

Memorandum

To: Chair and Commissioners

Date: November 13, 2003

From: Diane C. Eidam

File: Book Item 4.10
Action

Ref.: ADOPTION OF THE FY 2003-04 ENVIRONMENTAL ENHANCEMENT AND MITIGATION (EEM) PROGRAM

Issue: Under Streets and Highways Code Section 164.56(e) the Commission is charged with the responsibility of funding an annual Environmental Enhancement and Mitigation (EEM) Program as scored and prioritized by the State Resources Agency in accordance with the funding level provided in the State Budget Act (see attached resolution and project lists).

Recommendation: Commission staff reviewed the Resources Agency's prioritized FY 2003-04 EEM project list and recommends that the Commission program 19 projects: the first 8 top ranked projects in the north, at an estimated cost of \$1,984,710, and the first 11 top ranked projects in the south, at an estimated cost of \$3,015,290, for a total statewide estimated cost of \$5,000,000 the amount authorized in the FY 2003-04 State Budget Act for the EEM Program.

Background: The EEM Program is a statutorily mandated program funded typically funded at a minimum of \$10 million a year. The FY 2003-04 State Budget currently contains \$5 million for the EEM Program. Under EEM statutes, the Resources Agency is responsible for: developing and adopting procedures and criteria; evaluating grant proposals; submitting a list of ranked projects recommended for funding; and finding that the projects are eligible for funding under Article XIX of the State Constitution. The Resources Agency's procedures and criteria contain a detailed, quantitative scoring mechanism that is used to evaluate and rank projects in priority order by assigning point scores to each project. In accordance with the provisions of Section 187 and 188 of the Streets and Highway Code, an attempt is made to allocate 40% of the total amount recommended to projects in the northern counties and 60% of the total amount to projects in southern counties.

The EEM Program is designed to undertake "environmental enhancement and mitigation projects that are directly or indirectly related to the environmental impact of modifying existing transportation facilities or for the design, construction, or expansion of new transportation facilities". EEM projects must provide environmental enhancements and mitigation over and above what is otherwise called for under the California Environmental Quality Act (CEQA) of 1970 or the National Environmental Policy Act (NEPA) of 1969.

The general categories of EEM projects eligible for funding are:

- Highway Landscape and Urban Forestry projects designed to offset vehicular emissions of carbon dioxide through the planting of trees and other suitable plants. Projects may be within or outside the right-of-way of the related transportation facility. Projects within the right-of-way, however, are not intended to supplant or augment highway landscaping that would normally be funded by the responsible public agency. Any planting within public road rights-of-way shall be limited to trees only.

- Resource Lands acquisition, restoration or enhancement of resource lands to mitigate the loss of, or the detriment to, resource lands lying within or near the right-of-way, acquired for proposed transportation improvements. Resource lands include natural areas, wetlands, forests, woodlands, meadows, streams, or other areas containing fish or wildlife habitat. Enhancement of resource lands may include the restoration of wildlife corridors.
- Roadside Recreational acquisition and/or development of roadside recreational opportunities, including roadside rests, scenic overlooks, trails, trailheads, sno-parks, and parks.

Any local, state or federal agency or nonprofit entity may apply for and receive grants under the EEM Program. The applicant is not required to be a transportation organization but must be able to demonstrate adequate charter or enabling authority to carry out the type of project proposed. Two or more entities may participate in a joint project.

For the FY 2003-04 EEM Program, the Resources Agency evaluated 109 projects with a total cost of over \$126.1 million, all competing for the \$5 million – the amount included in the FY 2003-04 State Budget for this program. From this list of projects, the Agency recommended to the Commission 41 projects for funding with a total cost of over \$10.4 million. Five of these projects are in excess of the Agency's generally established limit of \$250,000. The Resources Agency provided individual written justifications for the five projects (justifications attached). Commission staff reviewed the justifications and concurs with the Agency's action.

In the north, staff is recommending that the Commission fund the Agency's eight highest ranked projects. In the south, staff is recommending that the Commission fund the Agency's eleven highest ranked projects. In addition, one project in the south has a recommended funding reduction that is made necessary so the program stays within the \$5 million budget limit for the program.

The funding reduction involves the last project in the south, which is recommended for funding, Mountains Recreation & Conservation Authority (MRCA) Confluence Park project. The reduction is from the \$250,000 requested by the MRCA to \$146,008, so the overall EEM program will stay within the \$5 million budget limit. The applicant has agreed to reduce the project's scope by \$103,992 from the original application or to secure other funding to make the project whole.

The City of Porterville project was dropped from the Resources Agency's recommended project list with their concurrence because the applicant was unable to acquire the necessary property. The EEM Program Procedures and Criteria state that environmental documents must be submitted to the Commission for projects to be considered at the December 2003 meeting.

