

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: September 15, 2011

Reference No. 2.8a. - **REVISED**
Action Item

From: NORMA ORTEGA
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Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT ALLOCATION FOR STATE-
ADMINISTERED ON-SYSTEM STIP PROJECTS, PER STIP GUIDELINES
WAIVER-11-55**

RECOMMENDATION:

The California Department of Transportation (Department) requests that the California Transportation Commission (Commission) extend the period of project allocation for the Route 138 Widening – Segment 1 project (PPNO 0239D) in San Bernardino County.

ISSUE:

Due to unforeseen delays in completing the environmental document, the Department will not be able to request the allocation of \$41,394,000 in Interregional Improvement Program (IIP) funds programmed for construction in Fiscal Year 2011-12, by the June 30, 2012 deadline. Therefore, the Department is requesting a 20-month allocation extension to February 28, 2014.

The original project scope is to widen State Route (SR) 138 to two lanes in each direction, to widen the shoulders and to construct a four-foot wide median buffer.

At the April 2010 public information meeting, the Department received a large number of public comments to add more left-turn pockets for safe access into various developments along SR 138. Within the project limits, there are a total of 72 driveways adjacent to SR 138, seven paved local street intersections, and the SR 2/SR 138 interchange. Based upon this strong input from the community, the project team decided to study the option of making the median wider to accommodate left turn pockets. The team estimated that for eight miles out of the total project limits of 15 miles, a 14-foot wide median will be needed to provide left turn pockets for all adjacent driveways and intersecting streets. The team decided against having a continuously varying median width and settled on a 14-foot wide median throughout the project limits.

The project plans and corresponding right of way requirements were revised to reflect the wider median. The footprint of the impacted areas was revised. The team analyzed the impacts both upstream and downstream for the 70 culverts that are planned to be modified or constructed, in accordance with the US Army Corps of Engineers (Corps) permit requirements. This change in the project footprint significantly impacted the key environmental findings by the Corps. This change

also impacted the US Forest Service (USFS) decision about the exact location of two new wildlife crossings that will be constructed to address project mitigation.

In October 2010, the US Fish and Wildlife Service (USFWS) changed the habitat designation adjacent to SR 138 to “critical”. As a result, both the USFWS and the California Department of Fish and Game (DFG) required new biological surveys and reports, and a Section-7 consultation with the USFWS became necessary.

In February 2011, consultations with the Corps resumed for the 14 foot-wide median alternative. The Corps requested an analysis of each drainage culvert and the impact area on both ends of the culverts to determine the total acreage impacted. This additional analysis would have resulted in potential delays and significant additional costs. It was agreed to minimize the impact at each location in order to stay within the limits of a nationwide permit.

In late April 2011, Department Management was apprised of these issues. In early May 2011, based upon the guidance received during this meeting and further review of the project needs, the project team decided to provide left turn pockets only at key locations and provide a four-foot wide median for the rest of the project limits. By the time the final decision was made, it was too late to request to delay this project via STIP amendment. Therefore, the Department is seeking a 20-month extension instead to February 28, 2014.

The San Bernardino Associated Governments concurs with this request.

BACKGROUND:

Current STIP Guidelines stipulate that funds programmed 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 for allocation one time only for up to 20 months in accordance with Section 14529.8 of the Government Code.