

ESTIMATED TIMED AGENDA

CALIFORNIA TRANSPORTATION COMMISSION

<http://www.catc.ca.gov>

April 25-26, 2012
Irvine, California

Wednesday, April 25, 2012

- 9:30 a.m.** **Commissioners' Tour**
Irvine City Hall
1 Civic Center Plaza
Irvine, CA
- 1:00 p.m.** **Commission Meeting**
Irvine City Hall
1 Civic Center Plaza
City Council Chambers
Irvine, CA
- 5:30 p.m.** **Reception**
*Hosted by: Orange County Business Council's OCMoves, Mobility 21,
Women's Transportation Seminar – Orange County, and Orange County
Transportation Authority*
Please RSVP to: <http://ctcOrangeCounty.eventbrite.com>
Irvine City Hall Lobby
1 Civic Center Plaza
Irvine, CA

Thursday, April 26, 2012

- 9:00 a.m.** **Commission Meeting**
Irvine City Hall
1 Civic Center Plaza
City Council Chambers
Irvine, CA
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NOTICE: Times identified on the following agenda are estimates only. The Commission has the discretion to take up agenda items out of sequence and on either day of the two-day Commission meeting, except for those agenda items bearing the notation "TIMED ITEM." TIMED ITEMS may not be heard prior to the Time scheduled but may be heard at, or anytime after, the Time scheduled. The Commission may adjourn earlier than estimated on either day.

A copy of this meeting notice and agenda will be posted 10 days prior to the meeting and related book items will be posted 5 days prior to the meeting on the California Transportation Commission Website: www.catc.ca.gov

Questions or inquiries about this meeting may be directed to the Commission staff at (916) 654-4245, 1120 N Street (MS-52), Sacramento, CA 95814. If any special accommodations are needed for persons with disabilities, please contact Sarah Skallet at (916) 654-4245. Requests for special accommodations should be made as soon as possible but at least five days prior to the scheduled meeting.

Persons attending the meeting who wish to address the California Transportation Commission on a subject to be considered at this meeting are asked to complete a Speaker Request Card and give it to the Executive Assistant prior to the discussion of the item. If you would like to present handouts/written material to the California Transportation Commission at the meeting, please provide a minimum of 25 copies labeled with the agenda item number.

NEXT REGULARLY SCHEDULED CTC MEETING (Subject to Change):
CTC Meeting – May 23-24, 2012 in Sacramento, CA

Tab # / Time	Item Description	Ref. #	Presenter	Status*
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* "A" denotes an "Action" item; "I" denotes an "Information" item; "B" denotes a Business, Transportation and Housing (BTH) Agency item; "C" denotes a "Commission" item; "D" denotes a "Department" item; and "R" denotes a Regional Agency item.

FREQUENTLY USED TERMS: California Transportation Commission (Commission or CTC), California Department of Transportation (Department or Caltrans), Regional Improvement Program (RIP), Interregional Improvement Program (IIP), State Transportation Improvement Program (STIP), State Highway Operation and Protection Program (SHOPP), Traffic Congestion Relief Program (TCRP), Public Transportation Account (PTA), Clean Air and Transportation Improvement Act of 1990 (Proposition 116), High Speed Passenger Train Bond Program (Proposition 1A), Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B), Corridor Mobility Improvement Account (CMIA), State Route 99 Bond Program (RTE or SR 99), Local Bridge Seismic Retrofit Account (LBSRA), Trade Corridors Improvement Fund (TCIF), Highway-Railroad Crossing Safety Account (HRCSA), State-Local Partnership Program (SLPP), Traffic Light Synchronization Program (TLSP), Letter of No Prejudice (LONP), Environmental Phase (PA&ED), Design Phase (PS&E), Right of Way (R/W), Fiscal Year (FY)

Wednesday, April 25, 2012

1:00 p.m.

**Commission Meeting
Irvine City Hall
1 Civic Center Plaza
City Council Chambers
Irvine, CA**

1:00 pm	<u>GENERAL BUSINESS</u>				
1	Roll Call	1.1	Joseph Tavaglione	I	C
<u>Resolutions of Necessity</u>					
2 8 Ayes	Resolution of Necessity – Appearance -- Capricorn Realty, Inc., a California Corporation, et al. El Pollo Loco, Inc. (Lessee) 07-LA-5-PM 3.6 Resolution C-20781	2.4a.(4)	Stephen Maller Mike Miles	A	D
3 8 Ayes	Resolution of Necessity – Appearance --Chevron U.S.A. Inc., a Pennsylvania Corporation 12-Ora-5/74-PM 9.7/0.1 Resolution C-20799	2.4a.(5)	Stephen Maller Cindy Quon	A	D
4 8 Ayes	Resolution of Necessity – Appearance --Chevron U.S.A. Inc., a Pennsylvania Corporation 12-Ora-5/74-PM 9.7/0.0 Resolution C-20801	2.4a.(6)	Stephen Maller Cindy Quon	A	D
5 8 Ayes	Resolution of Necessity – Appearance --Norwalk United Methodist Church 07-LA-5-PM 4.4 Resolution C-20817	2.4a.(1)	Stephen Maller Mike Miles	A	D
6 8 Ayes	Resolution of Necessity – Appearance --Gregory S. Jones, Trustee of the Gregory S. Jones Revocable Trust, dated October 11, 2001 07-LA-5-PM 3.6 Resolution C-20816	2.4a.(3)	Stephen Maller Mike Miles	A	D
7 8 Ayes	Resolution of Necessity – Appearance --Northridge Properties, LLC, a California limited liability company 07-LA-5-PM 29.4 Resolution C-20815	2.4a.(2)	Stephen Maller Mike Miles	A	D
<u>General Business</u>					
8	Approval of Minutes for March 28-29, 2012	1.2	Joseph Tavaglione	A	C

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
9	Executive Director's Report	1.3	Bimla Rhinehart	A	C
10	Commission Reports	1.4	Joseph Tavaglione	A	C
11	Commissioners' Meetings for Compensation	1.5	Joseph Tavaglione	A	C
12	Welcome to the Region	1.12	Paul Glaab	I	R
<u>BUSINESS, TRANSPORTATION & HOUSING AGENCY REPORT</u>					
13	Report by Agency Secretary and/or Deputy Secretary	1.6	Brian Kelly	I	B
<u>CALTRANS REPORT</u>					
14	Report by Caltrans' Director and/or Deputy Director	1.7	Malcolm Dougherty	I	D
<u>LOCAL REPORTS</u>					
15	Report by Regional Agencies Moderator	1.8	Jose Nuncio	I	R
16	Report by Rural Counties Task Force Chair	1.9	Lisa Davey-Bates	I	R
17	Report by Self-Help Counties Coalition Chair	1.10	Andy Chesley	I	R
<u>FEDERAL HIGHWAY ADMINISTRATION (FHWA) REPORT</u>					
18	Report by FHWA Division Administrator	1.11	Vincent Mammano	I	R
<u>POLICY MATTERS</u>					
19	State and Federal Legislative Matters	4.1	Annette Gilbertson	A	C
20	Budget and Allocation Capacity Update	4.2	Mitchell Weiss Steven Keck	I	D
21	Proposition 1A Updated Guidelines	4.10	Laurel Janssen	I	C
22	Technical Adjustment to the 2012 State Transportation Improvement Program (STIP) Resolution G-12-06, Amending Resolution G-12-05	4.9	Mitchell Weiss	I	C
23	Adoption of Policy for the Programming of Corridor Mobility Improvement Account Project Cost Savings Resolution CMIA-P-1112-16	4.15	Maura Twomey	A	C
24	Adoption of Amendment to the Corridor Mobility Improvement Account Program Resolution CMIA-P-1112-13	4.4	Maura Twomey	A	C
25	Corridor Mobility Improvement Account Project Baseline Agreements Resolution CMIA-P-1112-14B	4.5	Maura Twomey	A	C
26	Corridor Mobility Improvement Account Project Baseline Agreement Amendments Resolution CMIA-P-1112-15B	4.6	Maura Twomey	A	C
27	Adoption of an Amendment to the Trade Corridors Improvement Fund Program Resolution TCIF-P-1112-028	4.7	Maura Twomey	A	C
28	Trade Corridors Improvement Fund Project Baseline Agreements 1. Baldwin Grade Separation Project 2. Solano 80/680/12 Connector Project Resolution TCIF-P-1112-029B	4.8	Maura Twomey	A	C
<u>Environmental Matters – Approval of Projects for Future Consideration of Funding, Route Adoption or New Public Road Connection (Final Negative Declaration or EIR)</u>					
29	Approval of Project for Future Consideration of Funding: 03 – Sacramento County Construct multi-modal improvements at US Highway 50 and Watt Avenue interchange in the County of Sacramento. (FEIR) (SLPP) (STIP) (PPNO 0127A) Resolution E-12-15 (Related Items under Tabs 72 & 83.)	2.2c.(4)	Kandra Hester-Del Bianco	A	C

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
	INFORMATION CALENDAR		Stephen Maller		
30	<u>Informational Reports on Allocations Under Delegated Authority</u> -- Emergency G-11 Allocations (2.5f.(1)): \$900,000 for one project. -- SHOPP Safety G-03-10 Allocations (2.5f. (3)): \$1,217,000 for one project. -- Minor G-05-05 Allocations (2.5f.(4)): \$10,915,000 for 14 District minor projects.	2.5f.		I	D
31	Monthly Report on Projects Amended into the SHOPP by Department Action	3.1		I	D
32	Monthly Status of Construction Contract Award for State Highway Projects, per Resolution G-06-08	3.2a.		I	D
33	Monthly Status of Construction Contract Award for Local Assistance STIP Projects, Resolution G-06-08	3.2b.		I	D
34	Update on Implementation of the Recovery Act of 2009	3.3		I	D
35	Review of Rate for State Matching of Federal Airport Improvement Program (AIP) Grants	4.12		I	D
	CONSENT CALENDAR		Stephen Maller		
36	Approval of Project for Future Consideration of Funding: 03 – El Dorado County Signalize and improve the intersection of Pleasant Valley Road (SR 49) and Patterson Drive in El Dorado County. (MND) (SLPP) (SHOPP) Resolution E-12-18 (Related Item under Tab 82.)	2.2c.(1)		A	C
37	Approval of Project for Future Consideration of Funding: 12 – Orange County Moulton Parkway Super Street Project - Moulton Parkway Smart Street Segment 3 Phase II Project. (FEIR) (SLPP) Resolution E-12-19	2.2c.(2)		A	C
38	Approval of Project for Future Consideration of Funding: 12 – Orange County Construct a u-channel section under the Pacific Coast Highway Bridge in the City of Dana Point. (MND) (PPNO 2134) (STIP) Resolution E-12-20 (Related Item under Tab 89.)	2.2c.(3)		A	C
39	Approval of Project for Future Consideration of a New Public Road Connection and Future Consideration of Funding: 03 – El Dorado County Modify and improve eastbound and westbound U.S. Highway 50 ramps at Forni Road and Placerville Drive, add ramps at Ray Lawyer Drive Overcrossing and improve Forni Road, Fair Lane, Placerville Drive and Ray Lawyer Drive in the City of Placerville. (FEIR) (STIP) (PPNO 3256) Resolution E-12-16	2.2c.(5)		A	C

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
40	<p>Approval of Three Projects for Future Consideration of Funding:</p> <p>06-Ker-14, PM 45.9/62.3 Freeman Gulch Four-Lane Project (MND) (PPNO 8042) (STIP) Resolution E-12-21 <i>(Related Item under Tab 43.)</i></p> <p>08-Riv-60, PM 17.9/19.8 State Route 60/ Moreno Beach Drive Interchange and Nason Street Overcrossing Improvements Project. (MND) (PPNO 1143) (SLPP) Resolution E-12-22</p> <p>10-SJ-26, PM 18.5/19.0 Sandstone Creek Curve Correction Project. (MND) (PPNO 0264) (SHOPP) Resolution E-12-23</p>	2.2c.(6)		A	D
41	<p>Approval of Project for Future Consideration of Funding:</p> <p>11-SD-76, PM 12.1/17.7, 11-SD-15, PM 46.1/47.3 State Route 76 South Mission Road to Interstate 15 Highway Improvement Project. (FEIR) (EA 25711) (Federal/Local) Resolution E-12-17</p>	2.2c.(7)		A	D
42	<p>Approval of Project for Future Consideration of Funding:</p> <p>02 – Shasta County Construct a new off-ramp from Interstate 5 to Deschutes Road and a roundabout at the intersection of Deschutes Road and Locust Road in Shasta County. (MND) (SLPP) (SHOPP) (STIP) (PPNO 3488) Resolution E-12-24 <i>(Related Item under Tab 82.)</i></p>	2.2c.(8)		A	C
43	<p>One Route Adoption as a controlled access highway at</p> <p>-- 06-Ker-14 PM 57.8/62.0 Route 14 from 0.1 mile north of Route 178 West junction to 1.4 miles north of Route 178 East junction, in Kern County. Resolution HRA 12-04 <i>(Related Items under Tabs 40 & 73.)</i></p>	2.3a.(1)		A	D

Tab # / Time	Item Description	Ref. #	Presenter	Status*	
44	<p>Four Relinquishment Resolutions</p> <p>- 10-SJ-99-PM 14.7 Right of way along Route 99 on 99 Frontage Road (Kingsley Road), north of Arch Road, in the city of Stockton. Resolution R-3834</p> <p>-- 10-Sta-99-PM R11.8/R12.2 Right of way along Route 99 near the Whitmore Avenue Overcrossing, in the city of Ceres. Resolution R-3835</p> <p>-- 10-Cal-4-PM R21.56 Right of way along Route 4 at Easy Street (formerly First and A Streets), in the city of Angels. Resolution R-3836</p> <p>-- 06-Fre-180-PM 63.90/66.06 Right of way on and along Route 180 between S. Clovis Avenue and Locan Avenue, in the county of Fresno. Resolution R-3837</p>	2.3c.		A	D
45 8 Ayes	<p>70 Resolutions of Necessity --Resolutions C-20766, C-20767, C-20769 through C-20775, C-20779, C-20780, C-20782 through C-20792, C-20794 through C-20796, C-20800, C-20802 through C-20807, C-20809 through C-20814, and C-20818, C-20819, C-20821 through C-20850</p>	2.4b.		A	D
46	<p>Director's Deeds --Items 1 through 17 Excess Lands – Return to State: \$ 1,590,886 Return to Others: \$0</p>	2.4d.		A	D
47	<p>Financial Allocation Amendment: Reduce the original CMIA allocation for Construction by \$37,007,000, from \$136,600,000 to \$99,953,000, from the HOV Lane Gap Closure project (PPNO 0092A) in Riverside County to reflect contract award savings. Resolution CMIA-AA-1112-027, Amending Resolution CMIA-A-1112-009</p>	2.5g.(1j)		A	D
48	<p>Financial Allocation Amendment: Reduce the original CMIA allocation for Construction by \$4,726,000, from \$7,776,000 to \$3,050,000, from the Plaza Drive Interchange/Auxiliary Lanes project (PPNO 0105) in Tulare County and allocate \$3,617,000 in CMIA for construction support. Resolution CMIA-AA-1112-028, Amending Resolution CMIA-A-1112-004 Resolution STIP1B-AA-1112-006, Amending Resolution STIP1B-A-1112-001</p>	2.5g.(1l)		A	D
49	<p>Financial Allocation Amendment: Reduce the original CMIA allocation for Construction by \$5,107,000, from \$16,190,000 to \$11,083,000, from the Highway 1 Soquel to Morrissey Auxiliary Lanes project (PPNO 6500) in Santa Cruz County, and allocate \$2,700,000 in CMIA for construction support. Resolution CMIA-AA-1112-029, Amending Resolution CMIA-A-1112-008 Resolution STIP1B-AA-1112-007, Amending Resolution STIP1B-A-1112-003</p>	2.5g.(1m)		A	D

Tab # / Time	Item Description	Ref. #	Presenter	Status*	
50	Financial Allocation Amendment: Reduce the original SR 99 Corridor Bond Program allocation for Construction by \$13,356,000, from \$45,000,000 to \$31,644,000, from the SR99 Widening in Manteca and San Joaquin project (PPNO 7634A) in San Joaquin County. Resolution R99-AA-1112-005, Amending Resolution R99-A-1112-003	2.5g.(2b)		A	D
51	Financial Allocation: \$1,067,000 of FY 11-12 California Aid to Airports Program (CAAP) program funds for 11 projects from the 2010 Aeronautics Program. Resolution FDOA-2011-05	2.7		A	D
52	Technical Correction for Resolution CMIA-PA-1112-023, originally approved on January 25, 2012, which amended the CMIA baseline agreement for Segment 1 and Segment 2 of the I-580 Westbound HOV Lane Project in Alameda County. A technical correction is needed to correct the Resolution number on page three of the book item.	2.9a.		A	D
53	Technical Correction for Resolution GS1B-A-1112-002, originally approved on February 23, 2012, which allocated \$3,738,367 for the HRCSA Broadway-Brazil Grade Crossing project in Los Angeles County. A technical correction is needed to correct the Resolution number on the book item attachment.	2.9b.		A	D
PROGRAM STATUS					
54	Status Update on Corridor Mobility Improvement Account (CMIA) Projects	3.5	Maura Twomey Kurt Scherzinger	A	D/R
55	Status Update on State Route 99 (SR 99) Projects	3.6	Maura Twomey Kurt Scherzinger	A	D/R
POLICY MATTERS					
56	Update on I-5 Carpool Lane and Widening Projects - Orange County Line to I-605 Project and I-5 Carpool Lane from Route 134 to Route 170 Project	4.3	Mike Miles	I	D
Financial Allocation Amendments for Proposition 1B CMIA Projects					
57	Financial Allocation Amendment: Reduce the original CMIA allocation for Construction by \$20,308,000, from \$65,555,000 to \$45,247,000, from the I-5 Carpool Lane - Orange CL to I-605 (Segment 1) project (PPNO 4153) in Los Angeles County to reflect contract award savings. Resolution CMIA-AA-1112-030, Amending Resolution CMIA-A-1011-005 <i>(Related Items under Tabs 58 & 59.)</i>	2.5g.(1k)	Maura Twomey Kurt Scherzinger	A	D
Proposition 1B CMIA Project Amendments for Action					
58	The Department and the Los Angeles County Metropolitan Transportation Authority propose to amend the CMIA baseline agreement for the I-5 Carpool Lane – Orange CL to I-605 (Segment 4) project (PPNO 4155) to transfer \$20,308,000 in CMIA award savings from the I-5 Carpool Lane – Orange CL to I-605 (Segment 1) project (PPNO 4153) to construction; and, to add \$69,571,000 in local funds to cover a cost increase in Right of Way (R/W). Resolution CMIA-PA-1112-032, Amending Resolution CMIA-PA-1011-015 <i>(Related Items under Tabs 57 & 59.)</i>	2.1c.(1c)	Maura Twomey Kurt Scherzinger	A	D

Tab # / Time	Item Description	Ref. #	Presenter	Status*	
Financial Allocations for Proposition 1B CMIA Projects					
59	Financial Allocation: \$335,017,000 for the state administered CMIA Segment 3 (PPNO 4154) and Segment 4 (PPNO 4155) I-5 Carpool Lane – Orange County Line to I-605 projects on the State Highway System. Contributions from other sources: \$150,520,000. Resolution CMIA-A-1112-030 <i>(Related Items under Tabs 57 & 58.)</i>	2.5g.(1d)	Maura Twomey Kurt Scherzinger	A	D
Proposition 1B CMIA Project Amendments for Action					
60	The Department, the San Bernardino Associated Governments and the Riverside County Transportation Commission propose to amend the CMIA baseline agreement for the I-215 HOV Bi-County HOV Gap Closure project (PPNO 0041G) to update the project funding plan and the delivery schedule. Resolution CMIA-PA-1112-033, Amending Resolution CMIA-PA-1011-021 <i>(Related Item under Tab 94.)</i>	2.1c.(1a)	Maura Twomey Kurt Scherzinger	A	D
61	The Department and the City of Chico propose to amend the CMIA baseline agreement for the State Route 32 Widen Phase 1 project (PPNO 2107) in Butte County to revise the project schedule. Resolution CMIA-PA-1112-034, Amending Resolution CMIA-PA-1011-027	2.1c.(1b)	Maura Twomey Kurt Scherzinger	A	D
62	The Department and the Orange County Transportation Commission propose to amend the CMIA baseline agreement for the I-5/Route 74 Interchange Improvement project (PPNO 4102) to revise the project schedule and funding plan. Resolution CMIA-PA-1112-035, Amending Resolution CMIA-P-1112-07B <i>(Related Items under Tab 89.)</i>	2.1c.(1d)	Maura Twomey Kurt Scherzinger	A	D
Proposition 1B Route 99 Project Amendments for Action					
63	The Department proposes to amend the State Route 99 Corridor baseline agreement for the Island Park 6-Lane project (PPNO 6274) to revise the project funding plan and increase the project limits. Resolution R99-PA-1112-007 <i>(Related Items under Tab 93.)</i>	2.1c.(2a)	Maura Twomey Kurt Scherzinger	A	D
64	The Department proposes to amend the Goshen to Kingsburg Landscape Project (PPNO 6480Y) in Tulare and Fresno Counties to revise the project limits and funding plan. Resolution R99-PA-1112-008	2.1c.(2b)	Maura Twomey Kurt Scherzinger	A	D
Proposition 1B TCIF Project Amendments for Action					
65	The Port of Stockton proposes to amend the TCIF baseline agreement for Project 11 (San Francisco Bay to Stockton Ship Channel Deepening [PPNO TC11]) to down-scope the project due to a loss of federal funding; and to revise the delivery schedule, cost, and funding plan. Resolution TCIF-P-1112-30, Amending Resolutions TCIF-P-1011-19 and TCIF-P-0809-01B <i>(Related Item under Tab 96.)</i>	2.1c.(5a)	Maura Twomey Ryan Chamberlain	A	D

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
66	The Orange County Transportation Authority proposes to amend the TCIF baseline agreement for Project 35 (State College Boulevard Grade Separation [PPNO TC35]) to update the project delivery schedule, cost, and funding plan. Resolution TCIF-P-1112-31, Amending Resolutions TCIF-P-1011-25 and TCIF-P-0809-04B <i>(Related Item under Tab 27.)</i>	2.1c.(5b)	Maura Twomey Ryan Chamberlain	A	D
67	The Orange County Transportation Authority proposes to amend the TCIF baseline agreement for Project 36 (Placentia Avenue Undercrossing [PPNO TC36]) to update the project cost and funding plan. Resolution TCIF-P-1112-32, Amending Resolutions TCIF-P-1011-21, TCIF-P-1011-08, and TCIF-P-0809-04B	2.1c.(5c)	Maura Twomey Ryan Chamberlain	A	D
68	The Orange County Transportation Authority proposes to amend the TCIF baseline agreement for Project 37 (Orangethorpe Avenue Grade Separation [PPNO TC37]) to update the project delivery schedule, cost, and funding plan. Resolution TCIF-P-1112-33, Amending Resolutions TCIF-P-1011-26 and TCIF-P-0809-04B <i>(Related Items under Tabs 27 & 96.)</i>	2.1c.(5d)	Maura Twomey Ryan Chamberlain	A	D
69	The Orange County Transportation Authority proposes to amend the TCIF baseline agreement for Project 40 (Lakeview Avenue Overcrossing [PPNO TC40]) to update the project delivery schedule, cost, and funding plan. Resolution TCIF-P-1112-34, Amending Resolutions TCIF-P-1011-26 and TCIF-P-0809-04B	2.1c.(5e)	Maura Twomey Ryan Chamberlain	A	D
70	The Orange County Transportation Authority proposes to amend the TCIF baseline agreement for Project 41 (Tustin Avenue / Rose Drive Overcrossing [PPNO TC41]) to update the project delivery schedule, cost, and funding plan. Resolution TCIF-P-1112-35, Amending Resolutions TCIF-P-1011-26 and TCIF-P-0809-04B <i>(Related Item under Tab 27.)</i>	2.1c.(5f)	Maura Twomey Ryan Chamberlain	A	D
71	The Riverside County Transportation Commission and the City of Riverside propose to amend the TCIF baseline agreement for Project 45 (Iowa Avenue Grade Separation [PPNO]) to update the project delivery schedule. Resolution TCIF-P-1112-36, Amending Resolutions TCIF-P-1112-11 and TCIF-P-0809-04B	2.1c.(5g)	Maura Twomey Ryan Chamberlain	A	D
Amendments for Action - TCRP					
72	The Department and the Sacramento Area Council of Governments propose to amend TCRP Project 126 – Watt Avenue Overcrossing at Route 50 Interchange Improvements project (PPNO 0127A) to program \$6,280,000 to the construction phase in FY 2011-2012. Resolution TAA-11-07, Amending Resolution TA-01-09 <i>(Related Items under Tabs 29 & 83.)</i>	2.1a.	Juan Guzman Kurt Scherzinger	A	D
5:00 pm	Adjourn				

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
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Thursday, April 26, 2012

9:00 a.m.

