

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 25-26, 2008

Reference No.: 2.8f. – **REVISED**
Action Item

From: CINDY McKIM
Chief Financial Officer

Prepared by: Terry Abbott
Division Chief
Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT DEVELOPMENT EXPENDITURE FOR LOCALLY-ADMINISTERED STIP PROJECTS PER RESOLUTION G-06-20, STIP GUIDELINES WAIVER-08-28**

CTC ACTION UPDATE: The California Transportation Commission approved the time extension request for Project #2 (Mendocino, PPNO 4102P) for 14 months only, and for Project #10 (Shasta, PPNO 2400) for 20 months. All other time extension requests were approved as presented.

RECOMMENDATION:

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve Waiver-08-28, extending the period of project development expenditure for the projects listed on the attached document, for the time periods shown.

ISSUE:

The attached list identifies 17 projects totaling \$2,969,000. The Commission allocated the funds in Fiscal Year (FY) 2005-06 for project development phases, as shown on the attachment. The local agencies will not be able to expend the funds by the June 30, 2008 deadline. The attachment shows the details of the projects and the explanation for the delays. The project sponsors are requesting extensions, and the planning agencies concur.

BACKGROUND:

Current State Transportation Improvement Program (STIP) Guidelines stipulate that funds allocated for local project development or right of way costs must be expended by the end of the second fiscal year following the fiscal year in which the funds were allocated. 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 Development Expenditure Deadline
Local Streets and Roads Projects**

Project #	Applicant County PPNO Project Description Reason for Project Delay	Extension Amount By Component (\$ in thousands)		Allocation Date Allocation Resolution Number Number of Months Requested Extended Deadline CT Recommendation
		E&P (Environmental & Permits) PS&E (Plans, Specifications and Estimates) R/W (Right of Way) CON (Construction) TOTAL		
1	City of Lakeport Lake PPNO: 01-3036B Lake County Fairgrounds Sidewalks	\$30 \$0 \$0 \$0 \$30		06/08/2006 E&P FP-05-86 E&P 12 months 06/30/2009 E&P Support
<p>The City of Lakeport (City) is requesting a 12-month extension to the period of project development expenditure for the E&P phase of the Lake County Fairgrounds Sidewalks TE project. The Department conducted a field review on April 26, 2007, and the Preliminary Environmental Study form was completed and signed by the Department. At that time, the City's resources were fully committed to a Cease and Desist Order issued by the Regional Water Quality Control Board, which required urgent improvement to the waste water treatment plant. As a result, the City has not yet secured the services of a consulting engineering firm to perform the required studies for the E&P phase of the project. It is anticipated that a contract will be executed in August 2008, and the studies will commence. However, it is anticipated that biological assessments will need to be conducted in April 2009, resulting in the E&P phase not being completed until late in the spring of 2009. The City anticipates completing environmental studies (water quality permit study, flood plain study and hazardous waste study) by March 2009, and completing the NEPA document by June 2009.</p>				
2	County of Mendocino Mendocino PPNO: 01-4102P Redemeyer Road Extension	\$150 \$0 \$0 \$0 \$150		08/17/2005 FP-05-16 20 months Approved for 14 months only. 02/28/2010 08/31/2009 Support
<p>The County of Mendocino (County) is requesting a 20-month extension to the period of project development expenditure for the E&P phase of the Redemeyer Road Extension project. The Redemeyer Road Extension project is critically needed to improve traffic circulation in the unincorporated area east of Ukiah and for public safety consideration. The Mendocino Council of Governments was approved for funding for the E&P phase as part of the 2002 STIP. Due to the need to also program other deserving and critically needed STIP projects, only \$150,000 was available for the first portion of the E&P phase for the Redemeyer Road Extension. Therefore, it was determined appropriate and effective to use the STIP funding for conducting a project feasibility study by a consulting engineer. The information derived from the feasibility study would provide a sound basis for the environmental studies and regulatory permits needed under the remaining portion of the E&P phase. The consultant agreement for the Redemeyer Road Extension feasibility study was awarded on November 6, 2007. Work commenced promptly thereafter, and the scheduled completion date is November 6, 2008. The reason for requesting a time extension to February 26, 2010, is to utilize currently programmed funds to commence the required environmental studies for the project utilizing the interim data from the current feasibility study. The County will attempt to identify other funding to augment the STIP funds that are currently available for the environmental study needs. The County anticipates programming additional funds for environmental studies by September 2008, completing the project feasibility study by November 2008, awarding the consultant agreement for environmental studies by December 2008, and conducting the project final review by February 2009. Finally, the County anticipates completing environmental studies by February 2010.</p>				

