

Local Assistance
 Highway Bridge Program Advisory Committee Meeting
 August 26, 2021—Decisions Made, Action Items and Summary

Attendees

Dee Lam, DLA	Nick Semander, SM&I
Mark Samuelson, DLA	John O’Sullivan SM&I
Linda Newton, DLA	Jon Pray, CTC
Robert Peterson, DLA	Timothy Sobelman, CTC
Andy Chou, DLA	Dan Hawk, FHWA
Jeremy Wright, DLA	Max Katt, FHWA
Robert Zezoff, DLA	Michael Chung, San Joaquin County
Roberta Jensen, DLA	Matt Randall, Placer County
Eileen Crawford, DLA	Chris Sneddon, Santa Barbara County
Kelly Hobbs, DLA Environmental	Jason Vivian, Tulare County
Dominic Vitali, D10 Environmental	Debbie O’Leary, City of Oxnard
Parminder Singh, DLAE D10	Rebecca Neves, City of Placerville
Andy Gill, SLA	José Luis Cáceres, SACOG
Ramon Reyes, SM&I	Susan Herman, CSUS
Erol Kaslan, SM&I	

Decisions

The straight line high-cost bridge reform will be implemented.

Action Items

All completed or closed Action Items will be removed from the list for the next meeting summary.

Item Number	Status	Who	Action	Date Created	Target Date
A95	Closed; see Agenda item 5	DLA	Bridge Capacity System (BCS) hosting: consider costs and risks, with input from County of LA, Caltrans IT, and LTAP Center	2/19/15	August 2021

Item Number	Status	Who	Action	Date Created	Target Date
A110	Open	CSAC reps	Contact county agencies whose unprogrammed bridge projects appear on the scour critical list coded 1 or 2, to promote awareness of HEC 23 chapter 2 (Scour Plan of Action and Countermeasures), available mitigation funding, and HBP prioritization criteria.	2/21/19	2021
A112	Complete; see Agenda item 3	DLA	Invite Caltrans Local Assistance Environmental Coordinator to provide input on NEPA process, for discussion on how to streamline.	4/18/19	August 2021
A114	Open	All	Discuss possible changes to 6-A scoping document to help estimate project cost more precisely.	4/18/19	December 2021
A120	Open	DLA	Circulate letter for comment to 6 county agencies whose yet-to-be programmed bridge projects appear on the scour critical list coded 2, seeking response on Scour Plan of Action and Countermeasures.	8/22/19	2021
A127	Complete; see Agenda Item 3	DLA	Environmental mitigation: Invite DEA input on Caltrans and CDFW departments' different terms for environmental monitoring and maintenance (3 years vs. 5)	2/22/21	August 2021

Item Number	Status	Who	Action	Date Created	Target Date
A130	Complete	DLA	Open discussion with Caltrans Division of Budgets on reapplication for toll credits and general path forward.	6/17/21	2021
A131	Open	DLA	Prepare Office Bulletin on high-cost bridge policy reform for posting in early 2022	8/26/21	2022

Discussions

1. Welcome and Introductions

Dee shared opening comments regarding on-deck items for Caltrans as a whole and the Division of Local Assistance (DLA) specifically:

- Federal transportation and infrastructure bills in process, State budget preparation.
- Training will occur September 8 with Regional Transportation Planning Agency group, will focus on critical dates.
- Continued partnership with Federal Highway Administration (FHWA) and California Transportation Commission (CTC) remains positive thanks to work by Local Assistance in delivering Obligation Authority (OA).
- Lots of work on making data searchable and accessible to local agencies, to better manage project milestones. Much of this is above and beyond daily operations.
- Many process improvements within DLA. Federal feedback that our Local Assistance Program Manual (LAPM) is one of best guidance documents in the country.
- Upper management supports the Bridge committee. Dee continually briefs upper management on intricacies of the program such as resourcing needs for customer service, hiring priority list. Priority to also strengthen District partnerships.
- Jeremy Wright's position has been filled. Roberta Jensen joined the HBP management team as the Local Bridge Seismic Retrofit Program manager.
- Eileen Crawford returned last week to the HBP management team as a retired annuitant.
- FHWA announced Max Katt is the new Senior Structure Engineer at FHWA California Division.

3. Environmental Discussion

Kelly Hobbs and Dominic Vitali, Environmental experts shared a presentation to address Action Item 127, California Department of Fish & Wildlife (CDFW) mitigation monitoring requirements and how they differ from Caltrans requirements.