CALIFORNIA TRANSPORTATION COMMISSION

ADOPTION OF THE FY 2003-04 ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM

Resolution G-03-XX

- 1.1 WHEREAS, Streets and Highways Code Section 164.56, established the Environmental Enhancement and Mitigation Program; and
- 1.2 WHEREAS, this FY 2003-04 program provides for \$5 million for environmental enhancement and mitigation projects, which are directly or indirectly related to the environmental impact of modifying existing transportation facilities or for the design, construction or expansion of new transportation facilities; and
- 1.3 WHEREAS, the Resources Agency is charged with evaluating proposals submitted for this program and providing a list of proposals recommended for funding to the California Transportation Commission; and
- 1.4 WHEREAS, the California Transportation Commission is responsible for awarding grants to fund proposals which are included on the list prepared by the Resources Agency; and
- 1.5 WHEREAS, the Resources Agency has prepared such a list, and that list has been reviewed and reduced by Commission staff from just over \$10.4 million in projects to \$5 million in projects, the amount proposed in the FY 2003-04 State Budget Act for the Environmental Enhancement and Mitigation Program.
- 2.1 NOW THEREFORE BE IT RESOLVED, that the Commission adopts the FY 2003-04 Environmental Enhancement and Mitigation program, as indicated in the attached list of projects.
- 2.2 BE IT FURTHER RESOLVED, that it is the intent of the Commission to allocate available funds for these projects during the State Fiscal Year 2003-04, and that all funds so allocated should be expended on a timely basis, preferably by the end of State Fiscal Year 2004-05; and
- 2.3 BE IT FURTHER RESOLVED, that for projects which include land acquisition, the Commission would encourage grant recipients to reduce overall project costs by exploring the feasibility of acquiring easements rather than fee title when appropriate and in either case must record an Agreement Declaring Restrictive Covenants; and
- 2.4 BE IT FURTHER RESOLVED, that due to the uniqueness of the individual projects in this program, the Commission hereby directs Caltrans to be especially diligent in the on-site inspection and auditing of the projects included in this program.

**CALIFORNIA TRANSPORTATION COMMISSION
ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM
2003-04 GRANT CYCLE**

SOUTHERN COUNTIES

APP NO	APPLICANT	PROJECT	SCORE	FUNDING		CUMUL. TOTAL
				REQ'D	GRANTED	
99	DEPT OF PARKS AND RECREATION	VALLECITO RANCH ACQUISITION - PHASE II	93.3	\$500,000	\$500,000	\$500,000
34	CITY OF COMMERCE, CITY OF	VETERANS MEMORIAL PARK EXPANSION	88.5	\$250,000	\$250,000	\$750,000
15	GOLETA, CITY OF	MONARCH POINT BLUFFS ACQUISITION	87.8	\$500,000	\$500,000	\$1,250,000
21	LOS ANGELES CONSERVATION CORPS	NEW TREES FOR GARDENA	85.3	\$225,782	\$225,782	\$1,475,782
76	SOLANA BEACH, CITY OF	SOLANA BEACH LINEAR PARK	84.5	\$250,000	\$250,000	\$1,725,782
68	SAN DIEGO COUNTY	BROWN PARCEL RESOURCE LANDS ACQUISITION	82.3	\$191,500	\$191,500	\$1,917,282
16	SHAFTER, CITY OF	SHAFTER LANDSCAPING & BEAUTIFICATION	81.3	\$250,000	\$250,000	\$2,167,282
28	NORTHEAST TREES	ARROYO SECO REFORESTATION & HABITAT ENHANCEMENT	81.3	\$250,000	\$250,000	\$2,417,282
44	GOLETA, CITY OF	GOLETA OLD TOWN NEIGHBORHOOD PARK	80.5	\$250,000	\$250,000	\$2,667,282
93	DEPT OF PARKS AND RECREATION	MOONSTONE BEACH BOARDWALK	80.0	\$202,000	\$202,000	\$2,869,282
87	MOUNTAINS RECREATION & CONSERVATION AUTH	CONFLUENCE PARK	79.5	\$250,000	\$146,008	\$3,015,290
97	DEPT OF PARKS AND RECREATION	MACK PROPERTY ACQUISITION	79.5	\$250,000	\$250,000	\$3,265,290
47	PEOPLE FOR TREES	SR - 125 PLANTING	79.3	\$247,930	\$247,930	\$3,513,220
22	OCEANSIDE, CITY OF	SAN LUIS REY REC. TRAIL ROADSIDE & TRAILSIDE FAC. ENHANCE	78.5	\$38,545	\$38,545	\$3,551,765
18	VOLCAN MOUNTAIN PRESERVE FOUNDATION	VOLCAN MOUNTAIN: FINAL PHASE / RUTHERFORD RANCH (Politice	77.3	\$500,000	\$500,000	\$4,051,765
31	SAN DIEGO RIVER PARK - LAKESIDE CONSERVANC	RIVERWAY LANDS ACQUISITION	75.8	\$250,000	\$250,000	\$4,301,765
32	SAN BUENAVENTURA, CITY OF	MEDIAN LANDSCAPING	75.8	\$250,000	\$250,000	\$4,551,765
63	VISALIA, CITY OF	STREET TREES FOR VISALIA	75.3	\$247,250	\$247,250	\$4,799,015
82	LOS ANGELES COUNTY	ARROYO SECO BICYCLE TRAIL	74.5	\$250,000	\$250,000	\$5,049,015
4	VENTURA COUNTY	PIRU - CAMULOS RECREATION TRAIL	73.0	\$250,000	\$250,000	\$5,299,015
72	IRVINE, CITY OF	CULVER DRIVE LANDSCAPING	72.8	\$250,000	\$250,000	\$5,549,015
91	SAN DIEGO COUNTY	GUAJOME ROADSIDE REST PLAYGROUND	72.0	\$180,000	\$180,000	\$5,729,015
14	SANTA BARBARA COUNTY	ISLA VISTA BLUFFTOP PARCELS ACQUISITION	71.8	\$250,000	\$250,000	\$5,979,015