Commission Meeting
Irvine City Hall
1 Civic Center Plaza
City Council Chambers
Irvine, CA

<u>9:00 am</u>	<u>GENERAL BUSINESS</u>				
	Roll Call	1.1	Joseph Tavaglione	I	C
	POLICY MATTERS				
73	Approval of Route 108 State Highway Alternative Project in Stanislaus County <i>(Related Item under Tab 74.)</i>	4.11	Stephen Maller Carrie Bowen	A	D
	Route Adoptions				
74	One Notice of Intention -- Notice of Intention to Consider Rescinding Freeway Adoption in the county of Stanislaus. 10-STA-120 PM 3.0/R13.3 Resolution NIU 12-01 <i>(Related Item under Tab 73.)</i>	2.3a.(2)	Stephen Maller Terry Abbott	A	D
	Vacation Resolutions				
75	One Vacation Resolution -- 11-SD-76-PM 17.9/18.7 Right of way along Route 76, between Pankey Road and 0.8 mile easterly thereof, in the county of San Diego. Resolution A888	2.3d.	Stephen Maller Terry Abbott	A	D
	Financial Allocations for SHOPP Projects				
76	Financial Allocation: \$52,011,000 for 14 SHOPP projects, as follows: --\$22,500,000 for six SHOPP projects. --\$29,511,000 for eight projects amended into the SHOPP by Departmental action. Resolution FP-11-48	2.5b.(1)	Juan Guzman Kurt Scherzinger	A	D
	Financial Allocations for STIP Projects				
77	Financial Allocation: \$1,000,000 for the locally administered I-10 HOV Lane Extension from Haven Avenue to Ford Street (PPNO 0134K) STIP project in San Bernardino County on the State Highway System. Contributions from other sources: \$10,560,000. Resolution FP-11-49	2.5c.(2a)	Mitchell Weiss Kurt Scherzinger	A	D
78	Advance Financial Allocation: \$373,000 for the state administered Castella Vista Point (PPNO 3369) STIP TE project in Shasta county, programmed in FY 2012-13, on the State Highway System. Resolution FP-11-52	2.5c.(2b)	Mitchell Weiss Kurt Scherzinger	A	D
79	Financial Allocations: \$2,801,000 for eight locally administered STIP projects off the State Highway, as follows: --\$254,000 for one STIP project. --\$2,053,000 for five STIP Transportation Enhancement projects. -- \$494,000 for two STIP Planning, Programming, and Monitoring projects. Contributions from other sources: \$518,000. Resolution FP-11-50	2.5c.(3)	Mitchell Weiss Kurt Scherzinger	A	D

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80	Advance Financial Allocation: \$2,362,000 for three locally administered STIP TE projects off the State Highway System programmed in FY 2012-13 and 2014-15. Contributions from other sources: \$359,000. Resolution FP-11-51	2.5c.(4)	Mitchell Weiss Kurt Scherzinger	A	D
Financial Allocations for Proposition 1B CMIA Projects					
81	Financial Allocation: \$3,700,000 for the locally administered San Mateo Smart Corridors (PPNO 2140V) CMIA project off the State Highway System. Resolution CMIA-A-1112-027 <i>(Related Item under Tab 25.)</i>	2.5g.(1a)	Maura Twomey Kurt Scherzinger	A	D
82	Financial Allocation: \$31,500,000 for three locally administered CMIA projects on the State Highway System. Contributions from other sources: \$27,943,000. Resolution CMIA-A-1112-028 <i>(Related Items under Tabs 25, 36 & 42.)</i>	2.5g.(1b)	Maura Twomey Kurt Scherzinger	A	D
83	Financial Allocation: \$25,886,000 for the locally administered CMIA/SLPP Watt Avenue at Route 50 Interchange Improvements (PPNO 0127A) project on the State Highway System. Contributions from other sources: \$16,188,000. Resolution CMIA-A-1112-031 Resolution SLP1B-A-1112-17 <i>(Related Items under Tabs 25, 29, 72 & 83.)</i>	2.5g.(1e)	Maura Twomey Kurt Scherzinger	A	D
84	Financial Allocation: \$44,012,000 for three state administered CMIA projects on the State Highway System. Contributions from other sources: \$6,098,000. Resolution CMIA-A-1112-38 <i>(Related Item under Tab 25.)</i>	2.5g.(1n)	Maura Twomey Kurt Scherzinger	A	D
85	Financial Allocation: \$30,825,000 for the state administered CMIA/STIP San Juan Road Interchange (PPNO 0058E) project in Monterey County on the State Highway System. Contributions from other sources: \$17,875,000. Resolution CMIA-A-1112-39 Resolution STIP1B-A-1112-011 <i>(Related Item under Tab 25.)</i>	2.5g.(1o)	Maura Twomey Kurt Scherzinger	A	D
86	Financial Allocation: \$33,740,000 for the state administered CMIA/STIP Reconstruct I-5/SR 74 Interchange (PPNO 4102) project in Orange County on the State Highway System. Contributions from other sources: \$4,074,000. Resolution CMIA-A-1112-40 Resolution STIP1B-A-1112-012 <i>(Related Item under Tab 91.)</i>	2.5g.(1p)	Maura Twomey Kurt Scherzinger	A	D
87	Financial Allocation: \$147,242,000 for five state administered CMIA projects on the State Highway System. Contributions from other sources: \$15,860,000. Resolution CMIA-A-1112-029	2.5g.(1c)	Maura Twomey Kurt Scherzinger	A	D
88	Financial Allocation: \$24,108,000 for the state administered CMIA/SLPP North B –Sonoma Highway 101 Airport Interchange (PPNO 0749D) project on the State Highway System. Contributions from other sources: \$10,392,000. Resolution CMIA-A-1112-032 Resolution SLP1B-A-1112-18	2.5g.(1f)	Maura Twomey Kurt Scherzinger	A	D

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
89	Financial Allocation: \$29,664,000 for the state administered CMIA/STIP Route 101 Marin-Sonoma Narrows – Southerly Interchange at Redwood Landfill Road (Contract B1) (PPNO 0360J) project on the State Highway System. Resolution CMIA-A-1112-033 Resolution STIP1B-A-1112-006	2.5g.(1g)	Maura Twomey Kurt Scherzinger	A	D
90	Financial Allocation: \$81,977,000 for the state administered multi-funded CMIA/STIP/SLPP Route 101 Marin Sonoma Narrows – Petaluma Boulevard South Interchange and Petaluma River Bridge Replacement (Contract B2) (PPNO 0360H) project on the State Highway System. Contributions from other sources: \$6,065,000. Resolution CMIA-A-1112-034 Resolution STIP1B-A-1112-007 Resolution SLP1B-A-1112-19	2.5g.(1h)	Maura Twomey Kurt Scherzinger	A	D
91	Financial Allocation: \$33,740,000 for the state administered CMIA/STIP Reconstruct I-5/SR 74 Interchange (PPNO 4102) project in Orange County on the State Highway System. Contributions from other sources: \$4,074,000. Resolution CMIA-A-1112-37 Resolution STIP1B-A-1112-010 <i>(Related Item under Tab 86.)</i>	2.5g.(1q)	Maura Twomey Kurt Scherzinger	A	D
Financial Allocation Amendments for Proposition 1B CMIA Projects					
92	The Department proposes to amend the CMIA baseline agreement for the State Route 24 Caldecott Tunnel Fourth Bore project (PPNO 0057A) in Alameda and Contra Costa Counties to revise the funding plan and to allocate \$11,034,000 in CMIA funds from the project contingency reserve. Resolution CMIA-PA-1112-036, Amending Resolution CMIA-PA-0809-009 Resolution CMIA-A-1112-035	2.1c.(1e)/ 2.5g.(1i)	Maura Twomey Kurt Scherzinger	A	D
Financial Allocations for Proposition 1B RTE 99 Projects					
93	Financial Allocation: \$58,100,000 for state administered Island Park 6-Lane (PPNO 6274) State Route 99 project in Fresno and Madera Counties on the State Highway System. Resolution R99-A-1112-008 <i>(Related Items under Tab 63.)</i>	2.5g.(2a)	Maura Twomey Kurt Scherzinger	A	D
Financial Allocations for Proposition 1B STIP Projects					
94	Financial Allocation: \$81,941,000 for the state administered STIP/CMIA I-215 HOV Bi County HOV Gap Closure (PPNO 0041G) project in Riverside and San Bernardino Counties. Contributions from other sources: \$68,345,000. Resolution STIP1B-A-1112-008 Resolution CMIA-A-1112-036 <i>(Related Item under Tab 60.)</i>	2.5g.(3a)	Mitchell Weiss Kurt Scherzinger	A	D
95	Financial Allocation: \$21,226,000 for the state administered 19 th Avenue Interchange (PPNO 4330) STIP project in Kings County on the State Highway System. Resolution STIP1B-A-1112-009	2.5g.(3b)	Mitchell Weiss Kurt Scherzinger	A	D
Financial Allocations for Proposition 1B TCIF Projects					
96	Financial Allocation: \$55,220,000 for two locally administered TCIF Projects. Contributions from other sources: \$74,163,000. Resolution TCIF-A-1112-10 <i>(Related Item under Tabs 65 & 68.)</i>	2.5g.(5)	Maura Twomey Kurt Scherzinger	A	D

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
	<u>Financial Allocations for Proposition 1B SHOPP Projects</u>				
97	Financial Allocation: \$53,892,000 for the Route 80 Roadway SHOPP project in Solano County. Resolution SHOP1B-A-1112-003	2.5g.(6)	Juan Guzman Kurt Scherzinger	A	D
	<u>Financial Allocations for Proposition 1B HRCSA Projects</u>				
98	Financial Allocation: \$25,600,000 for the locally administered Nogales Street Grade Separation HRCSA project in Los Angeles County. Contributions from other sources: \$68,336,000. Resolution GS1B-A-1112-004	2.5g.(9)	Teresa Favila Bill Bronte	A	D
	<u>Financial Allocations for Proposition 1B SLPP Projects</u>				
99	Financial Allocation: \$3,800,000 for the locally administered I-5/French Camp Interchange (PPNO 7239) SLPP project in San Joaquin County. Resolution SLP1B-A-1112-21	2.5g.(10b)	Laurel Janssen Denix Anbiah	A	D
	<u>Letters of No Prejudice (LONP) for Proposition 1B Projects</u>				
100	Proposition 1B Letter of No Prejudice for the BART Vehicles project in Santa Clara County. (SLPP) Resolution LONP1B-A-1112-14	2.1c.(10)	Laurel Janssen Jane Perez	A	D
	<u>Financial Allocations for STIP Projects</u>				
101	Financial Allocation: \$18,540,000 for the locally administered Capitol LRT Extension to Eastridge Transit Center and Bus Improvements (PPNO 2174B) STIP Transit Project. Resolution MFP-11-10	2.6a.(1)	Juan Guzman Bill Bronte	A	D
102	Financial Allocation: \$28,520,000 for four state administered STIP Rail Projects. Contributions from other sources: \$87,632,000 Resolution MFP-11-11	2.6a.(2)	Juan Guzman Bill Bronte	A	D
	<u>Request to Extend the Period of Project Allocation</u>				
103	Request to extend the period of project allocation for the locally- administered Golden Gate Moveable Median Barrier STIP project in San Francisco County, per STIP Guidelines. Waiver 12-13	2.8a.	Juan Guzman Kurt Scherzinger	A	D
	<u>Request to Extend the Period of Contract Award</u>				
104	Request to extend the period of contract award for the Bullard/Locan project in City of Clovis for \$315,000, per SLPP Guidelines. Waiver 12-15	2.8b.(1)	Juan Guzman Denix Anbiah	A	D
105	Request to extend the period of contract award for the Tustin Ave and La Palma Avenue project for \$1,000,000 in City of Anaheim, per SLPP Guidelines. Waiver 12-16	2.8b.(2)	Juan Guzman Denix Anbiah	A	D
106	Request to extend the period of contract award for the locally administered SR-104/Prospect Drive Realignment SLPP project in the City of Sutter Creek for \$885,000, per SLPP Guidelines. Waiver-12-17	2.8b.(3)	Juan Guzman Kurt Scherzinger	A	D
	<u>Request to Extend the Project Development Expenditures</u>				
107	Request to extend the period of project development expenditures for the locally-administered I-880 Landscape Enhancements project in Alameda County, per STIP Guidelines. Waiver 12-14	2.8d.	Juan Guzman Kurt Scherzinger	A	D

Tab # / Time	Item Description	Ref. #	Presenter	Status*	
<u>Request to Extend the Project Reimbursement Period</u>					
108	Request to extend the period of project reimbursement for the Glendale Grade Separation project in Los Angeles County, per Resolution G-99-25 Guidelines for Allocating, Monitoring and Auditing of Funds for Local Assistance Projects. Waiver-12-18	2.8f.	Juan Guzman Jane Perez	A	D
<u>OTHER MATTERS / PUBLIC COMMENT</u>					
12:00 pm	<u>Adjourn</u>				

Highway Financial Matters

\$ 52,011,000 Total SHOPP/Minor Requested for Allocation
 \$ 6,163,000 Total STIP Requested for Allocation
\$1,160,322,000 Total Proposition 1B Bond Requested for Allocation
 \$1,218,496,000 Sub-Total Project Funds Requested for Allocation

\$ 13,032,000 Delegated Allocations
 \$1,231,528,000 Sub-Total, Highway Project Allocations

\$ 776,848,000 Contributions from Other Sources
 \$2,008,376,000 Total Value

Total Jobs Created: 36,151 *(Includes Direct, Indirect, and Induced)*

(\$ 60,831,500) Total Proposition 1B Bond De-Allocations Requested.

Mass Transportation Financial Matters

\$ 47,060,000 Total STIP Requested for Allocation
 \$ 47,060,000 Total State Allocations

Total Jobs Created: 847 *(Includes Direct, Indirect, and Induced)*

2.5 Highway Financial Matters

Project # Allocation Amount County Dist-Co-Rte Postmile	Location Project Description	PPNO Program/Year Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5b.(1) SHOPP Projects				
Resolution FP-11-48				
1 \$8,000,000 Santa Clara 04-SCI-85 R18.0/R23.9	Near Cupertino from Route 280 to Route 101. <u>Outcome/Output:</u> Install ramp metering and Intelligent Transportation System (ITS) at various locations to enhance safety, maximize the efficient use of the highway system and improve travel times. (FCO only to CMIA project, PPNO 0024.)	04-0440E SHOPP/11-12 \$7,000,000 0400020481 4 154204	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.315	\$160,000 \$7,840,000
2 \$588,000 Los Angeles 07-LA-605 R0.1/R16.6	In Los Angeles County through various cities, from Coyote Creek Bridge to Peck Road. <u>Outcome/Outputs:</u> Construct 11,500 feet of metal beam guardrail, and 2,000 feet of concrete barrier at locations of high embankments, trees, and fixed objects. The project will improve safety by reducing the severity of run-off-the road collisions. Additional contributions: \$1,200,000 – Office of Traffic Safety (OTS) federal grant.	07-3661 SHOPP/11-12 \$3,966,000 0700000445 4 250504	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.015	\$12,000 \$576,000
3 \$12,258,000 Riverside 08-Riv-215 43.9/45.3	In and near the city of Riverside, from Columbia Avenue to the San Bernardino County line; also in Colton and Grand Terrace from the county line to south of the Route 10 interchange . <u>Outcome/Outputs:</u> Rehabilitate 32.7 roadway lane miles to extend pavement service life and improve ride quality. Project will grind pavement and overlay with rubberized asphalt. (For construction purposes, this contact will be combined with CMIA projects 08-0M940 and 08-0P510 under EA 08-0M94U)	08-0252T SHOPP/11-12 \$15,392,000 0800000249 4 0H3304	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.121	\$245,000 \$12,013,000
4 \$365,000 San Bernardino 08-SBd-95 57.0/57.3	In Needles, from Safari Drive to east of Route 40. <u>Outcome/Output:</u> Construct 2,500 linear feet of sidewalk, curb, and gutter with 18 curb ramps that comply with Americans with Disabilities Act (ADA) standards.	08-0238M SHOPP/11-12 \$835,000 0800000493 4 0M6904	2011-12 302-0042 SHA 20.20.201.378	\$365,000
5 \$271,000 Riverside 08-Riv-60 Var.	In the cities of Moreno Valley, Riverside and San Bernardino, on Routes 60, 91 and 215 at various locations. <u>Outcome/Outputs:</u> Construct new curb ramps, replace existing curb ramps, and upgrade pedestrian signal buttons at 29 locations to comply with Americans with Disabilities Act (ADA) standards.	08-0044K SHOPP/11-12 \$673,000 0800000474 4 0M3104	2011-12 302-0042 SHA 20.20.201.361	\$271,000
6 \$1,018,000 Inyo 09-INY-190 R65.9/R66.5	Near Panamint Springs, from 8.0 miles east of Panamint Valley Road to 10 miles west of Wildrose Road. <u>Outcome/Output:</u> Realign roadway to allow the construction of a shoulder catchment area for falling rocks and minimize the potential of traffic collisions. Additional contributions: \$3,500,000 – Office of Traffic Safety (OTS) federal grant.	09-0388 SHOPP/11-12 \$1,018,000 0900000045 4 287504	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.015	\$20,000 \$998,000

Project # Allocation Amount County Dist-Co-Rte Postmile	Location Project Description	PPNO Program/Year Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5b.(1) Projects Amended into the SHOPP by Department Action				
Resolution FP-11-48				
7 \$5,097,000 Humboldt 01-Hum-299 R8.5	Near Blue Lake at 1.8 miles east of Buckley Road and 0.1 mile west of Old Three Creeks Road. <u>Outcome/Output:</u> Repair slide damaged roadway and upgrade drainage at two locations.	01-2347 SHOPP/11-12 \$5,000,000 0112000162 4 474414	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.131	\$585,000 \$4,512,000

2.5 Highway Financial Matters

Project # Allocation Amount County Dist-Co-Rte Postmile	Location Project Description	PPNO Program/Year Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type	Amount by Fund Type
2.5b.(1) Projects Amended into the SHOPP by Department Action		Resolution FP-11-48		
8 \$1,434,000 Alameda 04-Ala-92 4.1/6.0	On Route 92, from Clawiter Road to Hesperian Boulevard; also on Route 880 at Decoto Road on-ramps. <u>Outcome/Output:</u> Install ramp metering and Intelligent Transportation System (ITS) at various locations to enhance safety, maximize the efficient use of the highway system and improve travel times. (FCO only to CMIA project, PPNO 0024.)	04-0024E SHOPP/11-12 \$2,000,000 0400020302 4 153004	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.315	\$29,000 \$1,405,000
9 \$525,000 Alameda 04-Ala-880 4.5/4.9	In Fremont, from 0.5 mile north of Fremont Boulevard Overcrossing to 0.3 mile north of Auto Mall Parkway Overcrossing. <u>Outcome/Output:</u> Resurface the northbound and southbound off-ramps for skid resistance to reduce vehicle collisions.	04-0025 SHOPP/11-12 \$735,000 0400002017 4 1G2004	2011-12 302-0890 FTF 20.20.201.010	\$525,000
10 \$13,000,000 Alameda 04-Ala-580 R14.6/R21.6	Near Livermore, from 0.1 mile west of Greenville Road to 0.2 mile west of San Ramon-Foothill Road. <u>Outcome/Output:</u> Rehabilitate 38.5 lane miles of pavement to improve ride quality, prevent further deterioration of the road surface, minimize the costly roadway repairs, and extend the pavement life. (FCO only to CMIA project, PPNO 0112F.)	04-0106B SHOPP/11-12 13,000,000 0400020601 4 0G1004	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.120	\$260,000 \$12,740,000
11 \$1,785,000 Santa Cruz 05-SCr-1 17.4/26.0	Near the City of Santa Cruz, from San Lorenzo River Bridge to Laguna Road. <u>Outcome/Output:</u> Extend and reconstruct metal beam guard rail (MBGR), and upgrade MBGR end treatments, crash cushions, and drainage features to reduce the number and severity of traffic collisions at 39 locations.	05-1963 SHOPP/11-12 \$2,769,000 0500000203 4 0M9704	2011-12 302-0890 FTF 20.20.201.015	\$1,785,000
12 \$4,000,000 Santa Cruz 05-SCr-17 11.0	Near Scotts Valley, north of Glenwood Drive. <u>Outcome/Output:</u> Construct retaining wall to stabilize roadway embankment and reconstruct northbound Number 2 lane at one location.	05-2332 SHOPP/11-12 \$3,980,000 0512000010 4 1A7104	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.131	\$459,000 \$3,541,000
13 \$2,995,000 Los Angeles 07-LA-1 7.1/56.1	In Los Angeles County, at various locations on Routes 1, 5, 90 and 405. <u>Outcome/Output:</u> Repair bridge decks, replace joint seals, repair vehicle hits, paint minor spot locations and minor repairs to railing on 28 bridges to extend the service life of the structures.	07-4384 SHOPP/11-12 \$3,170,000 0700001094 4 4Y1504	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.119	\$60,000 \$2,935,000
14 \$675,000 Riverside 08-Riv-15 34.9/35.5	Near Corona, from 1.4 miles north of Temescal Canyon Road to south of Weirick Road. <u>Outcome/Output:</u> Construct a barrier on southbound outside shoulder to improve safety by reducing collisions with parallel frontage road traffic.	08-0022H SHOPP/11-12 \$681,000 0800000518 4 0N2604	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.010	\$13,000 \$662,000

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC County Dist-Co-Rte Postmile	Project Title Location Project Description Project Support Expenditures	PPNO Program/Year Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5c.(2) Locally Administered STIP Projects on the State Highway System			Resolution FP-11-49	
1 \$1,000,000 San Bernardino Associated Governments SANBAG San Bernardino 08S-SBd-10 8.2/33.4	I-10 HOV Lane Extension from Haven Avenue to Ford Street. In Ontario and Redlands, on Route 10 from Haven Avenue to Ford Street. Add a carpool lane. (San Bernardino Associated Governments is requesting to reprogram and allocate \$1,000,000 to PA&ED. Savings of \$6,314,000 RIP will go to San Bernardino County's shares.) (Contributions from other sources: \$10,560,000.) <u>Outcome/Output:</u> To complete PA&ED activities.	08-0134K RIP / 11-12 PA&ED \$1,000,000 PS&E \$7,314,000 \$0 0800000040 4PSEL 0C2504	2011-12 301-0042 SHA 20.20.075.600	\$1,000,000

Project # Allocation Amount Recipient RTPA/CTC County Dist-Co-Rte Postmile	Project Title Location Project Description Project Support Expenditures	PPNO Program/Year Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5c.(2b) State Administered STIP Transportation Enhancement Projects on the State Highway System (ADVANCEMENT)			Resolution FP-11-52	
1 \$373,000 Department of Transportation Shasta RTPA Shasta 02N-Sha-5 62.3	Castella Vista Point. Near Castella, at the Castella Vista Point. Construct viewing area. Final Project Development Support Estimate: \$241,000 Programmed Amount: <u>\$140,000</u> Adjustment: 101,000 (Debit) Final Right of Way Right of Way Estimate: \$ 6,000 Programmed Amount: <u>\$ 6,000</u> Adjustment: \$ 0 (CEQA – CE, 08/11/2010.) (NEPA – CE, 08/11/2010.) <u>Outcome/Output:</u> Construct vista point.	02-3369 IIP TE/12-13 CONST ENG \$7,000 CONST \$370,000 \$366,000 0200020142 4 0E4004	2011-12 301-0042 SHA 301-0890 FTF 20.20.025.700	\$7,000 \$366,000

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Location Project Description	PPNO Program/Year Phase Prgm'd Amount Project ID	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5c.(3) Locally Administered STIP Projects off the State Highway System			Resolution FP-11-50	
1 \$254,000 Humboldt County HCAOG 01-Humboldt	Central Ave Shoulder Widening. In McKinleyville, on Central Avenue between US 101 and Bartow Road. Widen Shoulder. <u>Outcome/Output:</u> This project will construct 5-foot wide shoulders along a 1,200 foot long section of Central Avenue. This will enhance vehicular and pedestrian safety along this heavily traveled arterial road.	01-2099 RIP / 11-12 CONST \$254,000 0100000031	2011-12 101-0042 SHA 20.30.600.620	\$254,000

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Location Project Description	PPNO Program/Year Phase Prgm'd Amount Project ID	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5c.(3) Locally Administered STIP Transportation Enhancement Projects off the State Highway System				
Resolution FP-11-50				
2 \$25,000 Humboldt County HCAOG 01-Humboldt	Sidewalk Construction at Redway School. In Redway on Empire, Humboldt and Whitmore Avenues and on Briceland Road at the Redway School. Construct sidewalks and pedestrian improvements. <u>Outcome/Output:</u> This project will improve pedestrian safety because pedestrians will not have to walk between moving and/or parked vehicles and pedestrians will have enhanced sight visibility at intersections.	01-2291 RIP TE / 11-12 PS&E \$25,000 0112000099	2010-11 101-0890 FTF 20.30.600.731	\$25,000
3 \$977,000 City of El Cerrito MTC 04-Contra Costa	Improvements to Moeser and Ashbury Pedestrian. In El Cerrito, along Moeser Lane and Ashbury Avenue. Construct new sidewalks including closing sidewalk gaps, striping bicycle lanes, and construction traffic calming devices. (A 10-month time extension was approved at the May 2011 CTC meeting and expires on April 30, 2012.) (Contributions from other sources: \$168,000.) <u>Outcome/Output:</u> Pedestrian and bicycle improvements to improve access.	04-2025F RIP TE / 10-11 CONST \$977,000 0412000442	2010-11 101-0890 FTF 20.30.600.731	\$977,000
4 \$282,000 City of Mill Valley MTC 04-Marin	Sycamore Avenue Improvement Project. In the city of Mill Valley, construct a five-foot wide pedestrian sidewalk, a Class I bike path, signage, markings, and landscaping along Sycamore Avenue, between Camino Alto and Bay Front Park. (Contributions from other sources: \$57,000.) <u>Outcome/Output:</u> This project will provide 1,320 linear feet of pathway to provide enhanced usability and safety in all weather conditions. By connecting with another multi-use pathway (Mill Valley/Sausalito), it will encourage reduction of automobile usage by parents and students, promoting pedestrian and bicycle activity and reduce traffic congestion.	04-2127R RIP TE / 11-12 CONST \$282,000 0400020928	2011-12 101-0042 SHA 101-0890 FTF 20.30.600.731	\$32,346 \$249,654
5 \$408,000 San Francisco Department of Public Works MTC 04-San Francisco	Point Lobos Streetscape Improvements. In the city of San Francisco, from 42nd Avenue to Great Highway. Construct sidewalk and streetscape enhancements along with various traffic calming measures on Point Lobos Avenue. <u>Outcome/Output:</u> This project will be completed in conjunction with a paving project and coordinated with a bicycle project to give residents and visitors a complete street enhancement. The completed project will give the area a sense of place and aesthetic improvements for pedestrians and motorists. Furthermore, the streetscape improvements will provide traffic calming and aesthetic improvements to enhance the transportation experience.	04-9098H RIP TE / 11-12 CONST \$408,000 0400020252	2011-12 101-0042 SHA 101-0890 FTF 20.30.600.731	\$46,798 \$361,202
6 \$361,000 City of Tehachapi KCOG 09-Kern	Tehachapi Boulevard Enhancements Phase IV. In Tehachapi, on Tehachapi Boulevard from Hayes Street to Robinson Street. Streetscape improvements. (Contributions from other sources: \$293,000.) <u>Outcome/Output:</u> This project will install streetlights and bollards, enhance crosswalks, upgrade sidewalks, and retrofit curb ramps.	06-6561 RIP TE / 11-12 CONST \$361,000 0912000058	2010-11 101-0890 FTF 20.30.600.731	\$361,000