- The Environmental group takes clean water, clean air, endangered species seriously no matter the size of the bridge.
- Project delivery is 2-4 years for bridge replacement projects with mid-range issues. Of the 35 projects in LP2000 timelines range from 6-9 months delivery to 3-5 years. For cultural resource properties, mitigation can extend for as long as 10 years. Every bridge has a different story.
- On completion of the five-bridge pilot project in District 2, Trinity County, with Central Federal Lands (CFL), which spanned only seven months, some asked: *Why does it take Caltrans so long to deliver?* The Trinity County CFL projects were all quite simple—no biological concerns, prefabricated. Caltrans staff can achieve this short turnaround too when projects are simple.
- Caltrans is not lead agency for working with CDFW; rather, local agencies are the permit applicant. Same with Army Corps of Engineers, and United States Coast Guard. Caltrans can assist but local agencies are California Environmental Quality Act (CEQA) lead.
- CDFW permitting phase comes after National Environmental Policy Act (NEPA) clearance. For this reason, sometimes the permit measures don't come to light until the project is in final design or right of way stage.
- FHWA will pay CEQA related environmental mitigation costs if it is deemed a reasonable expenditure of public funds. Kelly advised that local bridge sponsors work first through District environmental staff, then reach out to headquarters.
- National Marine Fisheries Service sometimes requires long term monitoring; US Fish and Wildlife rarely does.
- CDFW often requires long term monitoring of riparian vegetation. Three years used to be common for agreements in Region 2, Sacramento, but 5 years is becoming the new standard. There is no threshold that can be applied across the board; variations are project specific.
- Negotiations between local agency and CDFW happen during permitting phase. Dominic advised local agencies to keep Caltrans in the loop to help them negotiate terms, especially if they plan to seek federal reimbursement. Consultants should likewise keep agencies in the know.

Questions and comments regarding Action Item A127:

- A committee member commented that the biggest issue is not necessarily the number of years' monitoring. Rather, it's expensive measures such as providing for irrigation, plant survival criteria, re-planting and restoring sites. When there is no irrigation system already in place, it's hard for agencies to ensure plant survival.
 - Kelly recommended that agency staff communicate about difficulties with irrigation to CDFW when negotiating contracts.
- A committee member asked: How and what are the impacts to project close out when a 5-year mitigation requirement is in place? How do local agencies navigate

the close out process with that time constraint and the urgency from FHWA/Caltrans to close out the project to free up the funds for other projects?

- It is possible to set up a “child” Federal Aid number for the mitigation only. This process is outlined in the LAPM Chapter 6.
- Avoid onsite mitigation when possible. Instead buy habitat credits through Conservation and Mitigation Banks. Caveats: “one-stop permit compliance” can be expensive, and banks can be limited. Example: Brush rabbit is both a state and federally threatened species. No credits left on its mitigation bank market. So, agencies do have to mitigate for 3-5 years.
- A committee member commented: I have a project where we submitted our 5 year monitoring report and showed that the project was successfully completed however I'm still waiting on CDFW on concurrence...right now it's difficult to even receive a response from CDFW. We explained that the project funding was expiring and that we needed concurrence and now I'm afraid they'll come in after the fund expiration and ask for changes that we (the locals) will need to fund since the federal funding reimbursement has expired.
 - Kelly noted that Local Assistance Headquarters staff can assist with these types of issues.
 - CDFW Permitting agencies follow different processes across regions. There can be different measures required and different communication depending on the region. Keep Caltrans involved; elevating issues like this helps keep the resource agency accountable. Caltrans has both federal and state liaisons to work with the resource agencies.
- A committee member asked: Are there any opportunities for Caltrans to work with Local Agencies to lead efforts to put together programmatic 401, 404, and CDFW permits for HBP projects to help streamline the process and standardize the regional mitigations?
 - 404 (Army Corps) and 401 (State regional quality control board)—Clean Water Act—these can be challenging to navigate due to water rules changes during Trump administration. Most bridge projects do trigger permits because they work in banks and channels. Lean Six Sigma is happening in headquarters to provide guidance on developing programmatic permits.
 - An example of moving toward programmatic permitting would be Placer County's Habitat Conservation Plan. This took 20 years to develop.
 - Local agencies that have conservation plans go through Section 10 of the Federal Endangered Species Act (incidental take permit). Caltrans must go through Section 8 because of the NEPA delegation.
 - Caltrans and CDFW created the Permitting Task Force per AB1282 to address 1600 series permits, making it possible to work programmatically with agencies.
- A committee member commented: I think as a whole, we need to push back on the 5-year commitment. As previously mentioned, after we get to 3 years of monitoring

watering stops, and the trees are required to survive on their own. It's going to be difficult to meet survival requirements when rain is limited and looking only to get worse.

- Permitting agencies work from templates for cookie-cutter solutions. Everything is negotiable. There is more flexibility with Federal permitting agencies because Caltrans is NEPA lead. Local agencies interfacing with CDFW have more challenges; still, it's advised to involve Caltrans headquarters, especially with 2081 Incidental Take permits. These are baseline \$30K.

A112 discussion

The second part of the presentation covered Action Item 112, streamlining efforts within Caltrans Local Assistance Environmental office to improve NEPA process.