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3	County of Tehama Tehama PPNO: 02-2032 Flores Avenue Project	\$123 \$0 \$0 \$0 \$123		08/18/2005 FP-05-16 18 months 12/31/2009 Support
<p>The County of Tehama (County) is requesting an 18-month extension to the period of project development expenditure for the E&P phase of the Flores Avenue project. Environmental delays have occurred due to the sensitivity of the landscape. Vernal pools and endangered species such as the Red-legged Frog have increased the amount of environmental studies needed to minimize the impacts to the land habitat. Twelve different alignments have been studied at the direction of the Army Corps of Engineers. In addition to extensive alignment changes, the analysis of both wet and dry season as related to the vernal pools resulted in extensive delays. The multiple studies have resulted in an alignment that will minimize impact on the environment as well as remove commercial vehicle traffic off local streets. Providing commercial vehicles with direct access to commercial and agricultural areas improves the efficiency of local agricultural traffic and goods movement, reduces accidents and enhances safety. The County anticipates completing mapping of alignment by August 2008 and completing all environmental technical studies (wetlands, biological, archeological, noise study, public scoping meeting, visual impact report, and prime farmland report) by August 2009. Finally, the County anticipates completing the NEPA documents and reviews by December 2009.</p>				
4	County of Lassen Lassen PPNO: 02-2121 Skyline Road	\$0 \$0 \$125 \$0 \$125		08/17/2005 FP-05-16 12 months 06/30/2009 Support
<p>The County of Lassen (County) is requesting a 12-month extension to the period of project development expenditure for the R/W phase for the Skyline Road project. This project has been delayed due to the additional time needed to complete more detailed hydrology and geotechnical studies for the design of the bridge structure, which is required to cross Susan River. Also, it was discovered that a resurvey of the site would be necessary, as work had been completed on re-aligning an irrigation ditch on private property that crosses the proposed project area. This was discovered late last fall, so the survey had to be delayed until after the winter weather and the site dried out. With all these delays, the County is aggressive in keeping the Skyline Road project going, as it increases traffic capacity and has a direct impact on State Route 139 and State Route 36 in the city of Susanville. The County anticipates completing the hydrology and geotechnical studies by December 2008, completing the right of way maps by January 2009, and completing the right of way appraisals by March 2009. After that, the County anticipates completing the right of way acquisitions by June 2009.</p>				
5	County of Lassen Lassen PPNO: 02-2123 Skyline Road Extension Bikeway Project	\$0 \$0 \$74 \$0 \$74		06/08/2006 FP-05-85 12 months 06/30/2009 Support
<p>The County of Lassen (County) is requesting a 12-month extension to the period of project development expenditure for the R/W phase for the Skyline Road Extension Bikeway project. This project has been delayed due to the additional time needed to complete more detailed hydrology and geotechnical studies for the design of the bridge structure, which is required to cross Susan River. Also it was discovered that a resurvey of the site would be necessary, as work had been completed on re-aligning an irrigation ditch upon private property that crosses the proposed project area. This was discovered late last fall, so the survey had to be delayed until after the winter weather and the site dried out. With all these delays, the County is aggressive in keeping the Skyline Road Extension Bikeway project going, as it increases traffic capacity and has a direct impact on State Route 139 and State Route 36 in the City of Susanville. The County anticipates completing the hydrology and geotechnical studies by December 2008, completing the right of way maps by January 2009, and completing the right of way appraisals by March 2009. After that, the County anticipates completing the right of way acquisitions by June 2009.</p>				

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6	County of Lassen Lassen PPNO: 02-2395B Skyline Road Extension Bicycle Path	\$0 \$50 \$127 \$0 \$177	06/08/2006 FB-05-86 12 months 06/30/2009 Support
<p>The County of Lassen (County) is requesting a 12-month extension to the period of project development expenditure for the PS&E and R/W funds for the Skyline Road Extension Bicycle Path project. This project has been delayed due to the additional time needed to complete more detailed hydrology and geotechnical studies for the design of the bridge structure, which is required to cross Susan River. It was also discovered that a resurvey of the site would be necessary, as work had been completed on re-aligning an irrigation ditch upon private property which crosses the proposed project area. This was discovered late last fall so the survey had to be delayed until after the winter weather and the site dried out. With all these delays, the County is aggressive in keeping the Skyline Road project going, as it is an important capacity increasing project that will have a direct impact on State Route 139 and State Route 36 in the City of Susanville. The County anticipates completing the hydrology and geotechnical studies by December 2008, completing the right of way maps by January 2009, and completing the right of way appraisals by March 2009. After that, the County anticipates completing the right of way acquisitions by June 2009.</p>			
7	County of Lassen Lassen PPNO: 02-2395C Skyline South Multi-Use Pathway Extension	\$50 \$0 \$0 \$0 \$50	11/03/2005 FP-05-38 12 months 06/30/2009 Support
<p>The County of Lassen (County) is requesting a 12-month extension to the period of project development expenditure for the E&P phase of the Skyline South Multi-Use Pathway project. This project has been delayed due to the additional time needed to complete a hazardous material study in an abandoned railroad corridor within the project boundary. This project will enable the connection of the Class 1 bike paths, which are being constructed with Skyline Road East and Skyline Road Extension to the Bizz Johnson Trail and the City of Susanville's River Trail. This project utilizes the old abandoned railroad corridor as the connection to these other trails. Extending the expenditure deadline will allow time to complete the environment studies, which are necessary to finalize the environmental phas, so the County can start the acquisition of the property from Union Pacific. The County has programmed TE funds for the acquisition in the 2008 STIP. The County anticipates completing the consultant selection by September 2008, consultant contract award by October 2008, environmental study by April 2009, and the environmental process by June 2009.</p>			
8	County of Siskiyou Siskiyou PPNO: 02-2302 Ash Creek Bridge Project	\$0 \$60 \$0 \$0 \$60	11/03/2005 FP-05-37 20 months 02/28/2010 Support
<p>The County of Siskiyou (County) is requesting a 20-month extension to the period of project development expenditure for PS&E funds for the Ash Creek Bridge project. This project is in the environmental phase and has been delayed due to a historic bridge and archeological structures at the site that need to be evaluated. The County is currently in the process of finalizing the Archaeology Study Report (ASR), Historic Property Survey Report (HPSR) and Findings of Effect (FOE). These reports will have to be reviewed and approved by the Department and the State Historic Preservation Office (SHPO). After approval of those three reports, the County will prepare a Memorandum of Agreement (MOA) and Historic Properties Treatment Plan (HPTP), which will require approval from the Department and the Bureau of Land Management (BLM). After those two documents are approved, the County will complete the NEPA process. All of these documents go through a draft phase, which will require input by the Department, BLM and SHPO. The comments are incorporated into the original documents, which then go through the final review process. Recently, the County agreed with the Department to finalize the HPSR/ASR/FOE and MOA/HPTP by February 2009, finalize the NEPA process by August 2009, and complete the PS&E design by February 2010.</p>			

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9	City of Yreka Siskiyou PPNO: 02-2296 Collector and Residential Street Rehabilitation	\$0 \$50 \$0 \$0 \$50		04/27/2006 FP-05-71 6 months 12/31/2008 Support
<p>The City of Yreka (City) is requesting a 6-month extension to the period of project development expenditure for the PS&E phase of the Collector and Residential Street Rehabilitation project. This project was initially programmed for Fiscal Year 2003-04, a programming schedule which was coordinated with numerous other City projects and in consideration of staff availability. The California Transportation Commission made numerous programming adjustments as a result of the 2006 STIP augmentation process, which affected numerous project schedules assigned to a part-time staff engineer. PS&E for this project was allocated by the Commission on April 27, 2006, at the same time as four other STIP projects with priority construction deadlines. The part-time staff engineer designed, coordinated the design, and acted as resident Engineer for all of these projects. Construction of the four STIP projects was completed between July 2007 and February 29, 2008. A survey services contract for the overlay project was completed in early 2007, but the availability and workload of the surveyors delayed delivery of critical design data until August 2007. Evaluation of the roadway segments to be rehabilitated, as well as limited staff availability has resulted in the need to develop additional survey data. Consequently, completion of the PS&E by June 30, 2008, is unlikely. It is anticipated that additional time will be required to complete the design evaluations, additional surveys, and final PS&E preparation. Design delays for this project are largely the result of the previous programming changes that combined PS&E and construction funds for several other STIP funded projects into a single budget year. This adjustment in resources delayed the anticipated completion date for PS&E work on this project.</p>				
10	County of Shasta Shasta PPNO: 02-2400 East Redding Bike Lanes	\$0 \$120 \$310 \$0 \$430		06/20/2006 FP-05-86 ± 20 months 06/30/2009 10/30/2008 Support
<p>The County of Shasta (County) is requesting a 12-month extension to the period of project development expenditure for the PS&E and R/W funds of the East Redding Bike Lanes project. This project has 50 parcels of R/W acquisitions and utility relocations. Concurrently there is a County project within the boundaries of the East Redding Bike Lanes project with 26 parcels of R/W acquisitions. Both of these projects are tied together by multiple utility relocations. The County has been working with Pacific Gas and Electric (PG&E) on the relocation of their facilities involving both projects for some time now, but was recently made aware that PG&E Power Company required an additional 15 feet of R/W beyond the amount required for the project. This prompted the County to redesign some sections of the project, which in turn set back the scheduled date for delivering R/W certification. The County is requesting that the original expenditure deadline for R/W certification be extended to June 30, 2009. Shasta County is committed to completing this project. The County anticipates redesigning the project by October 2008, completing the R/W maps by November 2008, completing the R/W appraisals by February 2009, and completing the R/W Acquisitions by June 2009.</p>				

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11	City of Vallejo Solano PPNO: 04-5152C Downtown Vallejo Square Pedestrian Enhancements	\$664 \$0 \$0 \$0 \$664		04/27/2006 FP-05-73 9 months 03/31/2009 Support
<p>The City of Vallejo (City) is requesting a nine-month extension to the period of project development expenditure for the E&P phase of the Downtown Vallejo Square Pedestrian Enhancements TE project to complete the E&P and PS&E phases. Federal authorization to proceed was approved in July 2006 for the E&P phase. After receiving the Authorization to Proceed, the City prepared and sent out a Request For Proposal (RFP) for consultant services. The City had experienced a delay to award the consultant contract due to economic uncertainties with the downtown developer, who was obligated to contribute funds for this design effort. Once the contract was awarded, the consultant focused on the conceptual design and the City staff worked on the environmental documentation. Although a field review was performed in March 2006, the City and the Department felt it was necessary, due to staff turnover at the City, to schedule a follow-up field review in March 2008. Once the City understood the outstanding issues, progress towards obtaining the NEPA clearance has been good. The City is confident that it will be able to process a Request for Authorization to Proceed with Construction by March 2009. The City anticipates getting the NEPA clearance by September 2008, and completing the PS&E by March 2009.</p>				
12	City of Visalia Tulare PPNO: 06-D006A Santa Fe Bike Path	\$21 \$0 \$0 \$0 \$21		08/22/2005 FP-05-18 8 months 02/28/2009 Support
<p>The City of Visalia (City) is requesting an eight-month extension to the period of project development expenditure for E&P funds for the Santa Fe Bike Path project. At the time funds were allocated for this project, the City of Visalia was working through right of way acquisition. The process took a long time because it involved the railroad and acquiring adjacent land. When the right of way was finally acquired and recorded on August 28, 2006, the site was under construction with a separate project that widened the intersection of Caldwell Avenue and Santa Fe Street. That project was not completed until February 2008. For these reasons, the City was delayed in starting the planning and environmental document but is now ready to do so. The City anticipates completing the preliminary environmental studies by July 2008, completing 30 percent of the environmental design by August 2008, railroad review by September 2008, approving document by the Council by December 2008, and finally, completing the NEPA document by February 2009.</p>				
13	City of Victorville San Bernardino PPNO: 08-1111D Riverwalk Trail (Phase1)	\$751 \$0 \$0 \$0 \$751		06/15/2006 FP-05-86 12 months 06/30/2009 Support
<p>The City of Victorville (City) is requesting a 12-month extension to the period of Project Development Expenditure for E&P funds for the Riverwalk Trail Phase 1 project. The project as proposed requires construction of a pedestrian and bicycle pathway through the Mojave River banks, which traverses an environmentally sensitive area. The City is requesting a 12-month extension due to delays in obtaining right of way access along an environmentally sensitive area of the Burlington Northern Santa Fe Railroad. This issue is in the process of being resolved, and the City is proceeding with the completion of NEPA environmental documents for the project. The City anticipates completing the NEPA environmental documents by June 2009.</p>				

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14	County of Mono Mono PPNO: 09-2012 Owens Gorge Road Rehabilitation	\$28 \$0 \$0 \$0 \$28		06/15/2006 FP-05-85 12 months 06/30/2009 Support
<p>The County of Mono (County) is requesting a 12-month extension to the period of Project Development Expenditure for E&P funds for the Owens Gorge Road Rehabilitation project. This extension is requested in conjunction with a concurrent allocation request for PS&E on this month's agenda, in order to meet anticipated increased expenses associated with PS&E. Funds will be utilized within the next 12 months. The County anticipates completing the survey by August 2008, recruiting a consultant designer by October 2008, completing the PS&E design by February 2009, completing agency review by April 2009, and completing the bidding process by June 2009.</p>				
15	County of Mono Mono PPNO: 09-2020 Owens River Road Rehabilitation	\$36 \$0 \$0 \$0 \$36		06/15/2006 FP-05-85 12 months 06/30/2009 Support
<p>The County of Mono (County) is requesting a 12-month extension to the period of Project Development Expenditure for E&P funds for the Owens River Road Rehabilitation project. This extension is requested in conjunction with a concurrent allocation request for PS&E on this month's agenda, in order to meet anticipated increased expenses associated with PS&E. Funds will be utilized within the next 12 months. The County anticipates completing the survey by August 2008, recruiting a consultant designer by October 2008, completing the PS&E design by February 2009, completing agency review by April 2009, and completing the bidding process by June 2009.</p>				
16	County of Mono Mono PPNO: 09-2021 Bridgeport Street Rehabilitation	\$64 \$0 \$0 \$0 \$64		06/15/2006 FP-05-85 12 months 06/30/2009 Support
<p>The County of Mono (County) is requesting a 12-month extension to the period of Project Development Expenditure for E&P funds for the Bridgeport Street Rehabilitation project. A portion of the funds allocated for E&P were used to acquire aerial photographic map preparation. However, this extension is requested in conjunction with a concurrent allocation request for PS&E on this month's agenda, in order to meet anticipated increased expenses associated with PS&E. Funds will be utilized within the next 12 months. The County anticipates completing a survey by October 2008, recruiting a consultant designer by December 2008, and completing the PS&E design by June 2009.</p>				
17	City of San Diego San Diego PPNO: 11-7421A University Avenue Mobility Project	\$100 \$0 \$0 \$0 \$100		03/16/2006 FP-05-65 6 months 12/31/2008 Support
<p>The City of San Diego (City) is requesting a six-month extension to the period of Project Development Expenditure for E&P funds for the University Avenue Mobility project. The City of San Diego originally anticipated proceeding with only Phase 1 of this project at this time. After meeting with Department staff and performing a field review, it was recommended to prepare environmental documents for all phases of the project. This required the City of San Diego to request additional TE funds, which were authorized on October 26, 2007. These funds, along with the original allocation of \$100,000, will be used toward consultant professional services needed to perform necessary studies and to prepare documents needed to meet NEPA and CEQA requirements. The City of San Diego is currently in the process of hiring a consultant to perform the environmental work for this project. Consultant interviews have been completed and a consultant firm has been selected. The City of San Diego is currently negotiating a contract with the selected firm. The City anticipates completing contract negotiations by August 2008, and completing environmental studies by December 2008.</p>				