replacement project and completing NEPA by July 31, 2011.</p> <p>Due to the uncertainties with the environmental review process and the unknown impact of the Jobs for Main Street Act of 2010, the County requests a 20-month time extension to February 29, 2012, for the allocation of the funds programmed for right of way.</p>			
	8	City of Dunsmuir	\$0	<del>12 Months</del> <b>Approved for five months only.</b>
	Siskiyou County	\$23	<del>06/30/2011</del> <b>11/30/2010</b>	
	PPNO: 02-2478	\$0	Support	
	Tauhindauli River Park, TE	\$0		
		<b>\$23</b>		
	<p>The City of Dunsmuir (City) is requesting a 12-month extension to the period of project allocation for design of the Tauhindauli River Park TE project. Funds for E&amp;P and PS&amp;E were programmed concurrently in Fiscal Year 2009-10. The City requested an allocation for the E&amp;P component of this project at the July 2009 Commission Meeting. However, due to uncertainties in the California State Budget, approval was not granted until the September 2009 Commission Meeting. The Request for Authorization to Proceed with Preliminary Engineering (E-76) was approved at the end of November 2009. The City required an environmental consultant to process the CEQA documentation. In January 2010, the City selected a consultant and began developing a contract for the work. In March 2010, the City Council is scheduled to approve the contract with the environmental consultant.</p> <p>The City anticipates that CEQA will be completed by August 2010. The City plans to submit the completed environmental documents for consideration of future funding in September 2010, for approval at the November 2010 Commission Meeting. In December 2010, the City plans to request an allocation for PS&amp;E for approval at the February or March 2011 Commission meeting. To allow for additional time required to complete the CEQA, the City requests a 12-month time extension to June 30, 2011.</p>			

**Time Extension/Waiver – Project Allocation Deadline  
Local Streets and Roads Projects**

<b>Project #</b>	<b>Applicant County PPNO Project Description Reason for Project Delay</b>	<b>Extension Amount (\$ in thousands) E&amp;P (Environmental &amp; Permits) PS&amp;E (Plans, Specifications &amp; Estimates) ROW (Right of Way) CON (Construction) <b>TOTAL</b></b>	<b>Number of Months Requested Extended Deadline CT Recommendation</b>
9	City of Portola Plumas County PPNO: 02-2480 A15 Reconstruction – Phase II	\$0 \$148 \$0 \$0 <b>\$148</b>	20 Months 02/29/2012 Support
<b>DEFERRED</b>	<p>The City of Portola (City) is requesting a 20-month extension to the period of project allocation for design of the A15 Reconstruction – Phase II project. The City requested allocation of the E&amp;P component of this project at the June 2009 Commission meeting, and the project was placed on the Department's list of Projects Delivered But Not Yet Allocated. Currently, the E&amp;P funds remain on list of Projects Delivered But Not Yet Allocated. The City is not able to request an allocation for the PS&amp;E component of this project until E&amp;P funds are made available and CEQA clearance is obtained.</p> <p>The City requests a maximum 20-month time extension to February 29, 2012, for the allocation of the funds programmed for PS&amp;E.</p>		
10	County of Modoc Modoc County PPNO: 02-3267 County Road 87A Bridge #3C-117 Replacement	\$0 \$7 \$15 \$0 <b>\$22</b>	20 Months 02/29/2012 Support
<b>DEFERRED</b>	<p>The County of Modoc (County) is requesting a 20-month extension to the period of project allocation for design and right of way for the County Road 87A Bridge #3C-117 Replacement project. As a cost saving measure, this bridge replacement project is being developed simultaneously with another bridge replacement project, Bridge #3C-123 (Project 11), that is located in the same watershed on the same road (County Road 87A). The field review was held on May 29, 2008. At that meeting, the County discovered that the California Department of Fish and Game (DFG) was working on a wetland restoration project that would level the surrounding valley and fill in the channel crossed by the existing and proposed new bridge. The County met with the Department of Transportation on June 11, 2008 and decided to continue working toward environmental clearance but not final design or right of way. The County met with DFG on August 29, 2008. At the meeting, the DFG presented a report regarding their efforts to secure funding for their project and draft plans for their project which indicated that this bridge would no longer be necessary. The DFG has applied for grant funding from the Wildlife Conservation Board and the Sierra Nevada Conservancy. There is no firm schedule for the grant funding at this time. As a result, the County suspended work on this bridge replacement project to avoid spending unnecessary State and Federal funds.</p> <p>The DFG has not yet secured funding for their project but they are confident they will in the near future. The County's bridge replacement project is on hold until DFG determines if they will be able to fund their project. The County requests a 20-month time extension to February 29, 2012, to allow the DFG time to secure funding. If the DFG does not receive funding for their project within the extended deadline, the County will immediately resume work on this bridge replacement project.</p>		