- NEPA Process Improvement Team. Lead is the same person who oversaw initial NEPA assignment to California in 2007.
- Team took holistic approach to look at every guidance document. They have made the following incremental changes:
 - Introduced a CE checklist to eliminate redundant forms.
 - Updated NEPA monitoring and revalidation procedures.
 - Relaxed procedures for USFWS/FMFS Species list (no more than 180 days old rule).
 - Biological opinions can now be issued during final Design phase rather than during NEPA.
- Proposed changes include:
 - Classes of Action Routine vs. Complex environmental assessment scheme
 - Quality Assurance/Quality Control review procedures—concurrent District and Headquarters reviews.
- Risk-Based Stewardship and Oversight (RBSO) efforts to improve efficiency include:
 - Change to Location Hydraulics Study process. To avoid multiple iterations of Preliminary Environmental Study (PES) form, invite Local Assistance staff to inspect the field site. A well-done PES could save months or years on a project. If a PES has had 2 or 3 iterations, something is wrong.
 - New PES form and intake process.
- FHWA/NEPA related efficiencies:
 - NEPA Assignment Fact Sheet https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/nepa-factsheet-q55_a11y.pdf.
 - Link to comment on the 326 Memorandum Of Understanding before it comes out in the Federal Register: <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/ser/106pa-14-a11y.pdf> .

- Section 106 Programmatic Agreement will expire in December 2023. Renewal process will start mid-2022. Provide comments to Kelly directly. kelly.hobbs@dot.ca.gov.

4. Electronic file transfer for Bridge Inspection Reports

- Erol introduced Ramon Reyes, Structure Maintenance and Investigations (SM&I) Area Bridge Maintenance Engineer (ABME) “reinventing himself as a computer scientist.” SM&I completes bridge inspections and the Bridge Inspect Reports (BIRs): Good-Fair-Poor condition, load rating data, recommended repairs.
- Since late 1970s BIRs have been transmitted to local asset owners by regular mail. During COVID SM&I recognized this does not work anymore.
- The presentation outlined how the electronic file transfer process works and shared feedback from those who are using it.
- Process. 1) Inspect bridges, 2) Generate BIRs, 3) Send BIR to archive, 4) Distribute BIRs to bridge owners. ABME used to go to field with huge binders of paper, clipboards, complete inspect, come back to the office, put information in the database, then send out internal hard copies for handwritten comments. Comment corrections are incorporated into database, generate final inspection report, then scan back in for archive. The final step is to mail to the local agency using standard mailing services.
- Now tablets are used during inspection, even more data are gathered than with paper. Adobe Shared Reviews is used to comment with multiple reviewers simultaneously. The BIR author receives an automatic notification when reviews are complete. This allows the author to finalize the BIRs and archive digitally. This is a much quicker, simpler process that eliminates paper processing.
- The final distribution step is still paper mailing. 10-30 PDFs at a time go to an office printer. Office clerk must determine whether an irrigation district, railroad, other agencies also should receive a report and potentially make multiple copies. ~2000 sheets of paper/month. SM&I knows that local agencies then scan the paper reports they receive for electronic archiving.
- September 2021 is the goal for fully paperless transmission: reports delivered from SM&I to local agencies directly from database and capability for agencies to transmit information back, via the FILR program (licensed by Caltrans from Microfocus).
- Link for agencies’ dedicated FILR users in email to download BIRs from the system. Attachments include list of which reports are included and instructions for downloading from FILR system. Also includes an extract of data for work recommendations in Excel format—so agency staff do not have to open each bridge’s PDF report separately to see recommended work.
- FILR also serves other needs, such as submitting as-built plans and photos, other document requests.
- Current Status. SM&I staff are now contacting agencies to establish email accounts within FILR. All should be registered in the next few weeks.

- Please keep agency personnel contacts and email addresses updated with SM&I.

5. Review of 6/17/21 Draft Action Summary

- A95 will be closed. DLA has had conversations with Caltrans Information Technology and the Local Technical Assistance Program Center, and both declined to host the Bridge Capacity System (BCS). The County of Los Angeles has developed the system, it works, and now the issue becomes finding a host for the BCS, maintenance and upkeep of data.
 - Item is closed.
 - Committee members will share information at upcoming California State Association of Counties (CSAC) meeting and solicit leadership for a potential host.
- A112 and 127 are now complete.
- A130 is now complete.
- CA Statewide Local Streets and Roads Need Assessment will become a standing agenda item rather than individual actions to complete.

6. Financial Status

HBP managers provided the financial status report.

- \$245 million of HBP has been obligated as of 8/16/21.
- RSTP apportionment loan Memorandum of Understanding is set up with six regions, worth approximately \$86 million. There is a potential for advancement of these projects that are programmed in FFY 21/22 and 22/23. Implementation will report next week on Obligation Authority delivery and August re-distribution. Loans may then be executed to advance high-cost bridge projects from FY 21/22 or 22/23 into the end of 2021. If the loans are executed, the programming in the upcoming years would be lowered to account for these advancements.