**CALIFORNIA TRANSPORTATION COMMISSION
ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM
2003-04 GRANT CYCLE**

NORTHERN COUNTIES

APP NO	APPLICANT	PROJECT	SCORE	FUNDING		CUMUL. TOTAL
				REQ'D	GRANTED	
89	SALINAS, CITY OF	NATIVIDAD CREEK RESTORATION INTERPRETIVE TRAIL	85.0	\$138,110	\$138,110	\$138,110
105	DEPT OF PARKS AND RECREATION	ADOBE VISITOR CENTER	84.5	\$245,000	\$245,000	\$383,110
33	SANTA CLARA VALLEY TRANSPORT AUTHORITY	RT 85/101 SOUTH INTERCHANGE	84.3	\$242,000	\$242,000	\$625,110
39	OUR CITY FOREST	TREES FOR VASONA LIGHT RAIL NEIGHBORHOODS	84.3	\$234,600	\$234,600	\$859,710
107	DEPT OF PARKS AND RECREATION	FOLSOM POWERHOUSE TRAILHEAD AND PARKING	83.5	\$250,000	\$250,000	\$1,109,710
38	ARCATA, CITY OF	SUNNY BRAE ACQUISITION	82.8	\$375,000	\$375,000	\$1,484,710
48	PLACER LAND TRUST	CANYON VIEW PRESERVE	82.8	\$250,000	\$250,000	\$1,734,710
12	MUIR HERITAGE LAND TRUST	MC HARRY RANCH ACQUISITION	82.3	\$250,000	\$250,000	\$1,984,710
55	ALBANY, CITY OF	ALBANY URBAN FORESTRY	81.8	\$93,100	\$93,100	\$2,077,810
29	BRENTWOOD, CITY OF	HIGHWAY LANDSCAPING & URBAN FORESTRY ON SAND CREEK ROAD	80.8	\$250,000	\$250,000	\$2,327,810
104	DEPT OF PARKS AND RECREATION	MT. TAMALPAIS SP COASTAL TRAILS REHABILITATION	79.0	\$246,000	\$246,000	\$2,573,810
36	SAN MATEO COUNTY	MIRADA SURF OCEANSIDE PARCEL ACQUISITION	78.0	\$250,000	\$250,000	\$2,823,810
59	SACRAMENTO, CITY OF	ORCHARD PARK RECREATIONAL IMPROVEMENTS & ENHANCEMENTS	78.0	\$250,000	\$250,000	\$3,073,810
98	DEPT OF PARKS AND RECREATION	IRRIGATION SYSTEM & LANDSCAPE DEVELOPMENT BRANNAN ISLAND	77.0	\$250,000	\$250,000	\$3,323,810
103	DEPT OF PARKS AND RECREATION	PERCHED DUNE TRAILS SYSTEM IMPROVEMENTS	77.0	\$106,443	\$106,443	\$3,430,253
106	DEPT OF PARKS AND RECREATION	BENNETT STREET GRASSLANDS ADA TRAIL CONSTRUCTION	76.0	\$250,000	\$250,000	\$3,680,253
77	WILDLIFE CONSERVATION BOARD	BUENA VISTA PROPERTY ACQUISITION	75.8	\$500,000	\$500,000	\$4,180,253