**Time Extension/Waiver – Project Allocation Deadline  
Local Streets and Roads Projects**

<b>Project #</b>	<b>Applicant County PPNO Project Description Reason for Project Delay</b>	<b>Extension Amount (\$ in thousands) E&amp;P (Environmental &amp; Permits) PS&amp;E (Plans, Specifications &amp; Estimates) ROW (Right of Way) CON (Construction) <b>TOTAL</b></b>	<b>Number of Months Requested Extended Deadline CT Recommendation</b>
11	County of Modoc Modoc County PPNO: 02-3268 County Road 87A Bridge #3C-123 Replacement	\$0 \$7 \$15 \$0 <b>\$22</b>	20 Months 02/29/2012 Support
<b>DEFERRED</b>	<p>The County of Modoc (County) is requesting a 20-month extension to the period of project allocation for design and right of way for the County Road 87A Bridge #3C-123 Replacement project. As a cost saving measure, this bridge replacement project is being developed simultaneously with another bridge replacement project, Bridge #3C-117, (Project 10) that is located in the same watershed on the same road (County Road 87A). The field review was held on May 29, 2008. At that meeting, the County discovered that the California Department of Fish and Game (DFG) was working on a wetland restoration project that would level the surrounding valley and fill in the channel crossed by the existing and proposed new bridge. The County met with the Department of Transportation on June 11, 2008 and decided to continue working toward environmental clearance but not final design or right of way. The County met with DFG on August 29, 2008. At the meeting, the DFG presented a report regarding their efforts to secure funding for their project and draft plans for their project which indicated that this bridge would not be affected by their restoration project, but Bridge #3C-117 would no longer be necessary. The DFG has applied for grant funding from the Wildlife Conservation Board and the Sierra Nevada Conservancy. There is no firm schedule for the grant funding at this time. Realizing that cost savings would be lost by not developing the projects simultaneously, the County suspended work on this bridge replacement project.</p> <p>Currently, DFG has not yet secured funding for their project but they are confident they will in the near future. The County's bridge replacement project is on hold until DFG determines if they will be able to fund their project. In the meantime, the County requests a 20-month time extension to February 29, 2012, to allow the DFG time to secure funding. The DFG does not receive funding for their project within the extended deadline, the County will immediately resume work on this bridge replacement project.</p>		
12	County of Modoc Modoc County PPNO: 02-3269 County Road 1 Rehabilitation	\$0 \$0 \$0 \$4,378 <b>\$4,378</b>	12 Months 06/30/2011 Support
<b>DEFERRED</b>	<p>The County of Modoc (County) is requesting a 12-month extension to the period of project allocation for construction of the County Road 1 Rehabilitation project. The County requested allocation of the PS&amp;E component of this project at the October 2009 Commission meeting, and the project was placed on the list of Projects Delivered But Not Yet Allocated. Currently, the PS&amp;E funds remain on the list of Projects Delivered But Not Yet Allocated. The County is not able to request an allocation for the Construction component of this project until PS&amp;E funds are made available and design is completed.</p> <p>The County requests a 12-month time extension to June 30, 2011, for the allocation of the funds programmed for construction.</p>		
13	City of Arroyo Grande San Luis Obispo County PPNO: 05-2254 Castillo Del Mar Road Extension, TE	\$0 \$0 \$0 \$150 <b>\$150</b>	11 Months 05/31/2011 - <b>Approved</b> Support
	<p>The City of Arroyo Grande (City) is requesting an 11-month extension to the period of project allocation for construction of the Castillo Del Mar Road Extension TE project. The majority of the project funds for the Castillo Del Mar Road Extension are to come from a private developer working on an adjacent project. This adjacent project has been delayed due to the current economic conditions and the developer's inability to secure financing. The TE funds are programmed for bicycle lanes that are to be part of the Castillo Del Mar Road Extension and cannot be constructed without the remaining roadway section. The City is renegotiating the memorandum of understanding with the developer to specify that the adjacent project will be funded by mid-2010. The City anticipates that this financing will be secured by August 2010. However, since the Castillo Del Mar Road Extension will traverse the existing Arroyo Grande High School property, construction must occur during the school's summer break (July – September). For this reason, the City is coordinating with the school district to begin construction in July 2011.</p> <p>The City anticipates completion of NEPA by March 2010 and final design by May 2010. Funding will be secured by August 2010, and the City will begin construction in July 2011. The City requests an 11-month time extension to May 31, 2011, for the allocation of the funds programmed for construction.</p>		