7. Projects not yet authorized

- HBP managers shared the list showing 95 projects that are currently in the HBP but have not started PE. Their combined value was \$287,572,008. Due to the program reform policy recently put in place, there will be a change in reimbursement rates that affects these projects.
- The federal/local reimbursement ratios for all new HBP projects have been revised to 80%/20% for on-federal aid system projects and 88.53%/11.47% for off-federal aid system projects. This applies to projects that had not received an authorization to proceed in the PE phase before March 30, 2021.
- District staff received verification from most of the sponsoring agencies that they want to proceed with their projects at the new, lower reimbursement rates. Mendocino County did not respond (2 projects); Plumas chose to withdraw its project.

- Savings: \$18.1million from on-system projects, \$13.5million from off-system projects. These values are based on estimates that were provided at the time of original programming into the HBP.
- Some agencies utilized Advanced Construction (AC) to begin their projects.

8. High-Cost Bridge Program

- Dee recapped the progress since January 2020 of creating the high-cost bridge reform and signaled her commitment to sign off on the straight-line methodology for determining reimbursement rates for projects between \$80 million and \$250 million.
- Policy will be implemented via Office Bulletin in early 2022. Will not apply to currently programmed projects, so impacts will take a while to see. However, it does set clear policy for local agencies.
- Many nuances still need to be drafted and vetted before finalizing Office Bulletin.

9. CA Statewide Local Streets and Roads Need Assessment

- Matt presented a summary of the Bridge section from the 2020 report, which has now been released: <https://www.savecaliforniastreet.org/read-the-report/>.
- CSAC and Margot Yapp of Nichols Consulting Engineers (NCE) will present the overall report to CTC in October 2021. Matt will share the link for that CTC agenda item date and time so the advisory committee can listen.
- Report will also be shared at upcoming CSAC fall and spring conferences; CSAC is using data in report for advocacy.
- Pending comments were resolved two weeks ago—some addressed in the current report, others will be addressed in a future report.
- Lesson learned: Objectives of bridge report and audience need to be clearer next time. One example—dollar amounts representing bridge needs appear small compared to pavement and other transportation assets. Those components are covered by multiple funding streams, whereas bridges have only the HBP.
- Main audience may be regional councils of governments.
 - This is opportunity to use data in discussions about programmatic agreements such as 60-40 State-Local split.
 - Jose Luis recommended including the bridge needs assessment as a one-hour portion of next California Association of Councils of Governments (CALCOG) meeting so that all regional representatives can coordinate on the “ask” for their members of Congress. CALCOG members should contact Bill Higgins (Director of CALCOG) to get this on the agenda.
- NCE has been working with CSAC on the story map (public-facing website); it includes data on funding shortfall; maps of bridges that are scour critical, poor condition, posted for load.
- At the December meeting, Matt will provide accounting showing HBP funds spent on the creation of the report alongside other contributors.

10. Review Action Items

A131 added to develop the Office Bulletin for high cost bridge project reform.

11. Roundtable

- Have HBP managers needed to provide handholding for agencies regarding Advance Construction (AC) process?
 - Headquarters staff holds meetings with individual bridge sponsors regarding high-cost bridge projects that need to execute agreements with AC. Local agencies always have reluctance to using AC.
 - Programming AC into the Federal TIP happens through MPOs. However, Implementation has an office bulletin on At-risk PE that also addresses some of these details. Jose Luis is available to explain the process further offline.
- What is the impact on HBP of community workforce agreements, union agreements for large capital projects?
 - Unknown.
- When will HBP start accepting new projects into the program, and are we making progress on the backlog? Will projects be reviewed again in 2022?
 - Progress on backlog will be clearer at end of fiscal year. HBP is accepting applications for new projects until November 30. All will be reviewed for eligibility and all eligible projects will be on the 2022 prioritization list.
 - The prioritization list will be brought forward at the February 2022 HBP Advisory Committee meeting. Programmatic agreements for new transportation act may be in place by then and HBP may have more funds to allow programming against them. If this happens and more HBP funds are received, we might have to backload the FTIP to use the additional fund. Since a new transportation act is not signed, we can only guess as to what may occur.
 - Encourage local agencies to submit bridge projects.
 - All current PE projects that didn't get funded are in Federal fiscal year 23/24.
- With new reimbursement ratios, will sponsors be able to use their BIC investment to fund the match in the future?
 - Yes.
- A committee member commented that some local agencies have asked for clarity on approval of longer approach roads.
 - HBP managers will reach out for further discussion.
- WebEx calendar invites are out for all HBP Advisory Committee meetings in 2022.