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Location Project Description	PPNO Program/Year Phase Prgm'd Amount Project ID	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5c.(3) Local STIP Planning, Programming and Monitoring Projects				Resolution FP-11-50
7 \$130,000 Modoc County Transportation Commission Modoc CTC 02-Modoc	Planning, Programming and Monitoring	02-2051 RIP/11-12 CONST \$130,000 0212000103	2011-12 101-0042 SHA 20.30.600.670	\$130,000
8 \$364,000 Shasta County Regional Transportation Planning Agency Shasta RTPA 02-Shasta	Planning, Programming and Monitoring	02-2368 RIP/11-12 CONST \$364,000 0212000109	2011-12 101-0042 SHA 20.30.600.670	\$364,000

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Location Project Description	PPNO Program/Year Phase Prgm'd Amount Project ID	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5c.(4) Locally Administered STIP Transportation Enhancement Projects off the State Highway System (ADVANCEMENT)				Resolution FP-11-51
1 \$1,455,000 University of California, Davis SACOG 03-Yolo	UC Davis Hutchison Corridor Project. At UC Davis campus, along Hutchison Drive between California Avenue and A Street. Construct landscaping, pedestrian enhancements, and bike parking. (Contributions from other sources: \$168,000.) <u>Outcome/Output:</u> Improve traffic operations and pedestrian safety. Install landscape/streetscape improvements to revitalize the corridor.	03-3193 RIP TE/14-15 CONST \$1,455,000 0300020750	2011-12 101-0042 SHA 101-0890 FTF 20.30.600.731	\$166,889 \$1,288,111
2 \$489,000 City of Laguna Beach OCTA 12-Orange	Broadway Gateway Beautification. From Acacia/Cliff Drive to Forest Avenue. Landscaping, (Contributions from other sources: \$66,000.) (Allocation funded from 2012-13 TE Reserve PPNO 2134.) <u>Outcome/Output:</u> Provide 0.1 mile of landscaping and pedestrian enhancements.	12-2135X RIP TE/12-13 CONST \$489,000 1212000026	2010-11 101-0890 FTF 20.30.600.731	\$489,000
3 \$418,000 City of Mission Viejo OCTA 12-Orange	Marguerite Parkway Median Island/Civic Center. From Pacific Place to Via Floreecer. Landscaping. (Contributions from other sources: \$125,000.) (Allocation funded from 2012-13 TE Reserve PPNO 2134.) <u>Outcome/Output:</u> Provide 0.8 mile of landscaping enhancements.	12-2135Y RIP TE/12-13 CONST \$418,000 1212000134	2010-11 101-0890 FTF 20.30.600.731	\$418,000

2.5 Highway Financial Matters

Project# Amount County Dist-Co-Rte Postmile	Location Project Description Allocation History	PPNO Program/Year Project ID Adv. Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5f. Informational Report – Emergency G-11 Allocations (2.5f.(1))				
1 \$900,000 Los Angeles 07-LA-110 23.3/23.6	In the city of Los Angeles, from First Street to Temple Avenue. Heavy rain in late 2011 and early 2012 washed out the roadway support slope at this location. This project is to reconstruct the roadway embankment and replace damaged pavement, drainage system, guardrail, and right of way fencing. Additional berms will be added behind the guardrail to prevent recurrence of similar damage. Initial G-11 Allocation 02/15/12: \$ 900,000 (Additional \$30,000 was allocated for right of way purposes).	07-4514 SHOPP/11-12 0712000291 4 3X7404 Emergency	2010-11 302-0042 SHA 20.20.201.130	\$900,000

Project # Amount County Dist-Co-Rte Postmile	Location Project Description Allocation History	PPNO Program/Year Prgm'd Amount Project ID Adv. Phase EA	Budget Year Item # Fund Type Program Codes	Amount by Fund Type
Informational Report – SHOPP Safety-Resolution G-03-10 Delegated Allocations (2.5f.(3))				
1 \$1,217,000 Kings 06-Kin-43 24.2/24.7	Near Hanford, from 0.78 mile north of Elder Avenue to 0.77 mile south of Dover Avenue. <u>Outcome/Outputs:</u> Signalize intersection and lengthen left turn lane at one location to reduce the number and severity of collisions. Allocation date: 03/01/2012	06-6367 SHOPP/11-12 \$1,900,000 0600000157 4 0J0504	2010-11 302-0042 SHA 302-0890 FTF 20.20.201.010	\$24,000 \$1,193,000

#	Dist	County	Route	Postmiles	Location/Description	EA	Program Code	Original Est. FM-10-05	Allocation
2.5f. Informational Report – Minor Construction Program – Resolution G-05-05 Delegated Allocations (2.5f.(4))									
1	03	Pla	L5727	8.9	Replace sand storage building, install new double walled brine tank and repair existing pavement at the Tahoe City Maintenance Station.	2F2804	201.352	\$550,000	\$650,000
2	04	Ala/SCI	Var	Var	Replace damaged overhead signs and metal beam guardrails at various locations.	2G5904	201.170	\$1,000,000	\$998,000
3	06	Fre	5	44.9	Asphalt concrete pavement, replace existing bridge approach slabs and upgrade bridge approach guardrails and crash cushions to current standards.	0N0104	201.120	\$750,000	\$883,000
4	06	Kin	43	17.9/18.6	Install traffic signals at three intersections and left-turn lanes and pedestrian crosswalks at one intersection.	0M9004	201.310	\$935,000	\$970,000
5	08	Riv	10	71.8/72.3	Upgrade waste water treatment system in Cactus City Safety Roadside Rest Area by installing one septic tank, replacing all existing sewage lines and valves and installing a new lift station.	0L9004	201.250	\$850,000	\$967,000
6	08	Riv	10	Var.	Install changeable message signs and highway advisory radio and environmental sensor at various locations.	0N9804	201.315	\$950,000	\$787,000
7	08	SBd	18	T7.8/T8.1	Upgrade sidewalk, remove metal beam guardrail and reconstruct curb ramp and driveways to comply with American With Disabilities Act.	0M8304	201.378	\$835,000	\$311,000

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC Dist-Co-Rte Postmile	Project Title Project Description Project Funding	PPNO Program/Year Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type														
2.5g.(1c) Proposition 1B – State Administered CMIA Project on the State Highway System			Resolution CMIA-A-1112-029															
<p>1</p> <p>\$28,969,000</p> <p>Department of Transportation MTC 04-Ala-80 1.99/13.49</p>	<p>I-80 ICM Active Traffic Management. In Alameda and Contra Costa Counties. This project will construct various system management components, including dynamic message signs, closed-circuit television cameras, variable advisory speed signs, and other sign structures.</p> <p>Final Project Development: N/A</p> <p>Final Right of Way: N/A</p> <p>(Project Scope is consistent with the baseline amendment approved under Resolution CMIA-PA-1112-026 in January 2012.)</p> <p>(Future Consideration of Funding – Resolution E-11-69; October 2011.)</p> <p><u>Outcome/Outputs:</u> When combined with other contracts (PPNO's 0062J, 0062I, 0062G, and 0062H), the overall Interstate 80 Integrated Corridor Mobility project will result in daily vehicle-hours of delay savings of about 5,800 hours.</p>	<p>04-0062E CMIA/11-12 CON ENG \$3,675,000 CONST \$25,294,000 0400002044 4 3A77744</p>	<p>004-6055 CMIA 2011-12 304-6055 CMIA 20.20.721.000</p>	<p>\$3,675,000</p> <p>\$25,294,000</p>														
<p>2</p> <p>\$4,680,000</p> <p>Department of Transportation MTC 04-Ala-92/880 4.1/6.0 10.0/33.9</p>	<p>Freeway Performance Initiative - TOS and Ramp Metering. At various locations in Alameda, Santa Clara, and Solano Counties. Install ramp metering and traffic operations system (TOS) elements along various routes.</p> <p>Final Project Development: N/A</p> <p>Final Right of Way: N/A</p> <p>(CEQA – CE 07/29/2011) (NEPA – CE 07/29/2011)</p> <p>(Project Scope is consistent with the baseline amendment approved under Resolution CMIA-PA-1112-025 in January 2012.)</p> <p>The overall project scope will be delivered with five construction contracts:</p> <table border="1"> <thead> <tr> <th>Contract</th> <th>CMIA Funding for Construction</th> </tr> </thead> <tbody> <tr> <td>#1 04-15300</td> <td>\$828,000 (Support) \$3,852,000 (Capital)</td> </tr> <tr> <td>#2 04-15420</td> <td>\$1,097,000 (Support) \$1,532,000 (Capital)</td> </tr> <tr> <td>#3 04-15113</td> <td>\$1,546,000 (Support) \$2,375,000 (Capital)</td> </tr> <tr> <td>#4 04-15320</td> <td>\$1,964,000 (Support) \$6,245,000 (Capital)</td> </tr> <tr> <td>#5 04-15350</td> <td>\$2,518,000 (Support) \$21,000,000 (Capital)</td> </tr> <tr> <td>Total</td> <td>\$6,953,000 (Support) \$35,004,000 (Capital)</td> </tr> </tbody> </table> <p>The current allocation request is for Contract #1. There is a concurrent request to allocate \$2,000,000 SHOPP funds to this contract.</p> <p>(There is also a concurrent allocation request for Contract #2.)</p> <p><u>Outcome/Outputs:</u> When completed, the overall Freeway Performance Initiative project will result in daily vehicle-hours of delay savings of about 4,000 hours.</p>	Contract	CMIA Funding for Construction	#1 04-15300	\$828,000 (Support) \$3,852,000 (Capital)	#2 04-15420	\$1,097,000 (Support) \$1,532,000 (Capital)	#3 04-15113	\$1,546,000 (Support) \$2,375,000 (Capital)	#4 04-15320	\$1,964,000 (Support) \$6,245,000 (Capital)	#5 04-15350	\$2,518,000 (Support) \$21,000,000 (Capital)	Total	\$6,953,000 (Support) \$35,004,000 (Capital)	<p>04-0024 CMIA/11-12 CON ENG \$828,000 CONST \$3,852,000 0400020302 4 153004</p>	<p>004-6055 CMIA 2011-12 304-6055 CMIA 20.20.721.000</p>	<p>\$828,000</p> <p>\$3,852,000</p>
Contract	CMIA Funding for Construction																	
#1 04-15300	\$828,000 (Support) \$3,852,000 (Capital)																	
#2 04-15420	\$1,097,000 (Support) \$1,532,000 (Capital)																	
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#5 04-15350	\$2,518,000 (Support) \$21,000,000 (Capital)																	
Total	\$6,953,000 (Support) \$35,004,000 (Capital)																	

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC Dist-Co-Rte Postmile	Project Title Location Project Description	PPNO Budget Year Fund Type Program Codes Project ID	State Federal Current Amount by Fund Type	State Federal Additional Amount by Fund Type	State Federal Revised Amount by Fund Type
2.5g.(1i) Financial Allocation Amendment for a Multi Funded CMIA/ARRA Project - Supplemental Funds			Resolution CMIA-A-1112-035		
1 \$11,043,000 Department of Transportation MTC 04-Ala/CC-24 5.3/10.0 0/1.3	State Route 24 Caldecott Tunnel Fourth Bore. Near Oakland, on Route 24 from Route 13 to Wilder Road (former Gateway Boulevard) in Alameda and Contra Costa Counties. Construct 2-lane fourth bore for the Caldecott Tunnel, north of existing third bore (TCRP #15) (At the time of original allocation in May 2009, a project contingency reserve consisting of \$11,043,000 in CMIA and \$6,557,000 in Measure J funds was established to deal with unforeseen cost increases during construction. This CMIA allocation is being requested against that reserve. As a result of differing geological conditions encountered during tunneling, \$27,000,000 in additional funds are needed to complete the project. This total shortfall of \$27,000,000 will be covered with \$11,043,000 in CMIA (Current Request), \$3,000,000 in Regional Recovery Act savings from construction support that will be transferred to construction capital, and \$12,957,000 in local funds. <u>Outcome/Outputs:</u> When combined with other segments (PPNO 0057G and 0057I), the overall Route 24/Caldecott Tunnel Fourth Bore project will result in daily vehicle hours of delay savings of about 10,368 hours.	04-0057A 2008-09 804-0890 ARRA 20.20.721.000 2011-12 304-6055 CMIA 20.20.721.000 0300000206	\$73,439,000	\$11,043,000	\$73,439,000 \$11,043,000

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC Dist-Co-Rte Postmile	Project Title Project Description Project Funding	PPNO Program/Year Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5g.(1k) Proposition 1B – Allocation Amendment - State Administered CMIA Project on the State Highway System			Resolution CMIA-AA-1112-030 Amending Resolution CMIA-A-1112-005	
1 \$65,555,000 \$45,247,000 Department of Transportation LACMTA Los Angeles 07S-LA-5 1.2/2.1	I-5 Carpool Lane-Orange CL to I-605 Segment 1 In Santa Fe Springs, from North Fork Coyote Creek Overcrossing to Marquardt Avenue. Reconstruct Alondra Avenue bridges, widen Interstate 5 freeway by adding two lanes in each direction (one mixed flow and one HOV), and reconstruct frontage roads. Final Project Development (IIP) Support Estimate: \$ 2,260,000 Programmed Amount: \$ 1,027,000 Adjustment: \$ 1,233,000 (Debit) Final Project Development (RIP) Support Estimate: \$ 83,000 Programmed Amount: \$ 83,000 Adjustment: \$ 0 Final Right of Way (RIP) Right of Way Estimate: \$3,348,000 Programmed Amount: \$3,348,000 Adjustment: \$ 0 (Construction savings of \$611,000 to be transferred to Construction Engineering.) (Future Consideration of Funding – Resolution E-08-09, August 2008) (August 2011- Baseline Amendment approved to revise the project schedule under Resolution CMIA-PA-1112-003.) (August 2011 - Letter of No Prejudice request approved under Resolution LONP1B-A-1112-005.) (Contributions from other sources: \$39,695,000.) <u>Outcome/Output:</u> Two additional lanes in each direction (one mixed flow lane and one HOV lane).	07-4153 CMIA/10-11 CONST \$65,555,000 \$45,247,000 0700001831 4 215914	2010-11 304-6055 CMIA 20.20.721.000	\$65,555,000 \$45,247,000
<u>Amend Resolution CMIA-A-1112-005 to de-allocate \$20,308,000 CMIA CONST to reflect award savings.</u>				

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC Dist-Co-Rte Postmile	Project Title Project Description Project Funding	PPNO Program/Year Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type															
2.5g.(1n) Proposition 1B – State Administered CMIA Project on the State Highway System		Resolution CMIA-A-1112-038																	
1 \$6,098,000 Department of Transportation SBCAG Santa Barbara 05S-SB-101 83.1/83.9	<p>Union Valley Parkway Interchange. In Santa Maria at Union Valley Parkway. Construct interchange.</p> <p>Final Project Development Support Estimate: \$5,004,000 Programmed Amount: <u>\$4,932,000</u> Adjustment: \$ 0 (< 20%)</p> <p>Final Right of Way Right of Way Estimate: \$1,528,000 Programmed Amount: <u>\$1,552,000</u> Adjustment: \$ 0 (< 20%)</p> <p>The Union Valley Parkway Interchange Landscaping project (PPNO 4638Y) will be split off as follows, funded from Santa Barbara County regional shares:</p> <table border="0"> <tr> <td>PS&E</td> <td>\$ 305,000</td> <td>FY 2011-12</td> </tr> <tr> <td>R/W Support</td> <td>\$ 5,000</td> <td>FY 2011-12</td> </tr> <tr> <td>Const Support</td> <td>\$ 400,000</td> <td>FY 2013-14</td> </tr> <tr> <td>Const</td> <td><u>\$ 650,000</u></td> <td>FY 2013-14</td> </tr> <tr> <td>Total</td> <td>\$1,360,000</td> <td></td> </tr> </table> <p>(CONST savings of \$2,589,000 to be returned to Santa Barbara County regional shares. The additional \$100,000 of CON ENG to come from Santa Barbara County regional shares.)</p> <p>(Future Consideration of Funding under Resolution E-12-12; March 2012.)</p> <p>(Contributions from other sources: \$6,098,000.)</p> <p>(Project scope is consistent with concurrent CMIA baseline proposed for approval under Resolution CMIA-P-1112-014B; April 2012.)</p> <p><u>Outcome/Output:</u> Daily travel time savings: 935 hours. Peak period time savings: 5,610 minutes.</p>	PS&E	\$ 305,000	FY 2011-12	R/W Support	\$ 5,000	FY 2011-12	Const Support	\$ 400,000	FY 2013-14	Const	<u>\$ 650,000</u>	FY 2013-14	Total	\$1,360,000		05-4638 RIP / 11-12 CON ENG \$1,800,000 \$1,900,000 CONST \$3,949,000 \$0	2011-12 304-6055 CMIA 20.20.721.000	\$6,098,000
PS&E	\$ 305,000	FY 2011-12																	
R/W Support	\$ 5,000	FY 2011-12																	
Const Support	\$ 400,000	FY 2013-14																	
Const	<u>\$ 650,000</u>	FY 2013-14																	
Total	\$1,360,000																		
2 \$3,088,000 Department of Transportation SANBAG 08-SBd-215 1.78	<p>I-215 Newport Avenue Bridge Replacement Project. In the City of Grand Terrace at the Newport Avenue Overcrossing bridge. Remove and replace the existing OC structure at Newport Avenue in the City of Grand Terrace.</p> <p>Final Project Development: N/A</p> <p>Final Right of Way: N/A</p> <p>(Project scope is consistent with concurrent CMIA baseline proposed for approval under Resolution CMIA-P-1112-014B; April 2012.)</p> <p>(CEQA – CE 10/27/2011) (NEPA – CE 10/27/2011)</p> <p>(Contributions from local sources: \$0)</p> <p>(For construction purposes, this contact will be combined with 08-0M940 and 08-0H330 under EA 08-0M94U).</p> <p><u>Outcome/Outputs:</u> When completed, the I-215 Newport Avenue Bridge Replacement project will result in daily vehicle-hours of delay savings of about 4,000 hours.</p>	08-0243E CMIA/11-12 CONST \$3,088,000 0800020109 4 0P5104	2010-11 304-6055 CMIA 20.20.721.000	\$3,088,000															

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC Dist-Co-Rte Postmile	Project Title Location Project Description	PPNO Program/Year Phase Prgm'd Amount Project ID Adv Phase EA	Item # Fund Type	Amount by Fund Type
2.5g.(2b) Proposition 1B – Allocation Amendment - State Administered Route 99 Projects				
on the State Highway System			Resolution R99-AA-1112-005	
			Amending Resolution R99-A-1112-003	
1 \$50,000,000 \$36,644,000	State Route 99 Widening in Manteca and San Joaquin Phase 1. In Manteca, from 0.9 mile south of Route 120 west to 0.4 mile south of Arch Road. Widen highway from 4 to 6 lanes, and construct auxiliary lanes. (Future Consideration of Funding – Resolution E-10-60, July 2010.) <u>Outcome/Output:</u> Widen 8.3 miles of SR 99 from 4 to 6 lanes (16.6 lane miles).	10-7634A SR 99/11-12 CONST ENG \$5,000,000 CONST \$45,000,000 \$31,644,000 1000020440 4 0E6114	004-6072 SR99 2010-11 304-6072 SR99 20.20.722.000	\$5,000,000 \$45,000,000 \$31,644,000
Department of Transportation SJCOG San Joaquin 10N-SJ-99 4.9/14.2				
<u>Amend Resolution R99-A-1112-003 to de-allocate \$13,356,000 SR 99 Corridor Bond Program CONST to reflect award savings.</u>				

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC County Dist-Co-Rte Postmile	Project Title Location Project Description Project Support Expenditures	PPNO Program/Year Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5g.(3b) Proposition 1B – State Administered STIP Project on the State Highway System		Resolution STIP1B-A-1112-009		
1 \$21,226,000 Department of Transportation KCAG Kings 06N-Kin-198 8.6/9.7	19th Avenue Interchange. In Lemoore, on Route 198 at 19th Avenue. Construct interchange. Final Project Development Support Estimate: \$6,027,000 Programmed Amount: <u>\$3,101,000</u> Adjustment: \$2,926,000 (Debit) Final Right of Way Right of Way Estimate: \$6,923,000 Programmed Amount: <u>\$6,255,000</u> Adjustment: \$ 0 (< 20%) The 19 th Avenue Interchange Landscaping project (PPNO 4330Y) will be split off as follows, funded from Kings County regional shares: Const Support \$ 102,000 FY 2013-14 Const <u>\$1,022,000</u> FY 2013-14 Total \$1,124,000 (Construction savings of \$3,950,000 to be returned to Kings County regional shares after accounting for the landscaping project described above.) (Future Consideration of Funding – Resolution E-05-18, September 2005.) <u>Outcome/Output:</u> Project will provide access to and link developing areas currently split by SR 198, and improve safety.	06-4330 RIP / 11-12 CON ENG \$2,770,000 CONST \$26,300,000 \$21,226,000 0600000367 4 325504	2010-11 304-6058 TFA 20.20.075.600	\$21,226,000

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Location Project Description	PPNO Program/Year Phase Prgm'd Amount Project ID	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5g.(5) Proposition 1B – Locally Administered TCIF Projects off the State Highway System		Resolution TCIF-A-1112-10		
1 \$7,200,000 Port of Stockton SJCOG 10-San Joaquin	San Francisco Bay to Stockton Channel Deepening. Between San Francisco Bay and the Port of Stockton. Deepen the ship channel from 35 feet to 45 feet from Pinole Shoal to New York Slough, and from 35 feet to 40 feet from New York Slough to the Port of Stockton. (TCIF Project 11) (CEQA – NE, 03/02/2012.) (Concurrent TCIF program amendment under Resolution TCIF-P-1112-29; April 2012.) (Contributions from other sources: \$7,200,000.) <u>Outcome/Output:</u> A savings in waterborne transportation costs, improved vessel time reliability, reduced highway congestion and annual truck/miles travels on freeways due to a shift in mode of commercial transportation from road to waterway, reduced truck emissions, and increase in highway safety due to reduced truck traffic.	10-TC11 TCIF/11-12 CONST \$17,500,000 \$7,200,000 1000020283	2010-11 104-6056 TCIF 20.30.210.300	\$7,200,000

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Location Project Description	PPNO Program/Year Phase Prgm'd Amount Project ID	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5g.(5) Proposition 1B – Locally Administered TCIF Projects off the State Highway System			Resolution TCIF-A-1112-10	
2 \$48,020,000 Orange County Transportation Authority OCTA 12-Orange	Orangethorpe Avenue Grade Separation. In Placentia, at the Orangethorpe Avenue at-grade crossing. Construct roadway overpass, including structures at Chapman Avenue and Miller Street. TCIF #37 (Concurrent TCIF program amendment under Resolution TCIF-P-1112-32; April 2012.) (Future Consideration of Funding under Resolution E-10-74, August 2010.) (Contributions from other sources: \$66,963,000.) <u>Outcome/Output:</u> Decrease in traffic congestion and travel time. The elimination of collision points will provide greater driver safety.	12-TC37 TCIF/11-12 CONST \$41,666,000 \$48,020,000 1200020231	2010-11 104-6056 TCIF 20.30.210.300	\$48,020,000

Project # Allocation Amount County Dist-Co-Rte Postmile	Location Project Description	PPNO Program/Year Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5g.(6) Proposition 1B – SHOPP Project Allocations			Resolution SHOP1B-A-1112-003	
1 \$53,892,000 Solano 04-Sol-80 30.6/38.7	In Solano County from 0.1 mile east of Leisure Town Overcrossing to 1.0 mile west of Pedrick Road Overcrossing. <u>Outcome/Outputs:</u> Rehabilitate 48.6 lane miles of pavement to improve ride quality, prevent further deterioration of the road surface, minimize the costly roadway repairs, and extend the pavement life. (CEQA – CE, 12/15/2009) (NEPA – CE, 12/15/2009) ALLOCATION IS CONTINGENT UPON APPROVAL OF A BUDGET REVISION BY THE DEPARTMENT OF FINANCE.	04-8378B SHOPP/12-13 \$50,000,000 0400001101 4 4A0104	2011-12 304-6064 HSRPA 20.20.201.120	\$53,892,000

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Location Project Description	PPNO Program/Year Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5g.(9) Proposition 1B – Locally Administered Highway-Rail Crossing Safety Account (HRCSA) Projects			Resolution GS1B-A-1112-004	
1 \$25,600,000 Alameda Corridor- East Construction Authority LACMTA 07-Los Angeles	Nogales Street Grade Separation. Construct a six-lane roadway beneath the UPRR right-of-way and include the widening of a 1.7-mile segment of Gale Avenue-Walnut Drive N. (Original programming resolution GS1B-P-1011-01.) (Future Consideration of Funding – Resolution E-09-97, December 2009.) (Contributions from other sources: \$68,336,000.) <u>Outcome/Output:</u> This project will eliminate potential collisions between trains, vehicles and pedestrians; improve emergency vehicle response time; reduce emissions and noise.	75-Rail HRCSA/10-11 CON ENG \$5,480,000 CONST \$20,120,000 0012000234 S H022BA	2010-11 104-6063 HRCSA 20.30.010.400	\$25,600,000

2.5 Highway Financial Matters

Project # Allocation Amount Recipient <u>RTPA/CTC</u> County Dist-Co-Rte Postmile	Project Title Location Project Description	PPNO Program/Year Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5g.(10b) Proposition 1B – Locally Administered State-Local Partnership Program (SLPP) Projects on the State Highway System		Resolution SLP1B-A-1112-21		
1 \$3,800,000 City of Stockton <u>SJCOG</u> San Joaquin 10-SJ-5 R22.0/R23.6	I-5/French Camp Interchange. In Stockton, from 0.4 mile south of French Camp Road to Downing Avenue. Reconstruct the French Camp Interchange and add northbound auxiliary lanes. (Future Consideration of Funding – Resolution E-09-60, July 2009.) (SLPP Programming Amendment under Resolution SLP1B-P-1112-08; March 2012.) <u>Outcome/Output:</u> Improve operational efficiency on Interstate 5 by constructing two miles of auxiliary lanes, increasing the capacity of the existing interchange and installing ramp metering.	10-7239 SLPP/11-12 CON ENG \$156,000 CONST \$3,644,000 1000000024 4CELO 4CONL 0E4904	2011-12 304-6060 SLPP 20.20.724.000 2011-12 304-6060 SLPP 20.20.724.000	\$156,000 \$3,644,000

2.6 Mass Transportation Financial Matters

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Project Description	Dist-PPNO Program / Year Programmed: Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.6a.(1) Locally Administered STIP Transit Projects		Resolution MFP-11-10		
1 \$18,540,000 Santa Clara County Valley Transportation Authority MTC 04-Santa Clara	Capitol LRT Extension to Eastridge Transit Center & Bus Improvement. Improvements to transit center that include, expansion of facility, enhanced passenger amenities and modifications to bicycle parking areas. <u>Outcome/Output:</u> Improve transit connections and pedestrian access to the transit center.	04-2174B RIP/11-12 CONST \$18,540,000 0412000444 S R264TB	2010-11 101-0046 PTA 30.10.070.625	\$18,540,000
2.6a.(2) State Administered Rail Projects (Federal Transportation Funds)		Resolution MFP-11-11		
1 \$950,000 Department of Transportation SBCAG 05-Santa Barbara	Pacific Surfliner - PE NEPA Ortega - Track 1B Perform preliminary design, conduct environmental reviews and prepare NEPA environmental documentation for the proposed 12,510-foot long Ortega Siding project in Santa Barbara County, located on the Union Pacific Santa Barbara subdivision between milepost (MP) 373.6 and MP 375.9, approximately 7 miles south of the City of Santa Barbara. (Contributions from Santa Barbara County Association of Governments (SBCAG): \$250,000.) <u>Outcome/Output:</u> Design improvements and prepare environmental documentation for the proposed Ortega Siding project, construction of which will result in improved operating efficiencies and will remove a capacity constraint to future passenger rail service on the Los Angeles-San Diego-San Luis Obispo rail corridor used by the Pacific Surfliner.	75-Rail HSIPR/10-11 PA&ED \$950,000 0012000145 S RA05CA	2010-11 301-0890 FTF 30.20.725.000	\$950,000
2 \$950,000 Department of Transportation Various 07-Ventura	Pacific Surfliner—Sea Cliff Siding and Track Realignment Complete preliminary design and environmental review to support final design and construction of a track realignment and siding extension project in Ventura County, located on the Union Pacific Santa Barbara subdivision between milepost (MP) 383.6 and MP 386.4, approximately 17 miles south of the City of Santa Barbara. (Contributions from SBCAG: \$250,000.) <u>Outcome/Output:</u> Design improvements and prepare environmental documentation for the proposed Sea Cliff Siding project, construction of which will result in improved operating efficiencies and will remove a capacity constraint to future passenger rail service on the Los Angeles-San Diego-San Luis Obispo rail corridor used by the Pacific Surfliner.	75-Rail HSIPR/11-12 PA&ED \$950,000 0012000146 S RA04CA	2011-12 301-0890 FTF 30.20.725.000	\$950,000

2.6 Mass Transportation Financial Matters

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Project Description	Dist-PPNO Program / Year Programmed: Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.6a.(2) State Administered Rail Projects (Federal Transportation Funds)		Resolution MFP-11-11		
3 \$24,900,000 Department of Transportation SANDAG 11-San Diego	Positive Train Control San Onofre to San Diego Install Positive Train Control (PTC) in San Diego County. (Contributions from other sources: \$87,132,000.) <u>Outcome/Output:</u> PTC is an advanced technology collision avoidance system designed to improve the safe operation of passenger and freight railroads. Implementation of PTC is currently mandated by December 31, 2015 under federal law.	75-Rail HSIPR/11-12 CONST \$24,900,000 0012000081 S R995CA	2011-12 301-0890 FTF 30.20.725.000	\$24,900,000
4 \$1,720,000 Department of Transportation OCTA 12-Orange	Pacific Surfliner – MOW Spurs – Track 1a Build two 1,000 foot long Maintenance of Way (MOW) spur tracks in Orange County located at milepost (MP) 165.9 within the city of Anaheim and at MP 192.5 within the City of Laguna Niguel. <u>Outcome/Output:</u> The construction of these MOW spurs will extend the hours of intercity passenger rail service on the Orange Subdivision by allowing roadbed and track maintenance equipment to be stored at and staged from multiple locations, minimizing the mobilization time for track maintenance.	75-Rail HSIPR/10-11 CONST \$1,720,000 0000020921 S R994CA	2010-11 301-0890 FTF 30.20.725.000	\$1,720,000

2.7 Aeronautics Financial Matters

Project # Allocation Amount Recipient County	Location Project Description Project Number	Budget Year Item # Program Code	State Allocation
2.7 Aeronautics Allocations		Resolution FDOA-2011-05	
1 \$113,000 County of Del Norte Del Norte	Ward Field Airport Obstruction Removal (Trees) DN-2-11-1	2011-12 2660-0041 10.10.020.200	\$113,000
2 \$72,000 County of Modoc Modoc	Adin Airport Crack Seal, slurry Seal and Restripe Runway Mod-5-11-1	2011-12 2660-0041 10.10.020.200	\$72,000
3 \$29,000 County of Modoc Modoc	Fort Bidwell Airport Grade and Roll Runway and Install Fencing Mod-6-11-1	2011-12 2660-0041 10.10.020.200	\$29,000
4 \$77,000 County of Lassen Lassen	Herlong Airport Overlay runway, taxiway and apron Las-5-11-1	2011-12 2660-0041 10.10.020.200	\$77,000
5 \$99,000 County of Lassen Lassen	Ravendale Airport Overlay Runway and Tiedown Area Las-4-11-1	2011-12 2660-0041 10.10.020.200	\$99,000
6 \$23,000 County of Kern Kern	Elk Hills-Buttonwillow Airport Relocate Segmented Circle and Windsock Ker-32-11-1	2011-12 2660-0041 10.10.020.200	\$23,000
7 \$180,000 County of Kern Kern	Elk Hills-Buttonwillow Airport Security Fencing Ker-32-11-2	2011-12 2660-0041 10.10.020.200	\$180,000
8 \$135,000 County of Kern Kern	Elk Hills-Buttonwillow Airport Overlay Parking Apron and Restripe Pavement Ker-32-11-3	2011-12 2660-0041 10.10.020.200	\$135,000
9 \$23,000 County of Kern Kern	Poso Airport Relocate Segmented Circle and Windsock Ker-16-11-1	2011-12 2660-0041 10.10.020.200	\$23,000
10 \$68,000 County of Kern Kern	Poso Airport Crack and Slurry Seal Runway and Restripe Pavement Ker-16-11-2	2011-12 2660-0041 10.10.020.200	\$68,000
11 \$248,000 County of Kern Kern	Taft Airport Slurry Seal Runway and Restripe, Renovate Runway Lighting Ker-2-11-1	2011-12 2660-0041 10.10.020.200	\$248,000

PUBLIC DISTRIBUTION

CALIFORNIA TRANSPORTATION COMMISSION

1120 N Street (MS-52)
Sacramento, CA 95814
(916) 654-4245
FAX: (916) 653-2134

CTC Website: <http://www.catc.ca.gov>

Mr. Joseph Tavaglione, Chair
Tavaglione Construction & Development, Inc.
3405 Arlington Avenue
Riverside, CA 92506

Mr. James C. Ghielmetti, Vice Chair
Signature Homes, Inc.
4670 Willow Road, Suite 200
Pleasanton, CA 94588

Mr. Bob Alvarado
Northern California Carpenters Regional Council
265 Hegenberger Road, Suite 200
Oakland, CA 94621-1480

Mr. Darius Assemi
Granville Homes
1396 W. Herndon, Suite 101
Fresno, CA 93711

Ms. Yvonne B. Burke
P.O. Box 25665
Los Angeles, CA 90025-0665

Ms. Lucetta Dunn
Orange County Business Council
2 Park Plaza, Suite 100
Irvine, CA 92614

Mr. Jim Earp
California Alliance for Jobs
928 Second Street, Ste. 200
Sacramento, CA 95814

Mr. Dario Frommer
Mayer Brown LLP
350 South Grand Avenue, 25th Floor
Los Angeles, CA 90071

Mr. Carl Guardino
Silicon Valley Leadership Group
2001 Gateway Place, Suite 101E
San Jose, CA 95110

Ms. Fran Inman
Majestic Realty Company
13191 N. Crossroads Parkway, Sixth Floor
City of Industry, CA 91746-3497

James Waring
CleanTECH San Diego
9191 Town Center Drive, Suite 410
San Diego, CA 92122

Ex Officio Members

The Honorable Mark DeSaulnier
Member of the Senate
State Capitol, Room 5035
Sacramento, CA 95814

The Honorable Bonnie Lowenthal
Member of the Assembly
State Capitol, Room 3152
Sacramento, CA 94814

Executive Director

Ms. Bimla G. Rhinehart
1120 N Street, Room 2233 (MS-52)
Sacramento, CA 95814
(916) 654-4245
FAX: (916) 653-2134

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.4a.(4)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Brent Green
Chief
Division of Right of Way and
Land Surveys

Subject: **RESOLUTION OF NECESSITY - APPEARANCE**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) adopt Resolution of Necessity (Resolution) C-20781 summarized on the following page. This Resolution is for widening the Interstate 5 Freeway in District 7 in the city of Norwalk, county of Los Angeles.

ISSUE:

Prior to initiating Eminent Domain proceedings to acquire needed right of way for a programmed project, the Commission must first adopt a Resolution, stipulating specific findings identified under Section 1245.230 of the Code of Civil Procedure, which are:

1. The public interest and necessity require the proposed project.
2. The proposed project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury.
3. This property is necessary for the proposed project.
4. An offer to acquire the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

In this case, the lessee is contesting the Resolution and has requested a written appearance before the Commission. At the request of the lessee, objections to the Resolution have been submitted in writing to be made part of the official record of the Commission meeting, in lieu of a personal appearance before the Commission. The lessee's objections are included as Attachment A. The Department's responses to the lessee's objections are contained in Attachment B.

BACKGROUND:

Discussions have taken place with the lessee, who has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the lessee may subsequently be entitled. Adoption of the Resolution will not interrupt the Department's efforts to secure an equitable settlement. In accordance with statutory requirements, the lessee has been advised that the Department is requesting the Resolution at the Commission's

April 25-26, 2012 meeting. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-20781 - Capricorn Realty, Inc., a California Corporation, et al.; El Pollo Loco, Inc. (Lessee)
07-LA-5-PM 3.6 - Parcel 79048-1, 2, 01-01 - EA 215939.

Right of Way Certification Date: 03/09/12; Ready to List Date: 03/23/12. Freeway - widen Interstate 5 to add high occupancy vehicle and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway, a temporary easement for construction purposes, and land in fee which is a remnant and would be of little market value. Located in the city of Norwalk at 12551 Rosecrans Avenue. Assessor's Parcel Numbers 8056-011-016, -017.

Attachments:

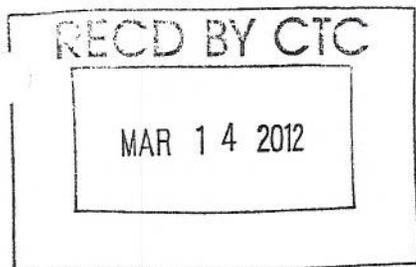
- Attachment A - Lessees Written Objections dated March 13, 2012
- Attachment B - Department Response dated March 15, 2012
- Attachment C - Fact Sheet
- Exhibits A and B - Maps

one copy to Stephen Maller, to Right of Way 03-14-12

PETERSON LAW GROUP

PROFESSIONAL CORPORATION
SUITE 290
19800 MACARTHUR BOULEVARD
IRVINE, CALIFORNIA 92612

TELEPHONE (949) 955-0127
FACSIMILE (949) 955-9007



Via U.S. Express Mail

Express Mail Label No. EO 910 257 558 US

March 13, 2012

Executive Director
California Transportation Commission
P.O. Box 942873
Mail Station 52
Sacramento, CA 94273-0001

Re: California Transportation Commission Meeting March 28-29, 2012, San Francisco; Project #0700001833; Parcel 79048-1, 2, 01-01; Proposed acquisition of 12551 Rosecrans Avenue, Norwalk, California

Honorable Commissioners:

We represent El Pollo Loco, Inc. ("El Pollo Loco"), owner of the El Pollo Loco restaurant located on the property the State of California Department of Transportation ("State") proposes to acquire at 12551 Rosecrans Avenue in Norwalk, California (the "Premises"). We request this letter be made a part of the record and noted as an objection to the proposed acquisition and right to take. We do not intend to appear at the hearing.

El Pollo Loco is a lessee at the Premises pursuant to a written lease. El Pollo Loco is entitled to an apportionment interest in the value of the Premises pursuant to its lease. El Pollo Loco is also the owner of certain furniture, fixtures and equipment located on and in the Premises.

El Pollo Loco objects to the proposed acquisition on the basis that a proper offer was not made. Specifically: the offer dated January 19, 2012 ("Offer") does not reflect any offer for furniture, fixtures or equipment, whether moveable or immovable; the Offer is vague and ambiguous as to its amount; and the Offer is deficient for including a substantial environmental offset without attribution to onsite sources and without regard to impact of same upon fair market value given the highest and best use of the property.

(1) The Offer is deficient for not reflecting any offer for furniture, fixtures or equipment, whether moveable or immovable.

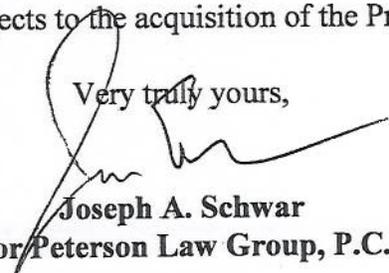
Executive Director,
California Transportation Commission
March 13, 2012
Page 2 of 2

(2) The State of California offers to pay “the sum of **One Million Three Hundred Seventy Five Dollars (\$1,375,000.00)** . . .” minus the \$915,238.00 environmental offset discussed below. The Offer thus appears to be \$459,762.00, based on the \$1,375,000.00 minus \$915,238.00. However, the Offer is vague and ambiguous as to whether the base amount, before environmental offset, is \$1,000,375 or \$1,375,000. As such, this is an offer that has no possibility of being accepted.

(3) The Offer includes the withholding of \$915,238.00 from the amount to be paid, to be used for costs of cleaning up allegedly contaminated soil and/or groundwater, and requires the condemnee(s) to pay for cleanup costs beyond that amount, without attributing the alleged contamination to any source located on the Premises, or to any release by the condemnee(s). Cleanup of such contamination would not be considered absent the State’s project. Furthermore, the sale price of the Premises would not be reduced by the full amount of cleanup costs, if at all, in any market transaction meeting the definition of Fair Market Value found at Code of Civil Procedure §1263.320.

Based on the foregoing, El Pollo Loco objects to the adoption of a Resolution of Necessity for the Premises and objects to the acquisition of the Premises.

Very truly yours,


Joseph A. Schwar
For Peterson Law Group, P.C.

JAS:

DEPARTMENT OF TRANSPORTATION**DIVISION OF RIGHT OF WAY**

100 SOUTH MAIN STREET
P. O. BOX 942873
LOS ANGELES, CA 90012-3606
PHONE (213) 897-1901
FAX (213) 897-8902



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VIA U.S. MAIL AND ELECTRONIC MAIL

March 15, 2012

Mr. Joseph A. Schwar
PETERSON LAW GROUP, PC
19800 MacArthur Boulevard, Ste 290
Irvine, CA 92612

WRITTEN APPEARANCE RESPONSE

File: 07 - LA-5 - PM 3.6
E.A.: 215939 / Project ID: 0700001833
Parcel: 79048 -1, -2, -01-01
Grantor: Capricorn Realty, Inc., et al.
Lessee: El Pollo Loco, Inc.

Dear Mr. Schwar:

This letter is in response to your letter dated March 13, 2012 addressed to the Executive Director of the California Transportation Commission (the "Commission") for property located at 12551 Rosecrans Avenue, in the city of Norwalk (the "Property").

Your letter, addressed specific concerns and objections to the Commission's proposed action on several grounds regarding the above referenced parcel and as requested your letter will be submitted to the Commission in lieu of a personal appearance and will be part of the official record presented to the Commission at its March 28-29, 2012 meeting to be held in Orinda, California.

The following is the Department's response to the concerns and objections set forth in your letter to the Commission:

1. **The offer is deficient for not reflecting any offer for furniture, fixtures or equipment, whether moveable or immoveable.**

The appraised value estimate includes items pertaining to the realty. The purchase price for this type of property is for land and improvements, including the fast food restaurant, miscellaneous site improvements, and items pertaining to the realty. As stipulated by the California Code of Civil Procedures, Section 1263.205:

(a) As used in this article, "Improvements pertaining to the realty" include any machinery or equipment installed for use on property taken by eminent domain, or on the remainder if such property is part of the larger parcel, that cannot be removed without a substantial economic loss or without substantial damage to the property in which it is installed, regardless of the method of installation.

(b) In determining whether particular property can be removed "without a substantial economic loss" within the meaning of this section, the value of the property in place considered as a part of the realty should be compared with its value if it were removed and sold.

"Caltrans improves mobility across California"

Attachment B

However, it should be noted that the lease between the grantor and the lessee states, "It is mutually agreed that the trade fixtures and equipment, including without limitation, interior and exterior signs, which may be installed in the leased premises prior to or during the term hereof, at the cost of Lessee or any sublessee, shall remain personal property and shall not be deemed to become part of the leased premises, no matter how affixed. Lessee shall have the right to remove said trade fixtures and equipment on the leased premises on or before the expiration of this Lease or any extensions or renewals thereof."

This was confirmed by the Real Estate Asset Manager of El Pollo Loco who stated that, "typically we take everything and everything allowed. Some items might not be worth taking if they are really old and we have newer, more efficient equipment". Therefore, based on this extraordinarily assumption, all trademark logo signage, furniture, fixtures, and equipment was not be included when valuing this property.

- 2. The State of California offers to pay "the sum of One Million Three Hundred Seventy Five Dollars (\$1,375,000.00)..." minus the \$915,238.00 environmental offset discussed below. The Offer thus appears to be \$459,762.00 based on the \$1,375,000.00 minus \$915,238.00. However the offer is vague and ambiguous as to whether the base amount, before environmental offset is \$1,000,375.00 or \$1,375,000.00. As such, this is an offer that has no possibility of being accepted.**

The objection is noted. The written sum of **One Million Three Hundred Seventy Five Dollars (\$1,000,375.00)** was a typographical error and **One Million Three Hundred Seventy Five Thousand Dollars (\$1,375,000.00)** is the correct amount. As presented at the meeting between the right of way agent and the lessee's attorney, the sum of \$1,375,000.00 was provided verbally as well as in written appraisal form.

- 3. The offer includes the withholding of \$915,238.00 from the amount to be paid, to be used for costs of cleaning up allegedly contaminated soil and/or groundwater and requires the condemnee(s) to pay for cleanup costs beyond that amount, without attributing the alleged contamination to any source located on the Premises, or to any release by the condemnee(s). Cleanup of such contamination would not be considered absent the State's project. Furthermore, the sale price of the Premises would not be reduced by the full amount of cleanup costs, if at all, in any market transaction meeting the definition of Fair Market Value found at Code of Civil Procedure §1263.320.**

The Fair Market Value of contaminated property may be impacted by the presence of contamination even when the contamination was generated off site, and even where it was not caused by the property owner. An appraisal which takes the cost of clean up into consideration and deducts it, dollar for dollar, from the 'clean' Fair Market Value is the only approach accepted in the published cases thus far. (See *Redevelopment Agency vs. Thrifty Oil Co.* at 4 Cal.App. 4th 469, 1992). The Department applied this appraisal methodology and arrived at the offer. As you know eminent domain law provides that under these circumstances the parties may employ any 'reasonable appraisal methodology' (Code Civil Procedure section 1263.320) and that the reasonableness of the applied methodology is not an issue at the application for a Resolution of Necessity. (CCP section 1245.230) The amount of compensation to be paid is solely for the jury to determine based on opinion testimony at time of trial. (Ev. Code section 813).

Mr. Joseph A. Schwarz
March 15, 2012
Page 3

Furthermore, it is Caltrans policy to have potentially responsible parties accept responsibility for remediation, and seek reimbursement from potentially responsible parties when remediation and/or monitoring must be conducted. All properties, including those acquired by an implementing agency, shall be investigated for contamination before being considered for incorporation into the State right of way. Property containing or potentially containing contamination shall only be acquired or accepted if the benefits and risks are documented, available risk reduction mechanisms are employed, and a policy exception is approved by Department management using criteria established by the Department's Chief Engineer.

As stated previously, your written response objecting to the Resolution of Necessity will be submitted to the Commission at its March 28-29, 2012 meeting to be held in Orinda, California.

Sincerely,



ANDREW P. NIERENBERG
Deputy District Director
Division of Right of Way
Department of Transportation
Caltrans – District 7

cc: via email:
Mark A. Zgombic, HQ Right of Way

Resolution of Necessity Appearance Fact Sheet

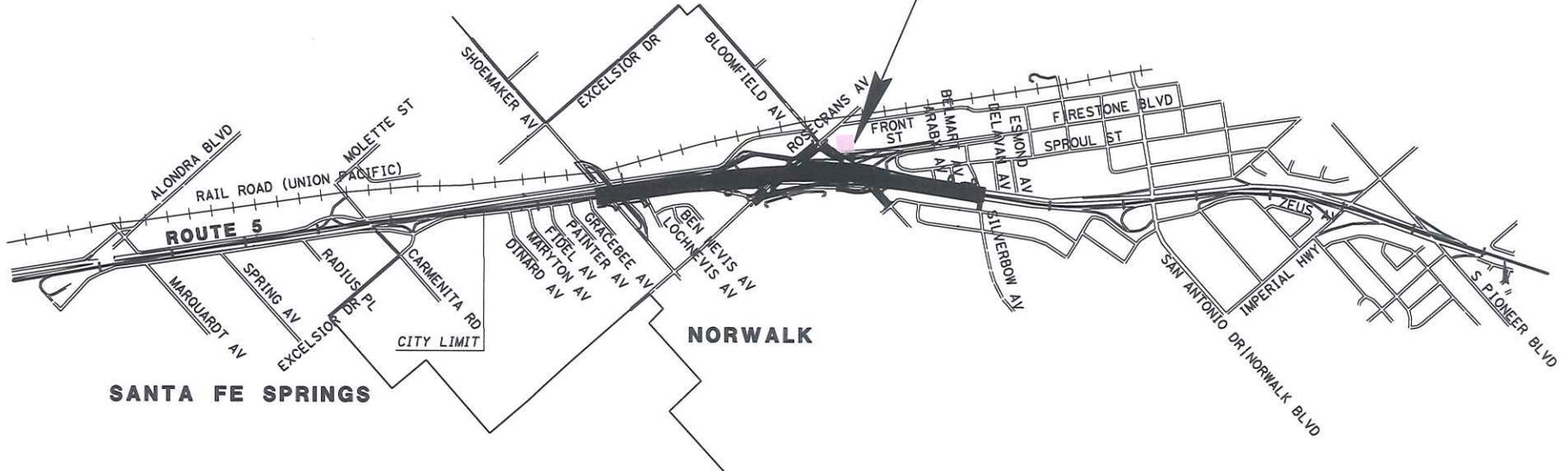
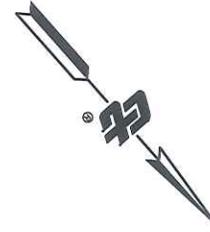
PROJECT DATA	07-LA-5-PM 2.4/4.0 Expenditure Authorization 215939
<u>Location:</u>	Interstate 5 (I-5) in Los Angeles County in the cities of Santa Fe Springs and Norwalk
<u>Limits:</u>	Between the Orange County Line limit to 0.7 miles north of the 605 Freeway
<u>Contract Limits:</u>	Between 0.1 miles north of Carmenita Road Overcrossing to 0.1 miles north of Silverbow Avenue Pedestrian Overcrossing
<u>Cost:</u>	Programmed construction cost: \$120,000,000.00 Current right of way cost estimate: \$98,000,000.00
<u>Funding Source:</u>	Corridor Mobility Improvement Account, Traffic Congestion Relief Program, State Transportation Improvement Program, State-Local Transportation Partnership Program, Transportation Equity Act for the 21 st Century, and Local Proposition C
<u>Number of Lanes:</u>	Existing: three mixed-flow lanes in each direction Proposed: four mixed-flow lanes plus one high occupancy vehicle lane in each direction
<u>Proposed Major Features:</u>	Reconfigure interchange at Rosecrans Avenue to Tight Diamond type; replace Shoemaker Avenue Overcrossing and Silverbow Avenue Pedestrian Overcrossing; replace Rosecrans Avenue Undercrossing; construct new Undercrossing at Bloomfield Avenue; re-align Bloomfield Avenue and Firestone Boulevard; and reconstruct local streets and frontage roads
<u>Traffic:</u>	Existing I-5 (year 2005): 171,000 Annual Daily Traffic (ADT) Proposed I-5 (year 2030): 281,000 ADT
PARCEL DATA	
<u>Property Owner:</u>	Capricorn Realty, Inc., a California Corporation, et al.
<u>Lessee:</u>	El Pollo Loco, Inc.
<u>Parcel Location:</u>	12551 Rosecrans Avenue, Norwalk Assessor's Parcel Numbers 8056-011-016, -017
<u>Present Use:</u>	Fast Food Restaurant – Zoned NOC3 (General Commercial Zone)
<u>Area of Property:</u>	18,304 Square Feet (SF)
<u>Area Required:</u>	Parcel 79048-1 - 7,200 SF - Fee Parcel 79048-2 - 11,104 SF - Temporary Construction Easement Parcel 79048-01-01 - 11,104 SF - Excess Land



CITY OF NORWALK COUNTY OF LOS ANGELES

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.

**SUBJECT PARCEL
PARCEL 79048**



SANTA FE SPRINGS

NORWALK

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION

**RIGHT OF WAY
RESOLUTION OF NECESSITY**

EXHIBIT A

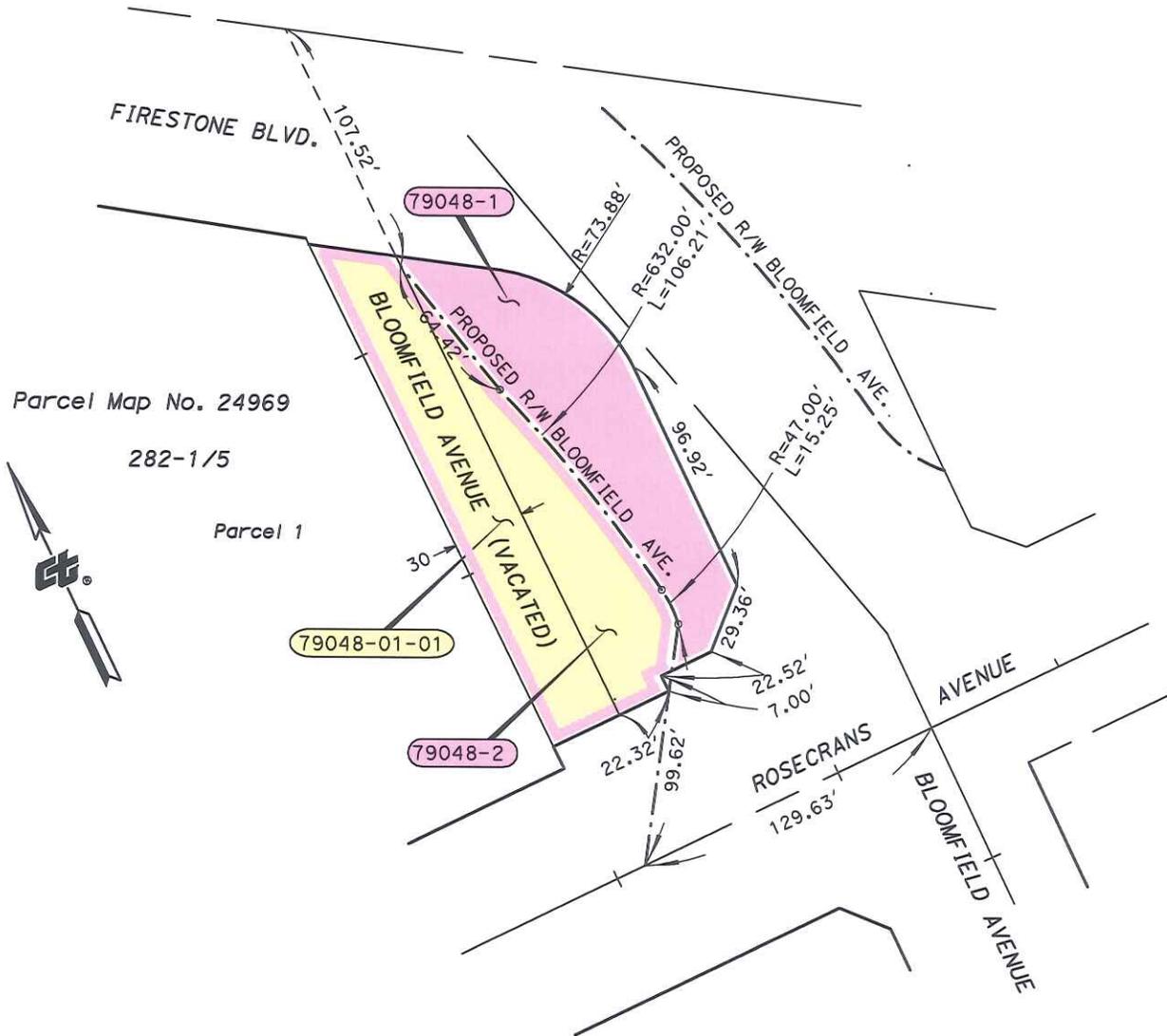
NOT TO SCALE

DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
7	LA	5	3.6	1	1

CITY OF NORWALK COUNTY OF LOS ANGELES

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.

SEC. 7, TWP. 21N. & RGE 11E
AS PER PAT. BOOK 1-493-494
AND O.R.M 7425-20-21



Parcel Map No. 24969
282-1/5
Parcel 1

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION

**RIGHT OF WAY
RESOLUTION OF NECESSITY**

EXHIBIT B

NOT TO SCALE

DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
7	LA	5	3.6	1	1

Exhibit B

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.4a.(5)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Brent Green
Chief
Division of Right of Way and
Land Surveys

Subject: **RESOLUTION OF NECESSITY - APPEARANCE**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) adopt Resolution of Necessity (Resolution) C-20799 summarized on the following page. This Resolution is for reconstructing the interchange at the Interstate 5 Freeway and State Route 74 in District 12 in the city of San Juan Capistrano, county of Orange.

ISSUE:

Prior to initiating Eminent Domain proceedings to acquire needed right of way for a programmed project, the Commission must first adopt a Resolution, stipulating specific findings identified under Section 1245.230 of the Code of Civil Procedure, which are:

1. The public interest and necessity require the proposed project.
2. The proposed project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury.
3. This property is necessary for the proposed project.
4. An offer to acquire the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

In this case, the property owner is contesting the Resolution and has requested a written appearance before the Commission. At the request of the property owner, objections to the Resolution have been submitted in writing to be made part of the official record of the Commission meeting, in lieu of a personal appearance before the Commission. The owner's objections are included as Attachment A. The Department's responses to the owner's objections are contained in Attachment B.

BACKGROUND:

Discussions have taken place with the owner, who has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the Resolution will not interrupt the

Department's efforts to secure an equitable settlement. In accordance with statutory requirements, the owner has been advised that the Department is requesting the Resolution at the Commission's April 25-26, 2012 meeting. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-20799 - Chevron U.S.A. Inc., a Pennsylvania Corporation

12-Ora-5/74-PM 9.7/0.1 - Parcel 102492-1, 2, 3, 4, 5, 01-01 - EA 0E3109.

Right of Way Certification Date: 05/15/12; Ready to List Date: 06/01/12. Freeway - reconstruct interchange at Interstate 5 and State Route 74. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a permanent easement for wall footing purposes, a temporary easement for construction purposes, a permanent easement for ingress, egress and underground pipeline purposes to be conveyed to the City of San Juan Capistrano, and land in fee which is a remnant and would be of little market value. Located in the city of San Juan Capistrano at 27112 and 27142 Ortega Highway. APNs 666-131-03, -04.

Attachments:

Attachment A - Owners Written Objections dated March 23, 2012

Attachment B - Department Response dated March 26, 2012

Attachment C - Fact Sheet

Exhibits A and B - Maps

March 23, 2012

File Number: ONAS-156983

VIA FACSIMILE AND U.S. MAIL

Facsimile Number: (916) 653-2134

Executive Director
California Transportation Commission
1120 "N" Street, MS-52
Sacramento, CA 95814

Re: Objection to Proposed Adoption of Resolution of Necessity for Acquisition of a Portion of Certain Real Property Identified As Parcel 102492-1, 2, 3, 4, 5, 01-01, For Interstate 5/State Route 74 ("I5/SR74") Project

Dear Executive Director:

We have received notice of the California Transportation Commission's ("CTC") intent to adopt a resolution of necessity authorizing the taking of certain portions of the subject property by condemnation for the Interstate 5/State Route 74 ("I5/SR74") project. Based upon this notice, the CTC's hearing is scheduled for March 28 and 29, 2012, in Sacramento, California. No time was specified in the notice.

The purpose of this letter is to provide written objection on behalf of Chevron U.S.A. Inc. ("Chevron") to the adoption of the resolution of necessity in lieu of personally appearing at the hearing. Accordingly, while we do not plan to appear at the hearing, we request that this letter be included as part of the formal record on that agenda item.

Chevron objects to the adoption of the resolution of necessity on each of the following specific grounds:

1. The State Failed To Extend A Legitimate Precondemnation Offer Pursuant To Government Code Section 7267.2.

Government Code section 7267.2 requires that the State make a legitimate offer of just compensation based upon an approved appraisal prior to initiating condemnation proceedings. A written statement and summary basis for the offer must include sufficient details to indicate clearly the basis for the offer. (Gov. Code, § 7267.2, subd. (b).)

The State's precondemnation offer is invalid insofar as it inappropriately deducted \$3,000,000 from compensation based on the purported cost to remediate hazardous waste even though there was no evidence of any need to remediate any hazardous waste.

2. The State Failed To Negotiate In Good Faith Pursuant To Government Code Section 7267.1.

Government Code section 7267.1 imposes an affirmative obligation on a public entity seeking to condemn property to seek to acquire that property first by negotiation. (Johnston v. Sonoma County Agricultural Preservation & Open Space Dist. (2002) 100 Cal.App.4th 973.) "The public entity shall make every reasonable effort to acquire expeditiously real property by negotiation." (Gov. Code, § 7267.1, subd. (a).) The duty to negotiate is designed to avoid litigation. "In order to encourage and expedite the acquisition of real property by agreements with owners, to avoid litigation and relieve congestion in the courts, to assure consistent treatment for owners in the public programs, and to promote public confidence in public land acquisition practices, public entities shall, to the greatest extent practicable, make every reasonable effort to acquire property by negotiation." (8 Witkin, Summary of Cal. Law (9th ed. 2004) Const. Law, § 972.)

As noted above, the State's recent offer was based on an inappropriate deduction of \$3,000,000 for hazardous material remediation cost. Chevron objected to this approach and brought the issue to the State's attention, but the State has failed to make a revised and proper offer. This is an example of the State's refusal to engage in good faith negotiations with Chevron.

Further, to the extent that the State's offer was predicated upon an appraisal that inappropriately deducted \$3,000,000 for the purported cost to remediate hazardous waste, as partially described above, that offer was inadequate as a matter of law and would not constitute an effort to acquire the property interests "expeditiously and by negotiation" as required by California Government Code section 7267.1. (Gov. Code, § 7267.1.)

3. The State's Proposed Project Is Not Planned Or Located In The Manner That Will Be Most Compatible With The Greatest Public Good and The Least Private Injury.

One of the necessity components that must be analyzed when considering the adoption of a resolution to authorize the taking of private property is whether the proposed project for which the property is sought to be taken is planned or located in a manner that is most compatible with the greatest public good and causes the least private injury. (Code Civ. Proc., § 1240.030, subd. (b).) In the absence of substantial evidence supporting the CTC's determination as to the planning and location of the proposed project, the Resolution of Necessity is invalid.

In this case, the I-5/SR74 project as proposed takes all of the subject property when not all of the subject property was needed, and therefore violates the "least private injury" requirement.

SheppardMullin

Executive Director
March 23, 2012
Page 3

4. The State's Attempt to "Piece Meal" the Project Violates the California Environmental Quality Act.

There should be no debate that the State's taking of the subject property for the 1-5/SR74 freeway expansion constitutes- "project" within the meaning of CEQA. (Pub. Res. Code, § 21065.) Yet, it appears that the State is attempting to circumvent its duties and obligations under CEQA by "piece meal" this massive freeway expansion project into small segments. The State's conduct violates the precepts under CEQA and ignores the multitude of potentially significant environmental, impacts that might result from the project, including, but not limited to, traffic impacts, air quality, land use planning, ground stability, and noise. As of today's, date, the State cannot have completed a proper CEQA analysis since it has not considered the environmental impacts stemming from the entire I-5/SR74 freeway expansion project, as a whole.

Based upon the foregoing objections, Chevron respectfully requests that the CTC not adopt the resolution or, at a minimum, continue the hearing on this agenda item until such time as the objections are addressed. If the CTC has any questions or comments concerning the content of this letter, it should contact the undersigned at the number listed above.

Very truly yours,



Sean P. O'Connor
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

cc: Evangelina Washington (via email)
Ricky Rodriguez (via facsimile)

W02-WEST:NSO\404876979.1

DEPARTMENT OF TRANSPORTATION

LEGAL DIVISION – MS 130
4050 TAYLOR STREET
SAN DIEGO, CA 92110
TEL: (619) 688-2531
FAX : (619) 688-6905



*Flex your power!
Be energy efficient!*

March 26, 2012

Sent by Facsimile (714-513-5130) & U.S. Mail

Sean P. O'Connor, Esq.
Sheppard Mullin Richter & Hampton, LLP
650 Town Center Drive, 4th Floor
Costa Mesa, CA 92626-1993

RE: Chevron U.S.A.'s Objection to the Proposed Adoption of a Resolution of Necessity for Parcel 102492

Dear Mr. O'Connor:

The California Department of Transportation (Department) has received and reviewed your letter dated March 23, 2012, in which you raise certain objections to the proposed adoption of a resolution of necessity by the California Transportation Commission (Commission). The proposed resolution would affect property owned by your client, Chevron U.S.A., and is identified as parcel 102492.

This letter represents the Department's response to the objections you have raised. For convenience, each of your objections will be addressed in the order in which you originally raised them.

No. 1 - Objection to Precondemnation Offer.

You have objected to the Department's precondemnation offer of just compensation because the amount offered reflects a deduction from fair market value taken for the estimated cost of remediating hazardous waste on the property. You state that this is improper. The Department respectfully disagrees with your objection.

This parcel has been operated as a gasoline station for several years. During that time, it has been the subject of regulatory action by the State Regional Water Quality Control Board due to the release of hazardous materials. Under California law, it is proper to deduct the cost to remediate contamination on a property from the parcel's otherwise "clean" fair market value in order to arrive at a value representing just compensation. (*Redevelopment Agency v. Thrifty Oil Co.* (1992) 4 Cal. App. 4th 469, 473-474.)

Here, the Department retained a well-respected outside consultant, Ninyo & Moore Geotechnical and Environmental Sciences Consultants, to investigate the parcel and to provide an estimate for remediating any contamination on the property. The consultant estimated that it would cost

Attachment B

\$3,000,000 to remediate contamination on the parcel. Consistent with the *Thrifty Oil* decision, the Department's real estate appraiser then deducted that amount from the parcel's "clean" fair market value.

We recognize that there will be debate in the eminent domain litigation about the extent and cost of remediating contamination on the parcel. However, that debate is best reserved for the court system, not this proceeding before the Commission. This is especially true given your client's right to seek to increase the deposit of probable compensation under Code of Civil Procedure section 1255.030 once the case is filed.

In conclusion, the deduction taken for the cost to remediate was not done arbitrarily, and it is consistent with California law.

No. 2 - Objection over Good Faith Negotiations.

Your second objection is based on the assertion that the Department did not meet its obligation to negotiate in good faith with Chevron U.S.A. We respectfully disagree with this objection.

As an initial matter, this objection is largely based on the same set of circumstances as your first objection: i.e., the contention that it was improper for the Department to take a deduction reflecting the estimated cost to remediate the parcel. As we have already noted, however, the deduction was lawful and based on an expert's opinion. More to the point, Department representatives have been in contact with you over the last several months to attempt to negotiate a resolution of this matter in order to forestall the eminent domain process. To this point however, I believe that we are still waiting for Chevron to make any type of counteroffer for the Department to consider.

In sum, the Department has negotiated in good faith, and will continue to do so in order to attempt to reach an equitable resolution to this matter.

No. 3 - Objection to Project based on Plan and Location.

Your third objection is based on the assertion that the Department did not meet its obligation to plan and locate the project in a manner that is most compatible with the greatest public good and least private injury. We respectfully disagree with this objection.

This interchange project is being undertaken to improve traffic flow and to address safety and congestion issues in south Orange County. The Department's engineers have designed this interchange project in the most efficient manner possible. Your client's parcel will be the location of the new northbound off-ramp connecting Interstate 5 to State Route 74. This is the very heart of the interchange project and requires a significant amount of land to construct and operate. The Department does acknowledge that it is acquiring a piece of your property that would otherwise be considered a "remnant" under Code of Civil Procedure section 1240.410, on the basis that the parcel would be "left in such size, shape, or condition as to be of little market

value.” However, the rationale for this decision is discussed in the appraisal you were previously provided, and compensation for the acquisition of this remnant parcel was included in the offer made to your client. More importantly, if this is actually the basis for your objection, there is a statutory remedy available to your client to challenge the acquisition of this particular parcel in the context of the eminent domain litigation.

In conclusion, the Department has planned and located the project in a manner that is most compatible with the greatest public good and least private injury.

No. 4 - Objection to Project based on California Environmental Quality Act.

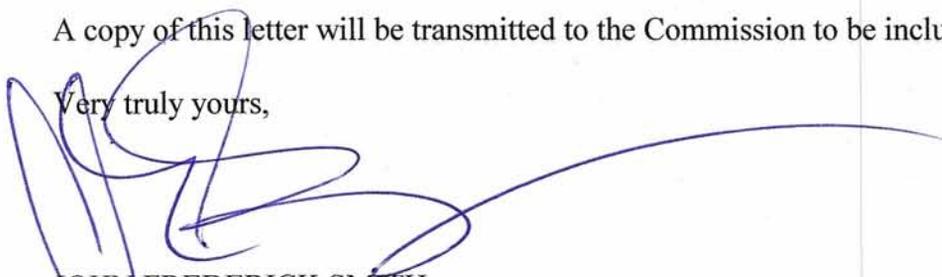
Your final objection is based on the assertion that the Department did not meet its obligations under the California Environmental Quality Act (CEQA) because it has piecemealed or segmented the project. We respectfully disagree with this objection.

A full Environmental Impact Report for this project was completed in April 2009. That report addresses each of the issues identified in your letter (i.e., traffic, air quality, etc.), nothing was left out. More importantly, the scope of the environmental document—i.e., the “project” for which the report was done—is the entire Interstate 5/State Route 74 interchange as a whole, not “pieces” or “segments” of the same. All four quadrants of the interchange were analyzed; all four quadrants will be improved with this regionally important transportation project.

Accordingly, your objection that the Department has not met its obligations under CEQA is not accurate. The Department has met its obligations.

A copy of this letter will be transmitted to the Commission to be included in the record.

Very truly yours,



JOHN FREDERICK SMITH
Assistant Chief Counsel

c: Ms. Bimla Rhinehart, California Transportation Commission
Mr. Andre Boutros, California Transportation Commission
Mr. Stephen Maller, California Transportation Commission
Mr. Brent Green, Caltrans

Attachment B

Resolution of Necessity Appearance Fact Sheet

PROJECT DATA 12-Ora-5/74-PM 9.3-10.0/0.0-0.2
Expenditure Authorization 0E3109

Location: Interstate 5 (I-5) and State Route 74 (SR 74) in the city of San Juan Capistrano in Orange County

Limits: I-5 and SR 74

Contract Limits: I-5: from Post Mile 9.3 to 10.0
SR 74: from Post Mile 0.0 to 0.2

Cost: Programmed Construction cost: \$37,805,000.00
Current Right of Way cost estimate: \$28,753,000.00

Funding Source: Corridor Mobility Improvement Account, State Transportation Improvement Program, Regional Improvement Program, and Local funds (Measure M, County Community Facilities District, and City funds)

Number of Lanes: Existing: four mixed flow and one high occupancy vehicle (HOV) lane in each direction
Proposed: four mixed flow and one HOV lane in each direction

Proposed Major Features: Bridge replacement (SR 74); realign intersection at Del Obispo Street and SR74; construct new northbound (NB) loop onramp; realign NB offramp; widen and upgrade north and southbound (SB) on/off ramps and upgrade to current standards.

Traffic: Existing (2006): Annual Daily Traffic (ADT)
SR 74, eastbound (EB): 46,000 ADT, westbound (WB): 40,400 ADT
I-5, NB: 253,000 ADT, I-5, SB: 234,000 ADT

Proposed (2030): ADT
SR 74, EB: 53,000 ADT, WB: 43,000 ADT
I-5, NB: 310,000 ADT, I-5, SB: 283,000 ADT

PARCEL DATA

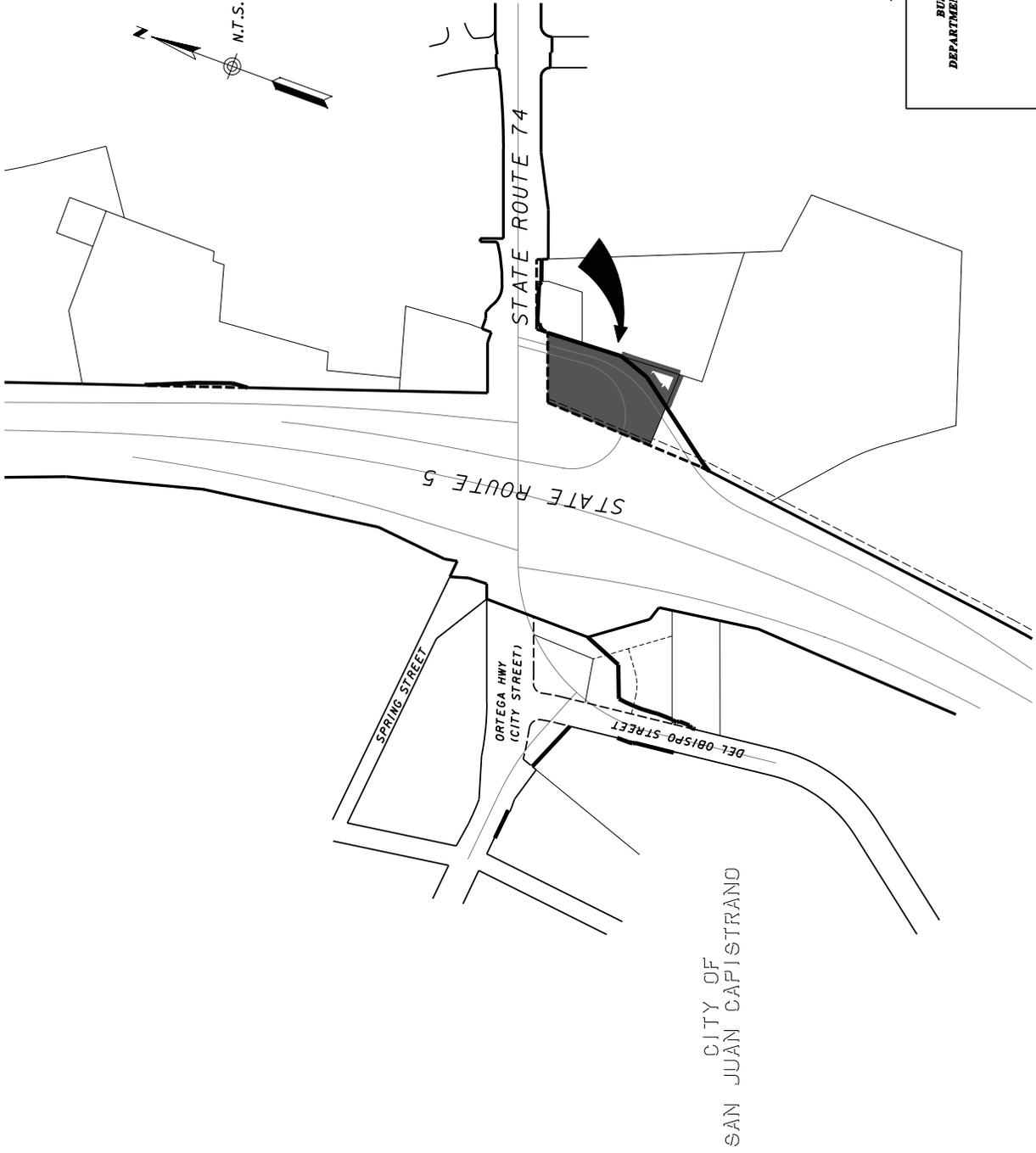
Property Owner: Chevron U.S.A. Inc., a Pennsylvania Corporation

Parcel Location: 27112 and 27142 Ortega Highway, San Juan Capistrano
Assessor's Parcel Numbers 666-131-03, -04

Present Use: Gas Station and Denny's Restaurant - Zoned CG (General Commercial)

Area of Property: 65,258 Square Feet (SF)

Area Required: Parcel 102492-1 - 58,793 SF - Fee
Parcel 102492-2 - 274 SF - Footing Easement (FE)
Parcel 102492-3 - 1,707 SF - FE
Parcel 102492-4 - 205 SF - Temporary Construction Easement (TCE)
Parcel 102492-5 - 660 SF - TCE
Parcel 102492-01-01 - 6,465 SF - Excess Land



CITY OF
SAN JUAN CAPISTRANO

EXHIBIT 'A'

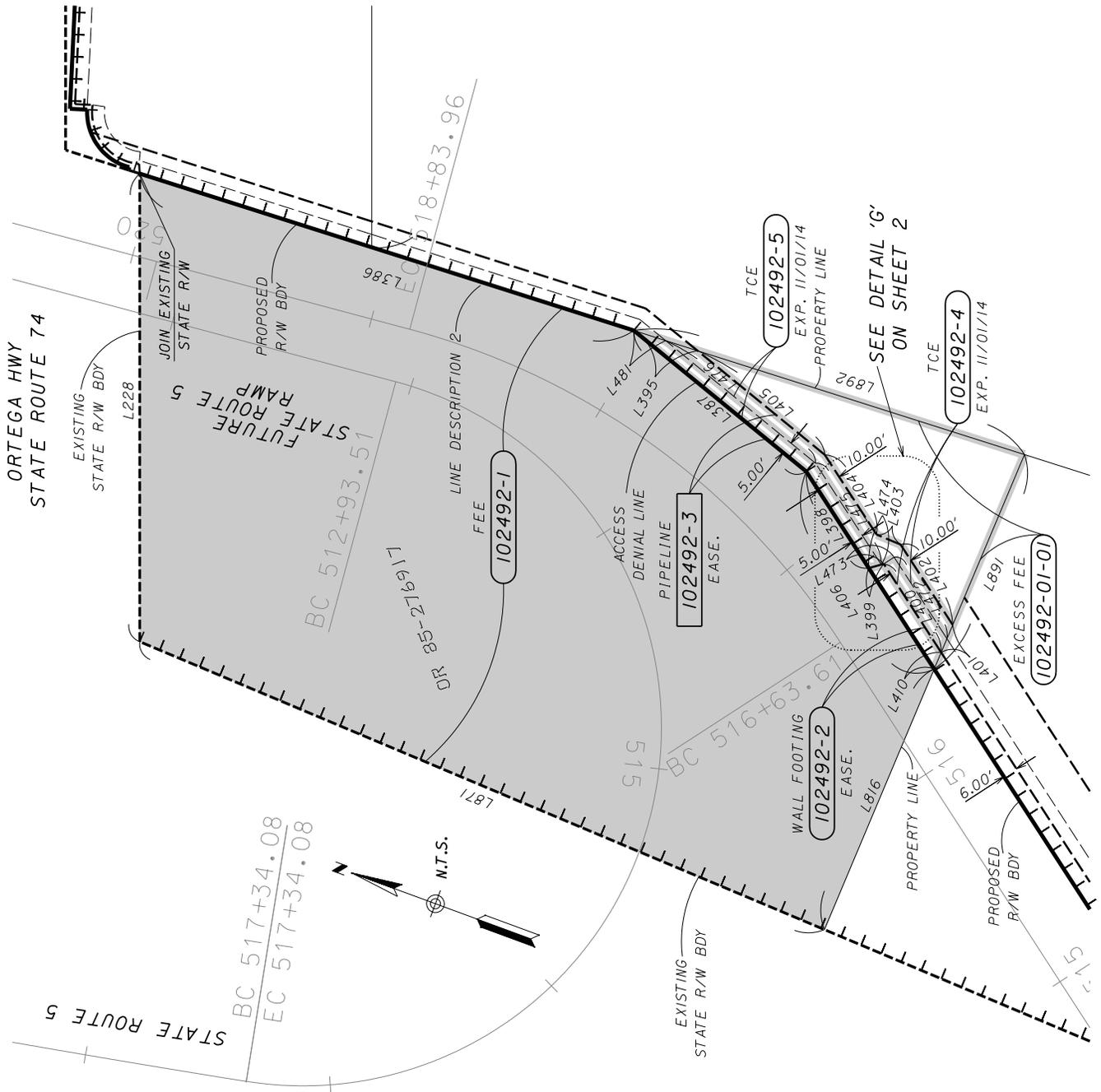
STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION - DISTRICT 12 - R/W ENGINEERING

**RESOLUTION OF
NECESSITY MAP
INDEX**

PARCELS 102492-1, -2, -3, -4, -5, -01-01

NOT TO SCALE

DISTRICT	COUNTY	ROUTE	POST MILE	SHEET NO.	TOTAL SHEETS
12	ORANGE	5/74	9.6-9.8/0.0-0.2	1	1



LINE TABLE:

BEARING	DIST.
L228	N69° 46' 02" E 189.49'
L386	S02° 36' 17" E 209.72'
L387	S19° 03' 15" W 90.13'
L395	S02° 36' 17" E 27.09'
L398	S36° 51' 11" W 46.58'
L399	N35° 43' 42" W 6.29'
L400	N36° 51' 11" E 42.68'
L401	S87° 24' 18" E 12.10'
L402	N36° 51' 11" E 38.80'
L403	N02° 02' 06" E 10.51'
L404	N36° 51' 11" E 38.48'
L405	N19° 03' 15" E 66.52'
L406	S36° 51' 11" W 95.24'
L410	S87° 24' 18" E 7.26'
L472	S36° 51' 11" W 39.28'
L473	S53° 08' 49" E 5.00'
L474	S35° 43' 42" E 5.24'
L475	N36° 51' 11" E 48.94'
L476	N19° 03' 15" E 78.32'
L481	S02° 36' 17" E 13.55'
L816	S87° 24' 18" E 114.45'
L871	N02° 34' 58" E 300.50'
L891	S87° 24' 18" E 94.17'
L892	S02° 36' 17" E 165.84'

ACCESS DENIAL



EXHIBIT 'B'

STATE OF CALIFORNIA
 BUSINESS, TRANSPORTATION AND HOUSING AGENCY
 DEPARTMENT OF TRANSPORTATION - DISTRICT 12 - R/W ENGINEERING

RESOLUTION OF NECESSITY MAP

DATUM: NAD83 EPOCH 1991.35 ORANGE COUNTY SURVEYOR ADJUSTMENT
 COORDINATE SYSTEM: CCS83 ZONE 6. COORDINATES, BEARINGS, DISTANCES
 COMBINED FACTOR: 6.9999716 (GROUND = GRID/COMBINED FACTOR)

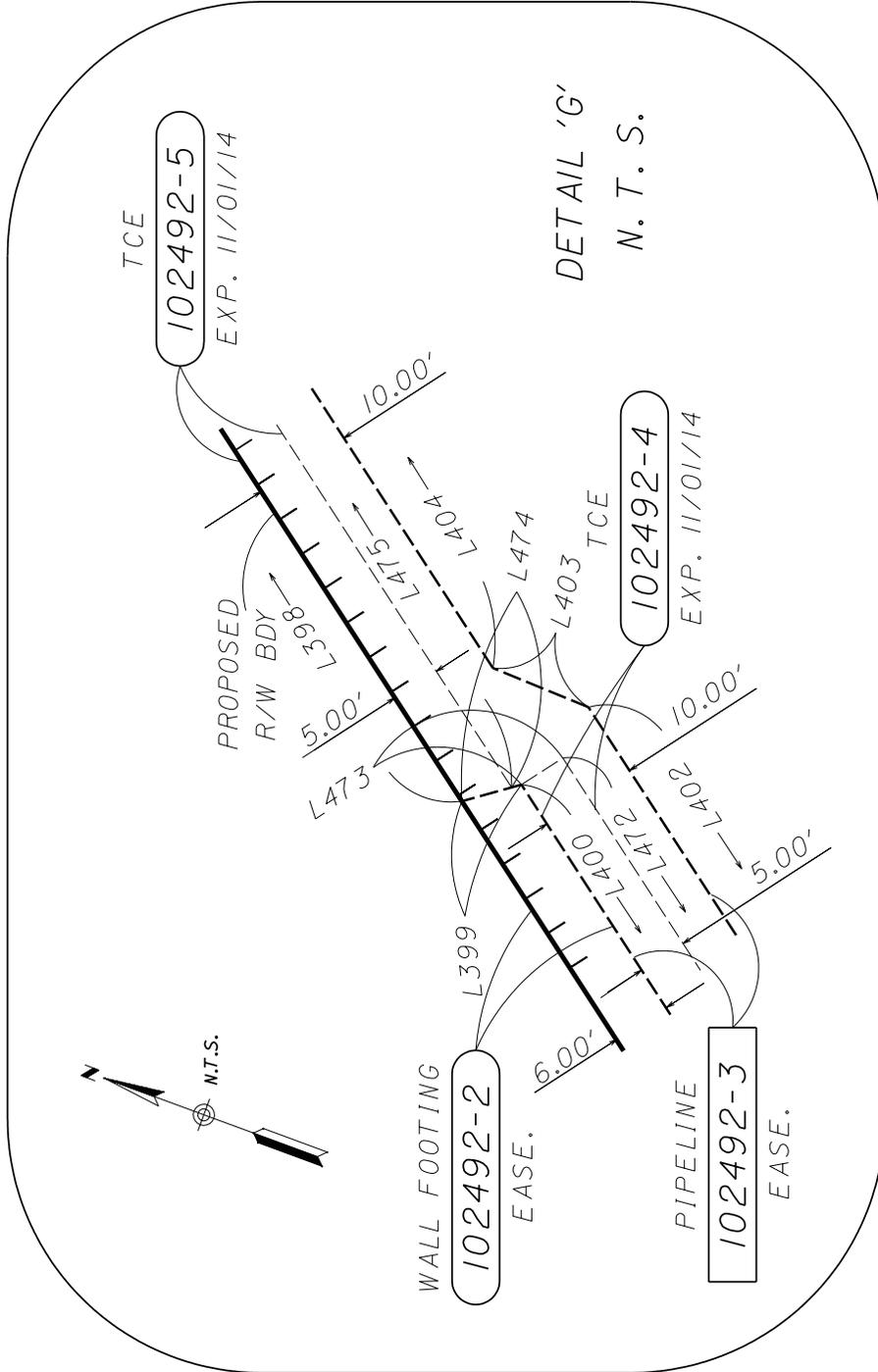
NOT TO SCALE

PARCELS 102492-1, -2, -3, -4, -5, -01-01

DISTRICT	COUNTY	ROUTE	POST MILE	SHEET NO.	TOTAL SHEETS
12	ORANGE	5/74	9.7/0.1	1	2

LINE TABLE:

LINE	BEARING	DI. ST.
L398	S36° 51' 11" W	46.58'
L399	N35° 43' 42" W	6.29'
L400	N36° 51' 11" E	42.68'
L402	N36° 51' 11" E	38.80'
L403	N02° 02' 06" E	10.51'
L404	N36° 51' 11" E	38.48'
L472	S36° 51' 11" W	39.28'
L473	S53° 08' 49" E	5.00'
L474	S35° 43' 42" E	5.24'
L475	N36° 51' 11" E	48.94'



ACCESS DENIAL

EXHIBIT 'B'

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION - DISTRICT 12 - R/W ENGINEERING

RESOLUTION OF
NECESSITY MAP

DATUM: NAD83 EPOCH 1991.35 ORANGE COUNTY SURVEYOR ADJUSTMENT
COORDINATE SYSTEM: CCS83 ZONE 6, COORDINATES, BEARINGS, DISTANCES
COMBINED FACTOR: 6.9999716 (GROUND = GRID/COMBINED FACTOR)

NOT TO SCALE

DISTRICT	COUNTY	ROUTE	POST MILE	SHEET NO.	TOTAL SHEETS
12	ORANGE	5/74	9.7/0.1	2	2

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.4a.(6)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Brent Green
Chief
Division of Right of Way and
Land Surveys

Subject: **RESOLUTION OF NECESSITY - APPEARANCE**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) adopt Resolution of Necessity (Resolution) C-20801 summarized on the following page. This Resolution is for reconstructing the interchange at the Interstate 5 Freeway and State Route 74 in District 12 in the city of San Juan Capistrano, county of Orange.

ISSUE:

Prior to initiating Eminent Domain proceedings to acquire needed right of way for a programmed project, the Commission must first adopt a Resolution, stipulating specific findings identified under Section 1245.230 of the Code of Civil Procedure, which are:

1. The public interest and necessity require the proposed project.
2. The proposed project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury.
3. This property is necessary for the proposed project.
4. An offer to acquire the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

In this case, the property owner is contesting the Resolution and has requested a written appearance before the Commission. At the request of the property owner, objections to the Resolution have been submitted in writing to be made part of the official record of the Commission meeting, in lieu of a personal appearance before the Commission. The owner's objections are included as Attachment A. The Department's responses to the owner's objections are contained in Attachment B.

BACKGROUND:

Discussions have taken place with the owner, who has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the Resolution will not interrupt the

Department's efforts to secure an equitable settlement. In accordance with statutory requirements, the owner has been advised that the Department is requesting the Resolution at the Commission's April 25-26, 2012 meeting. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-20801 - Chevron U.S.A. Inc., a Pennsylvania Corporation

12-Ora-5/74-PM 9.7/0.0 - Parcel 102499-1 - EA 0E3109.

Right of Way Certification Date: 05/15/12; Ready to List Date: 06/01/12. Freeway - reconstruct interchange at Interstate 5 and State Route 74. Authorizes condemnation of land in fee for a State highway. Located in the city of San Juan Capistrano at 26988 Ortega Highway.

APNs 668-241-02, -03

Attachments:

Attachment A - Owners Written Objections dated March 23, 2012

Attachment B - Department Response dated March 26, 2012

Attachment C - Fact Sheet

Exhibits A and B - Maps

March 23, 2012

File Number: ONAS-157111

VIA FACSIMILE AND U.S. MAIL

Facsimile Number: (916) 653-2134

Executive Director

California Transportation Commission

1120 "N" Street, MS-52

Sacramento, CA 95814

Re: Objection to Proposed Adoption of Resolution of Necessity for Acquisition of a Portion of Certain Real Property Identified As Parcel 102499-1, For Interstate 5/State Route 74 ("I5/SR74") Project

Dear Executive Director:

We have received notice of the California Transportation Commission's ("CTC") intent to adopt a resolution of necessity authorizing the taking of certain portions of the subject property by condemnation for the Interstate 5/State Route 74 ("I5/SR74") project. Based upon this notice, the CTC's hearing is scheduled for March 28 and 29, 2012, in Sacramento, California. No time was specified in the notice.

The purpose of this letter is to provide written objection on behalf of Chevron U.S.A. Inc. ("Chevron") to the adoption of the resolution of necessity in lieu of personally appearing at the hearing. Accordingly, while we do not plan to appear at the hearing, we request that this letter be included as part of the formal record on that agenda item.

Chevron objects to the adoption of the resolution of necessity on each of the following specific grounds:

1. The State Failed To Extend A Legitimate Precondemnation Offer Pursuant To Government Code Section 7267.2.

Government Code section 7267.2 requires that the State make a legitimate offer of just compensation based upon an approved appraisal prior to initiating condemnation proceedings. A written statement and summary basis for the offer must include sufficient details to indicate clearly the basis for the offer. (Gov. Code, § 7267.2, subd. (b).)

The State's precondemnation offer is invalid insofar as it inappropriately deducted \$2,480,000 from compensation based on the purported cost to remediate hazardous waste even though Chevron is entirely responsible for remediating any hazardous waste, at no cost to the State.

2. The State Failed To Negotiate In Good Faith Pursuant To Government Code Section 7267.1.

Government Code section 7267.1 imposes an affirmative obligation on a public entity seeking to condemn property to seek to acquire that property first by negotiation. (Johnston v. Sonoma County Agricultural Preservation & Open Space Dist. (2002) 100 Cal.App.4th 973.) "The public entity shall make every reasonable effort to acquire expeditiously real property by negotiation." (Gov. Code, § 7267.1, subd. (a).) The duty to negotiate is designed to avoid litigation. "In order to encourage and expedite the acquisition of real property by agreements with owners, to avoid litigation and relieve congestion in the courts, to assure consistent treatment for owners in the public programs, and to promote public confidence in public land acquisition practices, public entities shall, to the greatest extent practicable, make every reasonable effort to acquire property by negotiation." (8 Witkin, Summary of Cal. Law (9th ed. 2004) Const. Law, § 972.)

As noted above, the State's recent offer was based on an inappropriate deduction of \$2,480,000 for hazardous material remediation cost. Chevron objected to this approach and brought the issue to the State's attention, but the State has failed to make a revised and proper offer. This is an example of the State's refusal to engage in good faith negotiations with Chevron.

Further, to the extent that the State's offer was predicated upon an appraisal that inappropriately deducted \$2,480,000 for the purported cost to remediate hazardous waste, as partially described above, that offer was inadequate as a matter of law and would not constitute an effort to acquire the property interests "expeditiously and by negotiation" as required by California Government Code section 7267.1. (Gov. Code, § 7267.1.)

3. The State's Proposed Project Is Not Planned Or Located In The Manner That Will Be Most Compatible With The Greatest Public Good and The Least Private Injury.

One of the necessity components that must be analyzed when considering the adoption of a resolution to authorize the taking of private property is whether the proposed project for which the property is sought to be taken is planned or located in a manner that is most compatible with the greatest public good and causes the least private injury. (Code Civ. Proc., § 1240.030, subd. (b).) In the absence of substantial evidence supporting the CTC's determination as to the planning and location of the proposed project, the Resolution of Necessity is invalid.

In this case, the I-5/SR74 project as proposed takes all of the subject property when not all of the subject property was needed. Further, the I-5/SR74 project could have been designed in a manner that would not have required a full acquisition of the subject property. This project therefore violates the "least private injury" requirement.

SheppardMullin

Executive Director
March 23, 2012
Page 3

4. The State's Attempt to "Piece Meal" the Project Violates the California Environmental Quality Act.

There should be no debate that the State's taking of the subject property for the 1-5/SR74 freeway expansion constitutes- "project" within the meaning of CEQA. (Pub. Res. Code, § 21065.) Yet, it appears that the State is attempting to circumvent its duties and obligations under CEQA by "piece meal" this massive freeway expansion project into small segments. The State's conduct violates the precepts under CEQA and ignores the multitude of potentially significant environmental, impacts that might result from the project, including, but not limited to, traffic impacts, air quality, land use planning, ground stability, and noise. As of today's, date, the State cannot have completed a proper CEQA analysis since it has not considered the environmental impacts stemming from the entire I-5/SR74 freeway expansion project, as a whole.

Based upon the foregoing objections, Chevron respectfully requests that the CTC not adopt the resolution or, at a minimum, continue the hearing on this agenda item until such time as the objections are addressed. If the CTC has any questions or comments concerning the content of this letter, it should contact the undersigned at the number listed above.

Very truly yours,



Sean P. O'Connor
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

cc: Erika Erizarry (via email)
Ricky Rodriguez (via facsimile)

W02-WEST:NSO\404878256.1

Attachment A

DEPARTMENT OF TRANSPORTATION

LEGAL DIVISION – MS 130
4050 TAYLOR STREET
SAN DIEGO, CA 92110
TEL: (619) 688-2531
FAX : (619) 688-6905



*Flex your power!
Be energy efficient!*

March 26, 2012

Sent by Facsimile (714-513-5130) & U.S. Mail

Sean P. O'Connor, Esq.
Sheppard Mullin Richter & Hampton, LLP
650 Town Center Drive, 4th Floor
Costa Mesa, CA 92626-1993

RE: Chevron U.S.A.'s Objection to the Proposed Adoption of a Resolution of Necessity for Parcel 102499

Dear Mr. O'Connor:

The California Department of Transportation (Department) has received and reviewed your letter dated March 23, 2012, in which you raise certain objections to the proposed adoption of a resolution of necessity by the California Transportation Commission (Commission). The proposed resolution would affect property owned by your client, Chevron U.S.A., and is identified as parcel 102499.

This letter represents the Department's response to the objections you have raised. For convenience, each of your objections will be addressed in the order in which you originally raised them.

No. 1 - Objection to Precondemnation Offer.

You have objected to the Department's precondemnation offer of just compensation because the amount offered reflects a deduction from fair market value taken for the estimated cost of remediating hazardous waste on the property. You state that this is improper. The Department respectfully disagrees with your objection.

This parcel has been operated as a gasoline station for several years. It is currently subject to a cleanup and abatement order issued by the State Regional Water Quality Control Board due to the release of hazardous materials. Under California law, it is proper to deduct the cost to remediate contamination on a property from the parcel's otherwise "clean" fair market value in order to arrive at a value representing just compensation. (*Redevelopment Agency v. Thrifty Oil Co.* (1992) 4 Cal. App. 4th 469, 473-474.)

Attachment B

Here, the Department retained a well-respected outside consultant, Ninyo & Moore Geotechnical and Environmental Sciences Consultants, to investigate the parcel and to provide an estimate for remediating any contamination on the property. The consultant estimated that it would cost \$2,480,000 to remediate contamination on the parcel. Consistent with the *Thrifty Oil* decision, the Department's real estate appraiser then deducted that amount from the parcel's "clean" fair market value.

We recognize that there will be debate in the eminent domain litigation about the extent and cost of remediating contamination on the parcel. However, that debate is best reserved for the court system, not this proceeding before the Commission. This is especially true given your client's right to seek to increase the deposit of probable compensation under Code of Civil Procedure section 1255.030 once the case is filed.

In conclusion, the deduction taken for the cost to remediate was not done arbitrarily, and it is consistent with California law.

No. 2 - Objection over Good Faith Negotiations.

Your second objection is based on the assertion that the Department did not meet its obligation to negotiate in good faith with Chevron U.S.A. We respectfully disagree with this objection.

As an initial matter, this objection is largely based on the same set of circumstances as your first objection: i.e., the contention that it was improper for the Department to take a deduction reflecting the estimated cost to remediate the parcel. As we have already noted, however, the deduction was lawful and based on an expert's opinion. More to the point, Department representatives have been in contact with you over the last several months to attempt to negotiate a resolution of this matter in order to forestall the eminent domain process. To this point however, I believe that we are still waiting for Chevron to make any type of counteroffer on this parcel for the Department to consider.

In sum, the Department has negotiated in good faith, and will continue to do so in order to attempt to reach an equitable resolution to this matter.

No. 3 - Objection to Project based on Plan and Location.

Your third objection is based on the assertion that the Department did not meet its obligation to plan and locate the project in a manner that is most compatible with the greatest public good and least private injury. We respectfully disagree with this objection.

Your client's property is necessary to complete the Interstate 5/State Route 74 interchange project. As part of the overall interchange project, a local street (Del Obispo) on the west side of the freeway is also being realigned for operational and safety concerns. As a result, the whole of your client's property must be acquired for the project because it is located between the freeway

onramp that will be widened, and the local street that will be realigned as part of the overall project.

In conclusion, the Department has planned and located the project in a manner that is most compatible with the greatest public good and least private injury.

No. 4 - Objection to Project based on California Environmental Quality Act.

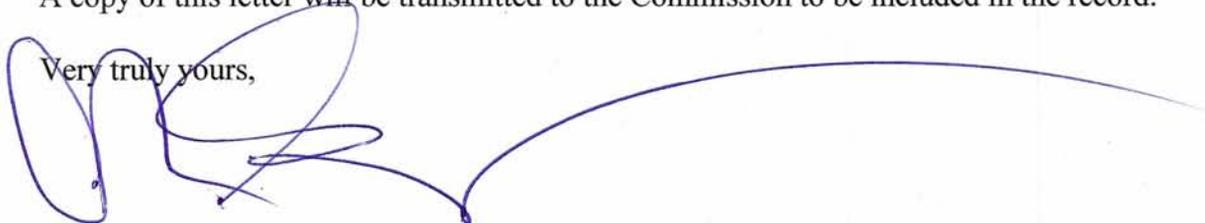
Your final objection is based on the assertion that the Department did not meet its obligations under the California Environmental Quality Act (CEQA) because it has piecemealed or segmented the project. We respectfully disagree with this objection.

A full Environmental Impact Report for this project was completed in April 2009. That report addresses each of the issues identified in your letter (i.e., traffic, air quality, etc.), nothing was left out. More importantly, the scope of the environmental document—i.e., the “project” for which the report was done—is the entire Interstate 5/State Route 74 interchange as a whole, not “pieces” or “segments” of the same. All four quadrants of the interchange were analyzed; all four quadrants will be improved with this regionally important transportation project.

Accordingly, your objection that the Department has not met its obligations under CEQA is not accurate. The Department has met its obligations.

A copy of this letter will be transmitted to the Commission to be included in the record.

Very truly yours,



JOHN FREDERICK SMITH
Assistant Chief Counsel

c: Ms. Bimla Rhinehart, California Transportation Commission
Mr. Andre Boutros, California Transportation Commission
Mr. Stephen Maller, California Transportation Commission
Mr. Brent Green, Caltrans

Attachment B

Resolution of Necessity Appearance Fact Sheet

PROJECT DATA 12-Ora-5/74-PM 9.3-10.0/0.0-0.2
Expenditure Authorization 0E3109

Location: Interstate 5 (I-5) and State Route 74 (SR 74) in the city of San Juan Capistrano in Orange County

Limits: I-5 and SR 74

Contract Limits: I-5: from Post Mile 9.3 to 10.0
SR 74: from Post Mile 0.0 to 0.2

Cost: Programmed Construction cost: \$37,805,000.00
Current Right of Way cost estimate: \$28,753,000.00

Funding Source: Corridor Mobility Improvement Account, State Transportation Improvement Program, Regional Improvement Program, and Local funds (Measure M, County Community Facilities District, and City funds)

Number of Lanes: Existing: four mixed flow and one high occupancy vehicle (HOV) lane in each direction
Proposed: four mixed flow and one HOV lane in each direction

Proposed Major Features: Bridge replacement (SR 74); realign intersection at Del Obispo Street and SR74; construct new northbound (NB) loop onramp; realign NB offramp; widen and upgrade north and southbound (SB) on/off ramps and upgrade to current standards.

Traffic: Existing (2006): Annual Daily Traffic (ADT)
SR 74, eastbound (EB): 46,000 ADT, westbound (WB): 40,400 ADT
I-5, NB: 253,000 ADT, I-5, SB: 234,000 ADT

Proposed (2030): ADT
SR 74, EB: 53,000 ADT, WB: 43,000 ADT
I-5, NB: 310,000 ADT, I-5, SB: 283,000 ADT

PARCEL DATA

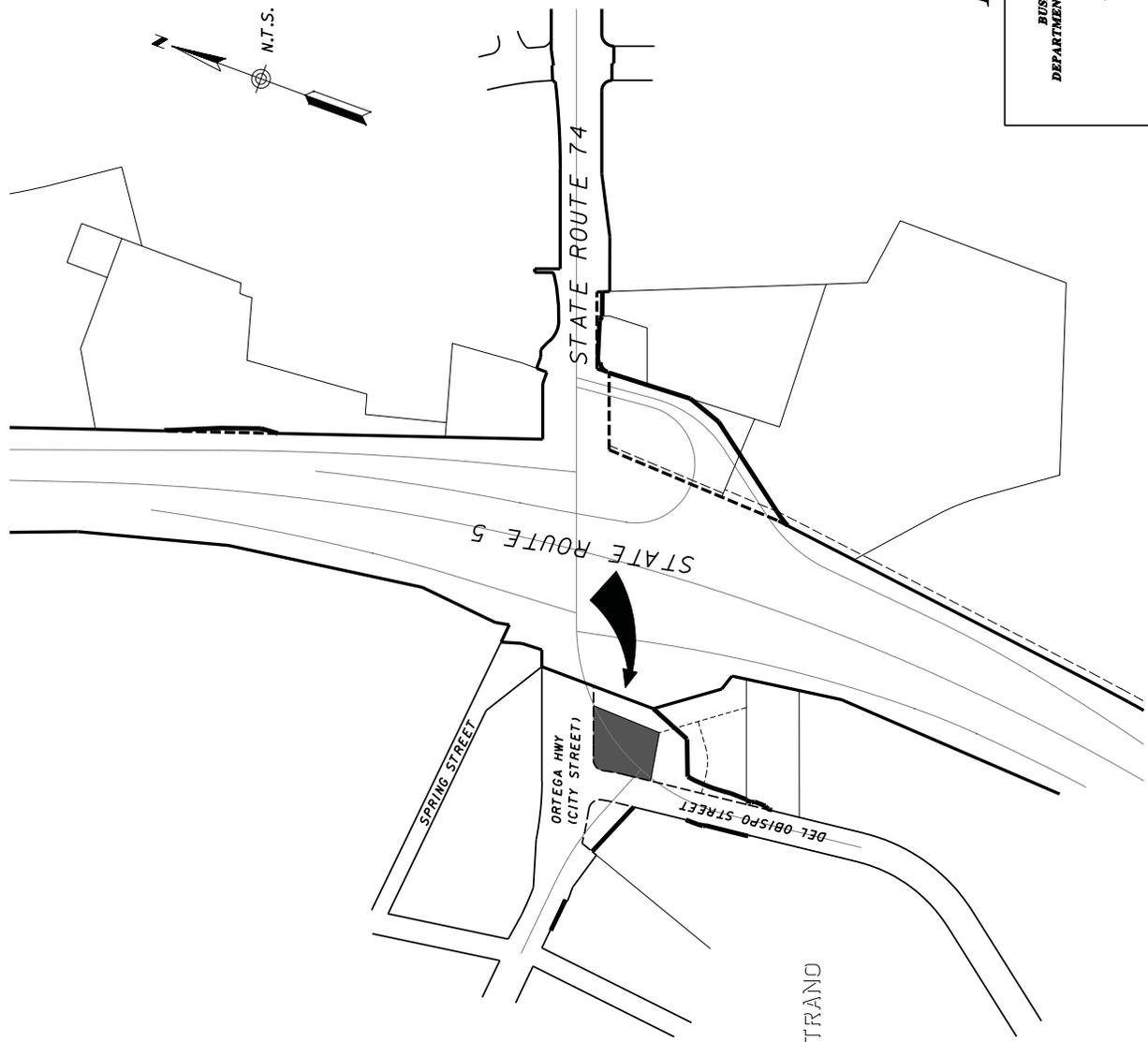
Property Owner: Chevron U.S.A. Inc., a Pennsylvania Corporation

Parcel Location: 26988 Ortega Highway, San Juan Capistrano
Assessor's Parcel Numbers 666-241-02, -03

Present Use: Retail Service / Gas Station - Zoned CG (General Commercial)

Area of Property: 20,911 Square Feet (SF)

Area Required: Parcel 102499-1 - 20,911 SF - Fee



CITY OF
SAN JUAN CAPISTRANO

PARCEL 102499-1

EXHIBIT 'A'

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION - DISTRICT 12 - R/W ENGINEERING

**RESOLUTION OF
NECESSITY MAP
INDEX**

NOT TO SCALE

DISTRICT	COUNTY	ROUTE	POST MILE	SHEET	TOTAL
				NO.	SHEETS
12	ORANGE	5/74	9.6-9.8/0.0-0.2	1	1

CURVE TABLE:

	DELTA	RADIUS	LENGTH
C1.23	05° 58' 59"	535.98'	55.97'
C1.24	84° 03' 53"	27.00'	39.61'
C1.25	01° 51' 12"	1041.96'	33.70'

LINE TABLE:

	BEARING	DI. ST.
L1.65	M69° 46' 02" E	146.34'
L1.73	S00° 28' 12" W	292.97'
L3.31	S21° 51' 02" W	111.27'
L3.41	M80° 05' 18" E	120.64'
L3.42	M02° 08' 20" E	174.61'
L3.43	M69° 46' 02" E	48.20'
L3.44	S00° 28' 12" W	157.21'
L3.45	S06° 27' 40" E	63.96'

ACCESS DENIAL



EXHIBIT 'B'

STATE OF CALIFORNIA
 BUSINESS, TRANSPORTATION AND HOUSING AGENCY
 DEPARTMENT OF TRANSPORTATION - DISTRICT 12 - R/W ENGINEERING

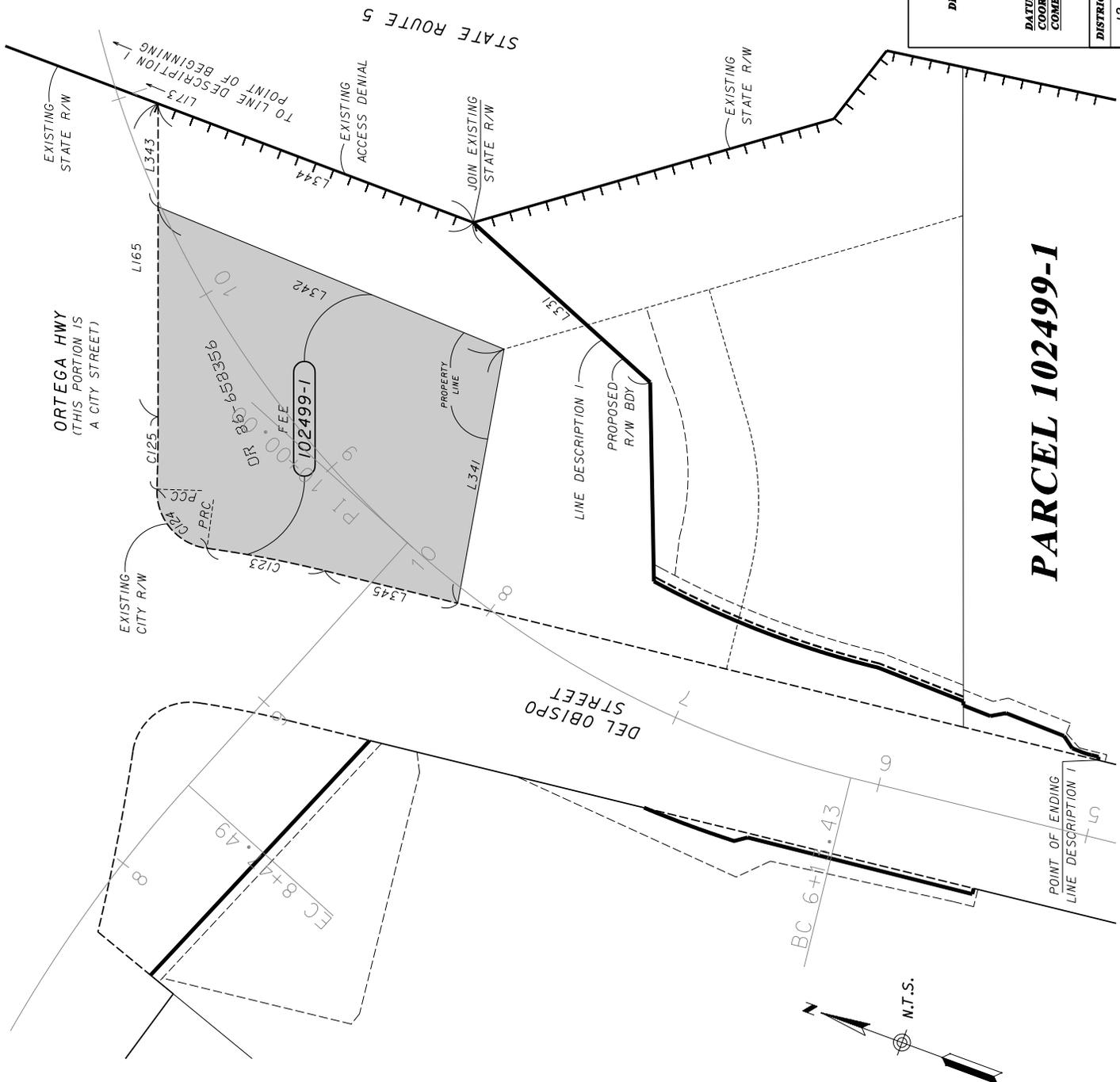
**RESOLUTION OF
 NECESSITY MAP**

DATE: MAD3 EPOCH 1911.35 ORANGE COUNTY SURVEYOR ADJUSTMENT
 COORDINATE SYSTEM: CCS83 ZONE 6, COORDINATES, BEARINGS, DISTANCES
 COMBINED FACTOR: 6.9999716 (GROUND = GRID/COMBINED FACTOR)

NOT TO SCALE

DISTRICT	COUNTY	ROUTE	POST MILE	SHEET NO.	TOTAL SHEETS
12	ORANGE	5/74	9.7/0.0	1	1

PARCEL 102499-1



Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.4a.(1)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Brent Green
Chief
Division of Right of Way and
Land Surveys

Subject: **RESOLUTION OF NECESSITY – APPEARANCE**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) adopt Resolution of Necessity (Resolution) C-20817 summarized on the following page. This Resolution is for a transportation project on Interstate 5 in District 7, in Los Angeles County.

ISSUE:

Prior to initiating Eminent Domain proceedings to acquire needed right of way for a programmed project, the Commission must first adopt a Resolution, stipulating specific findings identified under Section 1245.230 of the Code of Civil Procedure, which are:

1. The public interest and necessity require the proposed project.
2. The proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
3. This property is necessary for the proposed project.
4. An offer to acquire the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

In this case, the property owner is contesting the Resolution and has requested an appearance before the Commission. The primary concern and objection expressed by the property owner is that the proposed project is not planned or located in the manner that will be most compatible with the greatest public good and the least private injury. Specifically, owner believes that certain property interests sought to be acquired are unnecessary and feels that vibrations from construction activities and noise from construction equipment would be disruptive to church services. The Department has modified its design to reduce the amount of right-of-way required from the owner and reduce vibrations and noise from construction activities. The owner's objections and the Department's responses are contained in Attachment B.

BACKGROUND:

Discussions have taken place with the property owner, who has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which they may subsequently be entitled. Adoption of the Resolution will not interrupt the Department's efforts to secure an equitable settlement. In accordance with statutory requirements, the owner has been advised that the Department is requesting the Resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

Extensive discussions have been ongoing between the property owner and the Department to address and resolve the issues. Substantial progress has been made but in order to keep the project schedule, the Department is requesting that this appearance proceed to the April 25-26, 2012 Commission meeting. Legal possession will allow the construction activities on the parcels to commence, thereby avoiding and/or mitigating considerable right of way delay costs that will accrue if efforts to initiate the condemnation process are not taken immediately to secure legal possession of the subject property.

C-20817 - Norwalk United Methodist Church

07-LA-5-PM 4.4 - Parcel 80167-1, 2, 3, 4, 5 - EA 215949.

Right of Way Certification Date: 03/09/12; Ready To List Date: 03/23/12. Freeway - widen Interstate 5 to add high occupancy vehicle and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, temporary easements for construction purposes, and a permanent easement for footing purposes. Located in the city of Norwalk at 12111 Olive Street. Assessor Parcel Number 8056-004-011.

Attachments:

- Attachment A - Project Information
- Exhibit A1 and A2 - Project Maps
- Attachment B - Parcel Panel Report
- Exhibit B1 through B3 - Parcel Maps

PROJECT INFORMATION

PROJECT DATA

07-LA-5-PM 4.0/5.9
Expenditure Authorization 215949

Location: Interstate 5 (I-5) in Los Angeles County in the city of Norwalk

Limits: From 0.4 mile south of San Antonio Drive Undercrossing to 0.7 mile north of Pioneer Boulevard Undercrossing

Cost: Programmed construction cost: \$151,019,000.00
Current right of way cost estimate: \$111,583,000.00

Funding Source: Corridor Mobility Improvement Account (CMIA), Traffic Congestion Relief Program, State Transportation Improvement Program, State-Local Transportation Partnership Program, Transportation Equity Act for the 21st Century, and Local Proposition C

Number of Lanes: Existing: three mixed-flow lanes in each direction
Proposed: four mixed-flow lanes plus one high occupancy (HOV) vehicle lane in each direction

Proposed Major Features: Split diamond interchange at Norwalk Boulevard/San Antonio Drive and Imperial Highway, frontage road construction and city street widening/reconstruction of San Antonio Drive, Norwalk Boulevard, Union Street, Imperial Highway

Traffic: Existing (year 2005): 171,000 Annual Daily Traffic (ADT)
Proposed (year 2030): 281,000 ADT

NEED FOR THE PROJECT

The purpose of the project is to widen the I-5 corridor from the Orange County line to Interstate 605 (I-605) to increase capacity for the I-5 freeway which would; improve mobility for goods and people across California; and improve safety and access to the

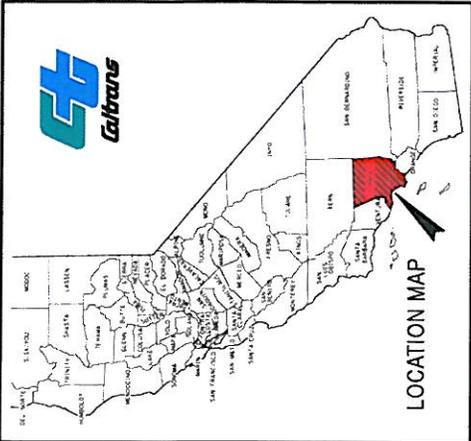
freeway. This project is one of six segments in the I-5 Ultimate Corridor Project, which is a high priority project for the Department.

This project is needed as a result of increased traffic demand from population, housing and employment growth in the project area. Combined with the limited capacity of the existing freeway facility, it is necessary to widen the freeway to accommodate increased traffic demand. Average daily traffic is expected to rise from 171,000 (2005) to 281,000 (2030). The proposed improvements will increase the capacity of the freeway from a six lane facility (six mixed-flow lanes) to a ten lane facility (eight mixed flow lanes plus two HOV lanes).

PROJECT PLANNING AND LOCATION

The proposed project will add a mixed flow lane and a HOV lane in each direction of travel on I-5. A number of project alternatives have been looked at in the past. The Project Report/Environmental Document for the project was approved on June 29, 2007. The construction cost is currently estimated at \$151,019,000.00 for this project. This project is funded with funding from Federal, State and local funds including the CMIA bond measure funds that require construction or implementation to begin by the December 31, 2012. The Right of Way Certification date is March 9, 2012, Ready to List is March 23, 2012, and advertising targeted for June 2012.

The current design proposes to minimize right of way impacts in the I-5 freeway corridor that resulted from the analysis of a number of different project alternatives as well as a value analysis study. The proposed project includes retaining and sound walls to minimize right of way impacts.



Location Map

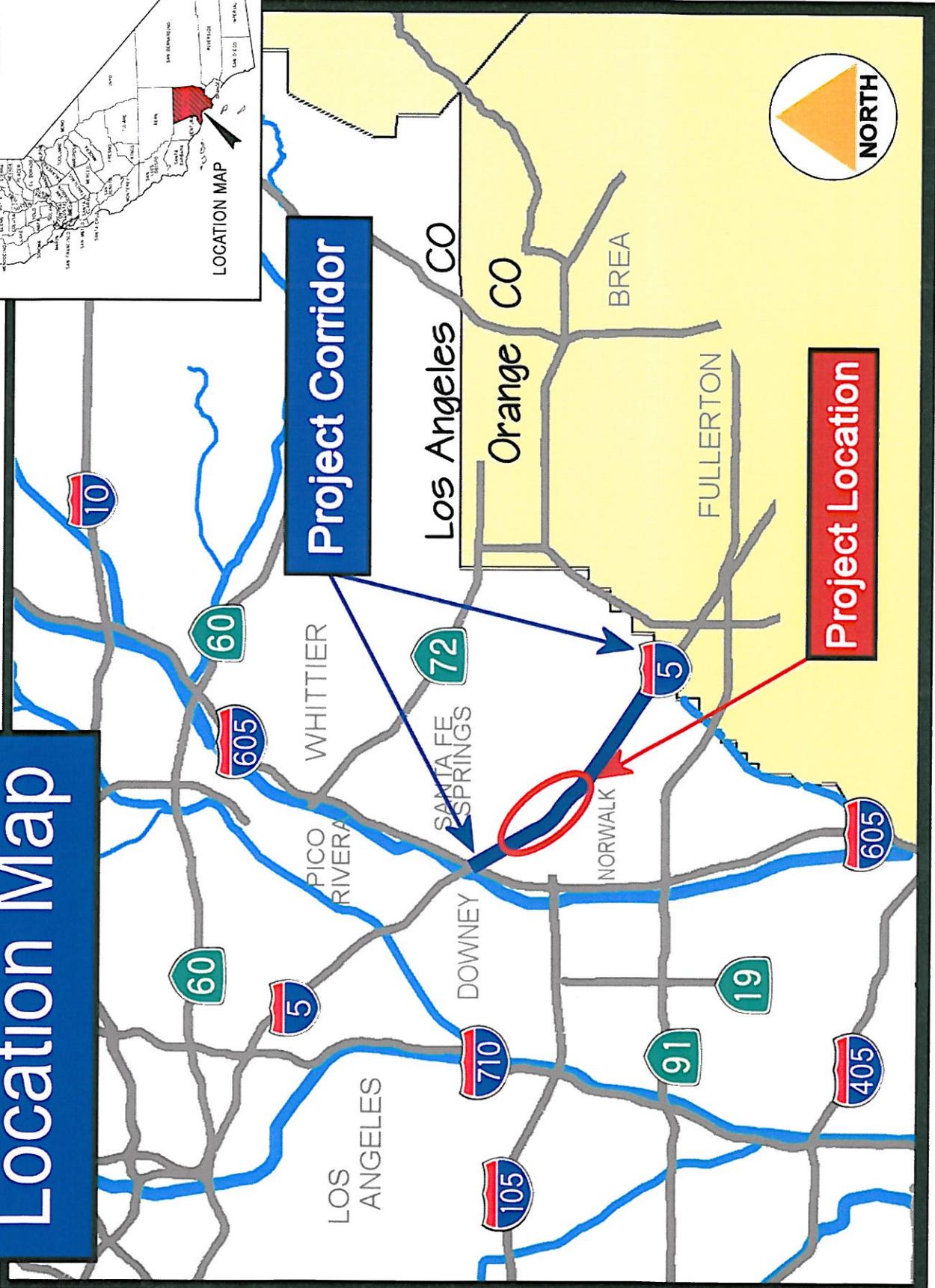
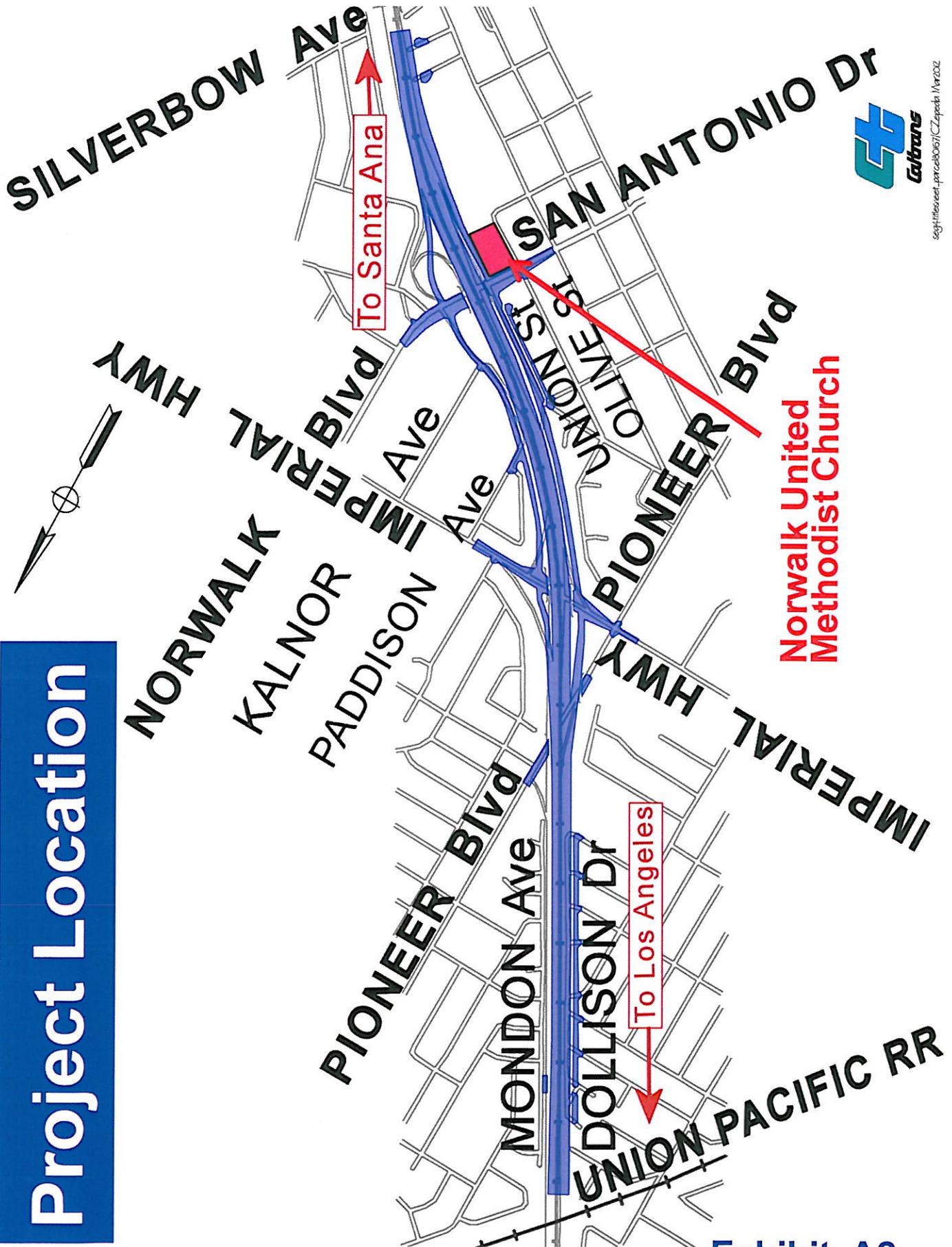


Exhibit A1

Project Location



8691116a.001_001.cab0107/CZapack/Nov202

Norwalk United Methodist Church

Exhibit A2

PARCEL PANEL REPORT

PARCEL DATA

Property Owner: Norwalk United Methodist Church

Parcel Location: 12111 Olive Street in the city of Norwalk
Assessor Parcel Number 8056-004-011

Present Use: Church

Zoning: R3 - Residential

Area of Property: 94,961 Square Feet (SF)

Area Required: Parcel 80167-1: 531 SF - Fee
Parcel 80167-2: 193 SF - Fee
Parcel 80167-3: 73 SF - Footing Easement
Parcel 80167-4: 2,275 SF - Temporary Construction Easement (TCE)
Parcel 80167-5: 930 SF - TCE

PARCEL DESCRIPTION

The property is rectangular in shape and is 94,961 SF (approximately 2.18 acres). The property is currently improved with a 19,984 SF church building and other improvements. The property is bound by San Antonio Drive/Norwalk Boulevard to the northwest, Olive Street to the southwest and the Interstate 5 (I-5) onramp to the northeast. It has good street frontage. A portion of the improvement is leased to the non-profit organization Life Sharing Adult Health Care.

The Department's original design required five sub-parcels: 717 SF in fee, 193 SF in fee, 5,333 SF in footing easement, 1,966 SF of TCE and 1,319 SF of TCE. Design reduced the required acquisitions to the following: 531 SF in fee, 193 SF in fee, 73 SF in footing easement, 2,275 SF of TCE and 930 SF of TCE after discussions with the property owner to further minimize right of way impacts by avoiding existing improvements.

NEED FOR THE SUBJECT PROPERTY

A portion of the subject property is impacted due to the widening for the freeway and San Antonio Drive. The freeway widening will provide increased freeway capacity as previously discussed. The proposed split diamond interchange design configuration also requires that San Antonio Drive be widened to accommodate the necessary through and turning movements on San Antonio Drive.

RESOLUTION OF NECESSITY REVIEW PANEL REPORT

The Condemnation Review Panel (Panel) met in Los Angeles on March 21, 2012. The Panel members included Donald Grebe, Panel Chair, Department of Transportation (Department) Headquarters (HQ's) Division of Right of Way and Land Surveys; Linda Harrel, Department Los Angeles Legal Division; Linda Fong, Department HQ's Division of Design; and Mark Zgombic, Department HQ's Division of Right of Way and Land Surveys, Secretary to the Panel. Representing the property owner at the meeting was Pastor Abel Lara of Norwalk United Methodist Church and attorney, Gary Kovacic, of Sullivan, Workman & Dee, LLP.

This report summarizes the findings of the Panel with regard to the four criteria required for a Resolution of Necessity and makes a recommendation to the Department's Chief Engineer. The primary concern and objection expressed by the property owner is that the proposed project is not planned or located in the manner that will be most compatible with the greatest public good and the least private injury. Specifically owner believes that certain property interests sought to be acquired are unnecessary and feels that vibrations from construction activities and noise from construction equipment would be disruptive to church services. The Department has modified its design to reduce the amount of right-of-way required from the owner and reduce vibrations and noise from construction activities.

The following is a description of the concerns expressed by the owner's representatives, followed by the Department's response:

Owner:

How will freeway access to the church be impacted in the after condition?

Department:

The Department will realign and configure on and off ramps to ease traffic and have more free-flowing traffic operations. Although the location of the southbound off-ramp has moved, the overall distance that a motorist would travel, remains unchanged.

Owner:

Concerned with noise, how it will affect the main sanctuary building and the mitigation measures Department is taking to reduce the impact and what will be height of the soundwall.

Department:

The church representatives have provided that critical hours for noise-sensitive activities occur on Saturdays and Sundays from 9:00am to 9:00pm, and Wednesdays between 6:00pm to 9:00pm. The Department has agreed to restrict construction activities during these times.

Additionally, the soundwall being constructed along the on ramp will be extended the length of the property frontage, tying into an existing wall. This soundwall will provide noise mitigation from the traffic and will be constructed as the first order of work to mitigate construction noise.

The initial timeframe to complete construction activities was estimated at seven months. It is anticipated, based on the above construction restrictions, to take approximately two months to construct the eight foot four inch soundwall, after which the remaining construction noise impacts will be greatly reduced.

Owner:

Will there be increased traffic in the after condition?

Department:

The split diamond interchange design will direct I-5 Imperial Highway off ramp traffic and Norwalk Boulevard/San Antonio Drive on ramp traffic to the collector road, increasing traffic flows in the after condition.

However, traffic movements from I-5 going towards the church will experience fewer conflicts along the collector road as opposed to the current Union Street residential traffic.

Owner:

What affect will the project have on buildings that are close to the proposed right of way line?

Department:

The only structure affected will be the an eight foot by twelve foot storage shed that is adjacent to the right of way fence. The shed will require removal. A revised offer has been made to the owner, that includes the cost to replace the shed. Other structures such

as the main sanctuary and the kitchen room of the main facility will not be directly affected.

Owner:

How many parking spaces will be temporarily lost and for how long?

Department:

Though the appraisal states ten parking spaces along the freeway fence line would be lost temporarily during construction, in actuality, only nine parking spaces would be temporarily lost. The maximum duration of the loss should be considered as the length of time that the temporary construction easement was requested, but will most likely be approximately two months. A further refinement of the time frame can be provided once a contractor is awarded the project, and the contractor has submitted their construction schedule.

Owner:

How will the project affect the electrical transformer (located on the northern portion of the property) and will it affect electrical service?

Department:

The project is not in conflict with the transformer box, so it should not be affected. Southern California Edison has been contacted to confirm that due to changes in the curb location, there are no issues that would require the transformer to be relocated.

DEPARTMENT CONTACTS

The following is a summary of contacts made with the property owner:

Type of Contact	Number of Contacts
Mailing of information	3+
E-Mail of information	10+
Telephone contacts	10+
Personal / meeting contacts	3+

STATUTORY OFFER TO PURCHASE

The Department has appraised the subject property and offered the full amount of the appraisal to the owner of record as required by Government Code Section 7267.2. The property owner has been notified that issues related to compensation are outside the purview of the Commission.

PANEL RECOMMENDATION

The Panel concludes that the Department's project complies with Section 1245.230 of the Code of Civil Procedure in that:

- The public interest and necessity require the proposed project.
- The proposed project is planned or located in the manner that will be most compatible with the greatest public good and least private injury.
- The property rights to be condemned are necessary for the proposed project.
- An offer to purchase in compliance with Government Code Section 7267.2 has been made to the owners of record.

The Panel recommends submitting a Resolution of Necessity to the Commission.



DONALD E. GREBE
Chief
Office of Project Delivery
Division of Right of Way and Land Surveys
Panel Chair

I concur with the Panel's recommendation:



ROBERT PIEPLOW
Acting Chief Engineer

**PERSONS ATTENDING THE CONDEMNATION PANEL REVIEW
MEETING ON MARCH 21, 2012**

Donald Grebe, HQ's Division of Right of Way and Land Surveys, Panel Chair
Linda Harrel, Los Angeles Legal Office Attorney, Panel Member
Linda Fong, HQ's Division of Design, Panel Member
Mark Zgombic, HQ's Division of Right of Way and Land Surveys, Panel Secretary

Pastor Able Lara, Property Owner Representative
Gary Kovacic, Attorney for the Property Owner

Michael Miles, District 7, District Director
Bill Reagan, District 7, Deputy District Director, Design
Jerrel Kam, District 7, Office Chief, Office of Design A
Andrew P. Nierenberg, District 7, Deputy District Director, Right of Way
Yoshiko Henslee, District 7, Supervising Right of Way Agent
James Marsella, District 7, Senior Right of Way Agent
Hazel Devine-Williams, District 7, Right of Way Agent



Existing
 Norwalk Blvd
 Undercrossing

Existing Conditions

-  Local Streets
-  Freeway Facilities

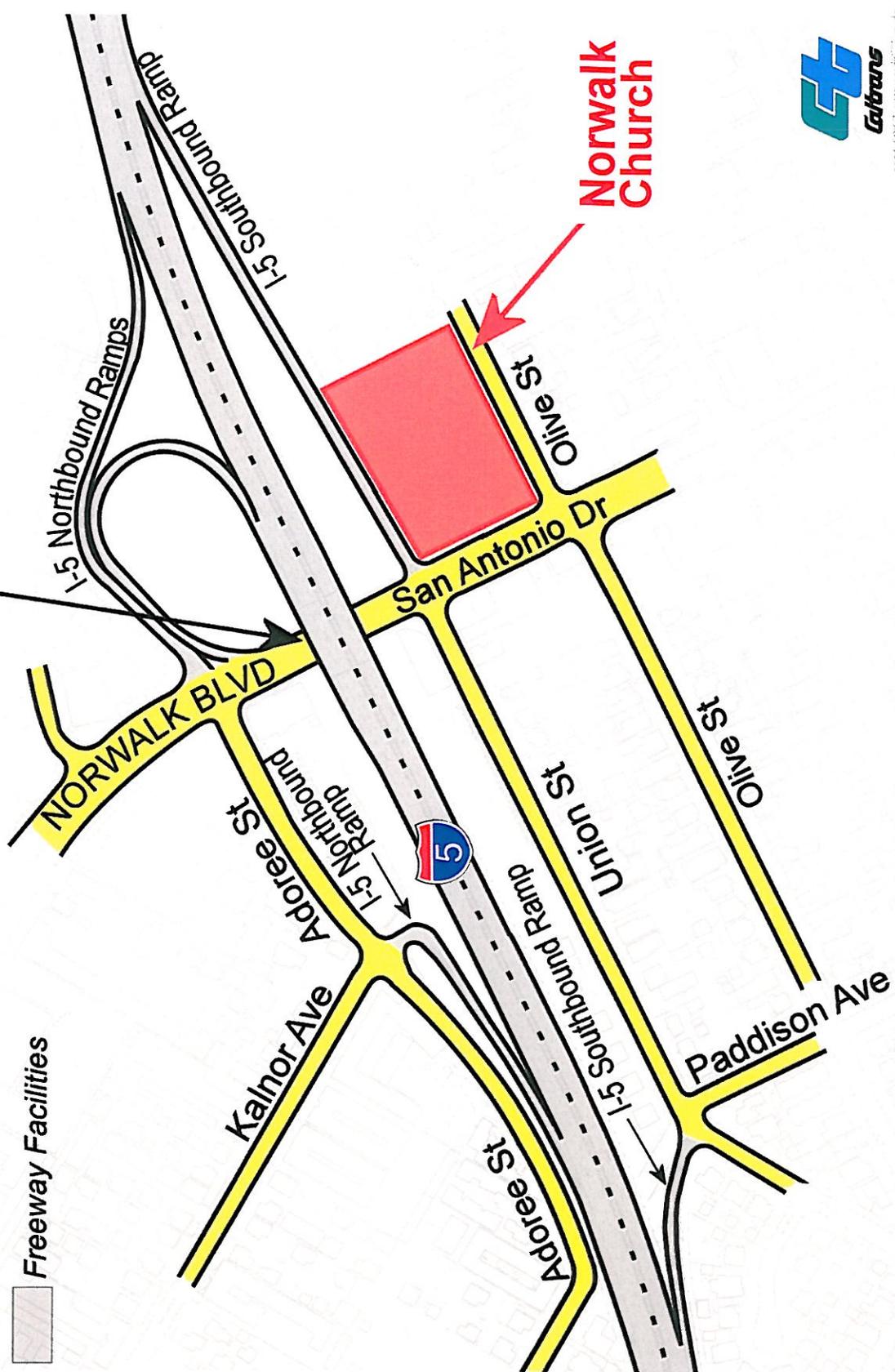
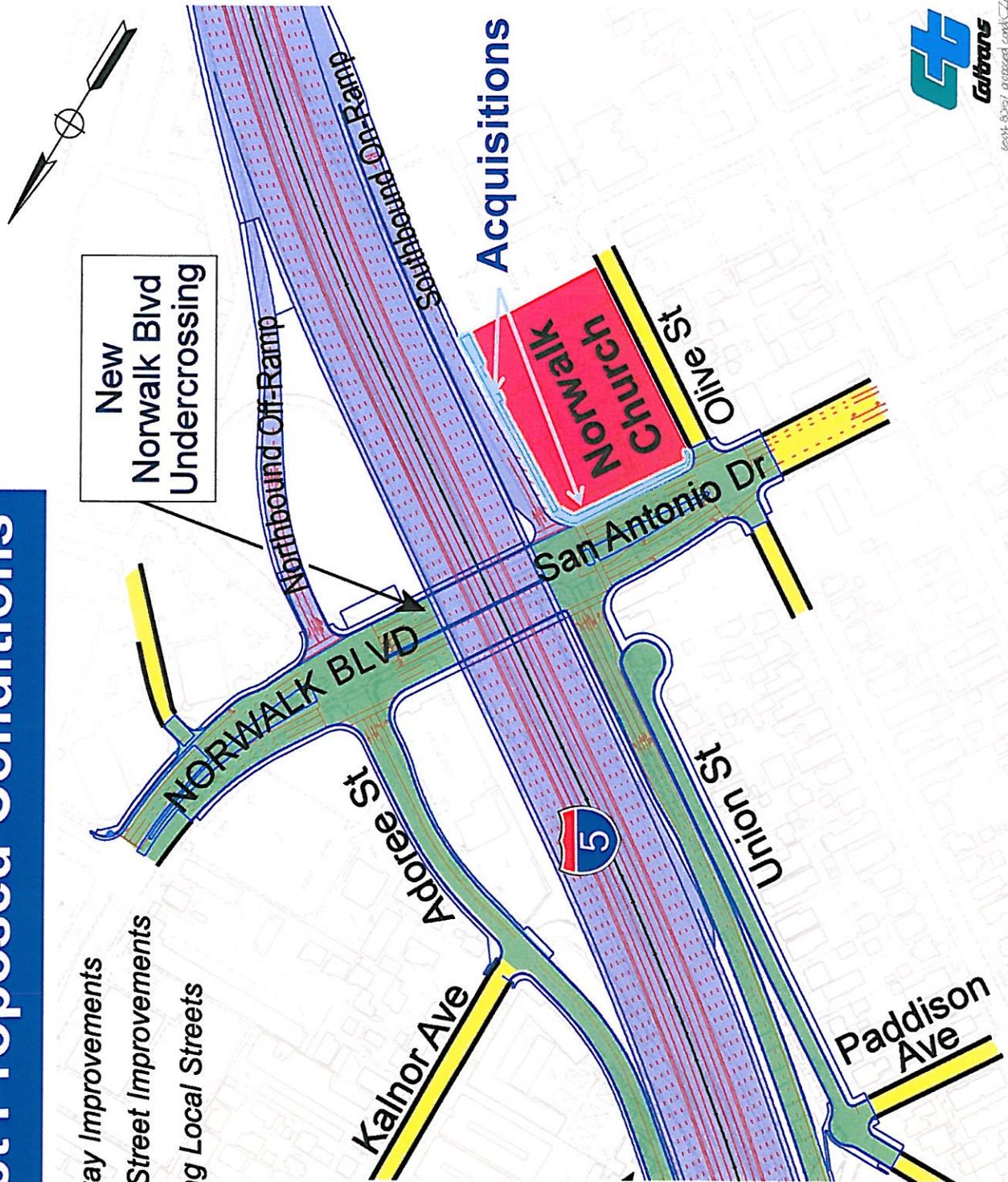


Exhibit B1

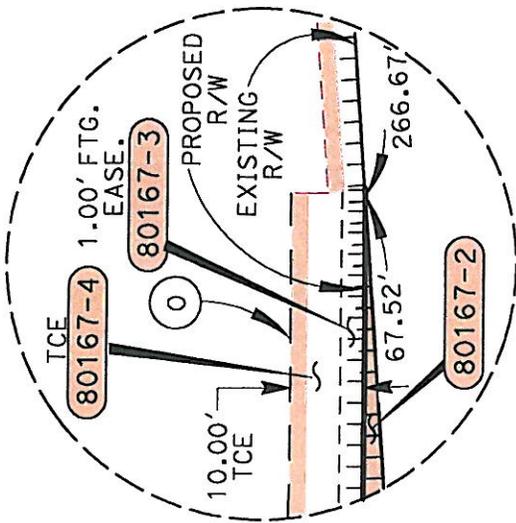
Project Proposed Conditions

- Freeway Improvements
- Local Street Improvements
- Existing Local Streets



CITY OF NORWALK COUNTY OF LOS ANGELES

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.



DETAIL "A"
NO SCALE

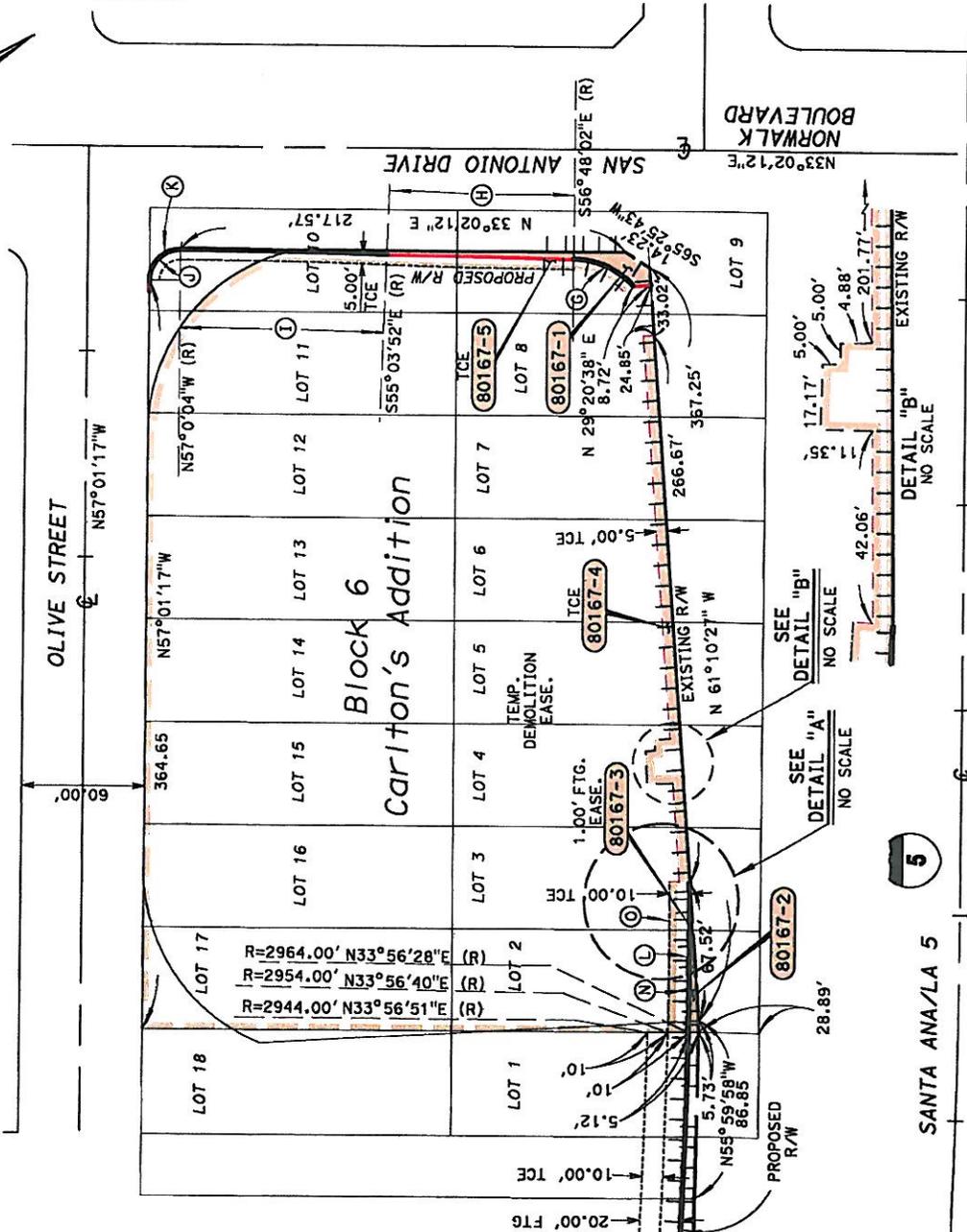
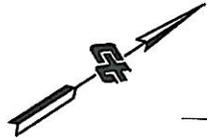
CURVE	RADIUS	DELTA - Δ	LENGTH
G	40.00'	47°04'37"	32.87'
H	3012.00'	1°44'10"	91.27'
I	2988.00'	1°56'13"	100.01'
J	15.00'	90°00'59"	23.57'
K	15.00'	90°03'15"	23.58'
L	2964.00'	1°24'46"	73.08'
N	2963.00'	1°25'09"	73.39'
O	2954.00'	1°25'22"	73.35'

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY RESOLUTION OF NECESSITY

EXHIBIT B
NOT TO SCALE

DISTRICT	COUNTY	ROUTE	SHEET	PN	SHEET	NO.	TOTAL	SHEETS
7	LA	5	4.4		1			1



DETAIL "B"
NO SCALE

5

SANTA ANA/LA 5

P 3 BK 1 PG 493-494
O R M 7425 PG 20-21

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.4a.(3)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Brent Green
Chief
Division of Right of Way and
Land Surveys

Subject: **RESOLUTION OF NECESSITY - APPEARANCE**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) adopt Resolution of Necessity (Resolution) C-20816 summarized on the following page. This Resolution is for widening the Interstate 5 Freeway in District 7 in the city of Norwalk, county of Los Angeles.

ISSUE:

Prior to initiating Eminent Domain proceedings to acquire needed right of way for a programmed project, the Commission must first adopt a Resolution, stipulating specific findings identified under Section 1245.230 of the Code of Civil Procedure, which are:

1. The public interest and necessity require the proposed project.
2. The proposed project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury.
3. This property is necessary for the proposed project.
4. An offer to acquire the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

In this case, the property owner is contesting the Resolution and has requested a written appearance before the Commission. At the request of the property owner, objections to the Resolution have been submitted in writing to be made part of the official record of the Commission meeting, in lieu of a personal appearance before the Commission. The owner's objections are included as Attachment A. The Department's responses to the owner's objections are contained in Attachment B.

BACKGROUND:

Discussions have taken place with the owner, who has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the Resolution will not interrupt the Department's efforts to secure an equitable settlement. In accordance with statutory requirements, the owner has been advised that the Department is requesting the Resolution at the Commission's

April 25-26, 2012 meeting. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-20816 - Gregory S. Jones, Trustee of the Gregory S. Jones Revocable Trust, dated October 11, 2001

07-LA-5-PM 3.6 - Parcel 79898-1, 2, 01-01 - EA 215939.

Right of Way Certification Date: 03/09/12; Ready to List Date: 03/23/12. Freeway - widen Interstate 5 to add high occupancy vehicle and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway, a temporary easement for construction purposes, land in fee which is a remnant and would be of little market value, and underlying fee, if any. Located in the city of Norwalk at 12605 Rosecrans Avenue. APN 8082-001-003.

Attachments:

Attachment A - Owners Written Objections dated March 8, 2012

Attachment B - Department Response dated March 22, 2012

Attachment C - Fact Sheet

Exhibits A and B - Maps

Callanan
Rogers
Dzida, LLP

San Francisco, CA

CALLANAN, ROGERS & DZIDA

A LIMITED LIABILITY PARTNERSHIP

800 SOUTH FIGUEROA STREET

SUITE 1100

LOS ANGELES, CALIFORNIA 90017-2521

TELEPHONE (213) 599-7595

TOLL FREE (800) 317-1759

FACSIMILE (213) 599-7596

JOSEPH S. DZIDA

OUR FILE NO.
242820.0001

AUTHOR'S EMAIL ADDRESS
jdzida@crdattorneys.com

March 8, 2012

California Transportation Commission
Attn. Bimla Rhinehart
Executive Director
P.O. Box 942873
Mail Station 52
Sacramento, CA 94273-0001

Re: ***07-LA-5-PM 3.6***
EA 215939
Project #0700001833
Parcel 79898-1, 2, 01-01
Gregory S. Jones, Trustee of the Gregory Jones Revocable Trust, dated
October 11, 2011

Dear Bimla Rhinehart:

This firm represents Mr. Gregory S. Jones, trustee and owner of the property referenced above. Thank you for your letter of February 27, 2012, regarding the resolution of necessity. Please give copies of this letter to all the decision makers in regard to that resolution and place a copy of this letter in the official record.

Passage of a resolution of necessity at this time is improper and a violation of law. In order to pass a resolution of necessity, the decision makers must find that an offer in compliance with Government Code section 7262 et seq. has been made in good faith and has been rejected. No such finding can be made here without an abuse of discretion. If such a finding is made here, Caltrans will have failed to proceed in the manner required by law. Among other things:

1. Caltrans is only offering \$1,000 for this property.

Attachment A

Project #0700001833

March 8, 2012

Page 2

2. Caltrans' appraiser appraised the property for \$570,000; but Caltrans arbitrarily reduced its offer to \$1,000 from the appraised value ostensibly because of environmental conditions underneath the property. The basis for the reduction, however, is not reflected in any appraisal opinion or report.

3. Those conditions were described in a Caltrans' report (Exhibit 1 attached).

4. In response, we submitted our own report (Exhibit 2 attached).

5. The Exhibit 2 report demonstrated that the conditions described in Exhibit 1 originated outside of the subject property, were not caused by Jones, and did not impact his property's value.

6. I asked for a response to Exhibit 2 but did not receive any. Accordingly, it is apparent that Caltrans has NO EVIDENCE WHATSOEVER to the contrary.

7. Caltrans nevertheless made its \$1,000 offer.

8. I, then, objected to the offer, stating again that the conditions on which it was based originated elsewhere and that, therefore, my client was NOT responsible for clean up. I also stated that deductions from the appraised value were proper ONLY if the conditions were caused by my client and ONLY if they impacted market value. I pointed out that the \$1000 offer was less than the monthly rent my client received from the property despite the conditions described. The property obviously cannot have a market value LESS than that indicated by the rent it generated.

9. I asked Mr. Johnson to provide me with copies of any appraisal opinions reflecting that the conditions decreased the market value of the property. He did not do so. Apparently, then, the reduction in the offer to \$1000 from the appraised value IS NOT BASED ON ANY APPRAISAL, as required by law, and totally arbitrary.

10. We have not yet had time to obtain our own appraisal as Caltrans' has not provided funding for same as required by law and the matter has been in litigation.

11. In addition, Mr. Jones has suffered pre-condemnation damages including lost rentals as a result of Caltrans' actions. These are the subject of litigation. The Court of Appeal ruled on March 8, 2012, that a judgment entered in Caltrans' favor must be reversed in full on this point. The offer made by Caltrans (\$1,000) does not reflect these damages.

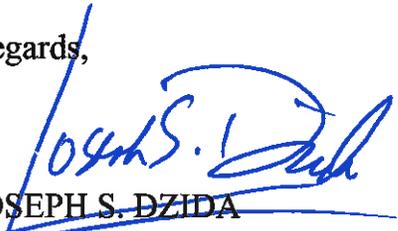
Project #0700001833

March 8, 2012

Page 3

Copies of my correspondence with Mr. Johnson are attached as Exhibit 3. If the resolution of necessity is passed on this flimsy premise, we will challenge Caltrans' right to take in court. Caltrans is trying to take this property by paying only \$1,000. I'd call that theft, not just compensation in eminent domain.

Regards,



JOSEPH S. DZIDA
CALLANAN, ROGERS & DZIDA, LLP

JSD/cy

Cc: Steve Johnson (by email)



SITE INVESTIGATION REPORT
Interstate 5/Segment 3 Improvement Project, PM 2.46/4.60
Caltrans Contract 07A2730, