

# Memorandum

**To:** Chair and Commissioners

**Date:** May 25, 2006

**From:** JOHN F. BARNA, JR.  
Executive Director

**Ref Number:**  
Book Item 2.1e.(2)  
Action

**Ref:** PROPOSITION 116 RAIL PROGRAM PROJECT APPLICATION APPROVAL FOR  
THE SAN DIEGO ASSOCIATION OF GOVERNMENT'S DEL MAR BLUFFS  
STABILIZATION PROJECT  
PA-06-

## **Recommendation:**

Approve the attached resolution, which would grant approval of the San Diego Association of Government's application for \$2,003,000 in Proposition 116 funds for the stabilization of track bed for the Del Mar Bluffs in San Diego County.

## **Background:**

In April 2004, Commission staff received an application requesting \$2,003,000 in Proposition 116 funds (\$1,754,196 PUC Section 99629[a] and \$248,804 PUC Section 99642) from the San Diego Association of Governments to stabilize the Del Mar Bluffs and preserve track bed support in order to maintain the use of the existing railroad tracks.

The Del Mar Bluffs consists of 1.6 miles of coastal bluff in the southern portion of the City of Del Mar. The Del Mar Bluffs are subject to ongoing erosion and failures that could threaten the viability of rail service. The North County Transit District (NCTD) has implemented several construction projects and drainage improvements to help stabilize the slope; however, additional repair is needed. This project will focus on repair alternatives identified in a recent geotechnical study to stabilize the track bed.

These tracks are part of the Los Angeles to San Diego rail corridor and represent the only operating rail link to southern San Diego County. Loss of this rail link would have devastating social, economic, and transportation impacts on the region.

Attachment

## CALIFORNIA TRANSPORTATION COMMISSION

### Commission Project Application Approval San Diego Association of Governments Proposition 116 Application for the Del Mar Bluffs Stabilization Project 2

#### Resolution PA-06-\_\_

- 1.1 WHEREAS, in June 1990 the voters approved Proposition 116, the Clean Air and Transportation Improvement Act, for \$1.99 billion for rail and mass transportation purposes; and
- 1.2 WHEREAS, the California Transportation Commission is designated in Proposition 116 to oversee the five grant programs over the 20-year term of the Proposition; and
- 1.3 WHEREAS, Proposition 116 calls for the Commission to establish an application process and to develop and adopt guidelines to implement those programs; and
- 1.4 WHEREAS, Proposition 116 establishes as a purpose of the application process that it "facilitate implementation of improved cost-effective transit service to the maximum number of Californians and to prevent the funds provided for by this part from being spent on needlessly costly features"; and
- 1.5 WHEREAS, Proposition 116 requires applications to specify full and complete capital plans, financial plans, and operating plans, including schedules and funding sources; and
- 1.6 WHEREAS, the Commission has established a Hazardous Waste Identification and Clean-up Policy (#G-91-2) that requires the local agency to have performed full due diligence in identifying the hazardous waste in the right-of-way and easements and properties as well as clean-up, and that the state has been indemnified from clean-up liability of damages, both present and future; and
- 1.7 WHEREAS, in December 1990 the Commission adopted policy and application guidelines (#G-90-23) for the Proposition 116 rail program; and

- 1.8 WHEREAS, Proposition 116 (PUC Section 99629[a]) authorizes \$45,000,000 to the Los Angeles-San Diego (LOSSAN) Rail Corridor Agency for intercity and commuter rail projects in San Diego County; and
- 1.9 WHEREAS, Proposition 116 (PUC Section 99642) authorizes \$77,000,000 on a per capita basis to the San Diego Metropolitan Transit Development Board and North San Diego Transit Development Board (NSDCTDB), which shall be matched on a dollar-for-dollar basis, for rail projects within San Diego County; and
- 1.10 WHEREAS, in April 1994 the Commission approved an application request that transferred the applicant status from the LOSSAN Rail Corridor Agency to the NSDCTDB for the Proposition application for development of the Oceanside to San Diego Commuter Rail Project; and
- 1.11 WHEREAS, in February 2002 Chapter 743 (SB 1703) was enacted and created a consolidated transportation agency in San Diego from specified existing agencies, including the San Diego Association of Governments, the Metropolitan Transit Development Board, and the North County Transit Development Board.
- 1.12 WHEREAS, in April 2006, the San Diego Association of Governments submitted a project application requesting that \$2,003,000 be programmed for the Del Mar Bluffs Stabilization Project 2 to be used to stabilize the Del Mar Bluffs and preserve track bed support in order to maintain the use of the existing railroad tracks; and
- 1.13 WHEREAS, the April 2006, Proposition 116 a project application from the San Diego Association of Governments, including all supplemental information, has been reviewed by Commission staff, and appears to meet all the basic requirements as specified in Proposition 116 and the Commission's policies and guidelines; and
- 2.1 BE IT FURTHER RESOLVED, that the Commission hereby approves the Proposition 116 project application from the San Diego Association of Governments for the stabilization of the Del Mar Bluffs and the preservation of track bed support in order to maintain the use of the existing railroad tracks for \$2,003,000 in Proposition 116 funds (PUC Section 99629[a] and PUC Section 99642); and
- 2.2 BE IT FURTHER RESOLVED, that a Proposition 116 project approval by the Commission reserves the State funding within the Program, and allows project development work to be undertaken by the applicant agency, which will be subject to state reimbursement pursuant to the Commission's "Guidelines for Allocating, Monitoring, and Auditing Funds for Local Assistance Projects" and subsequent fund transfer agreement.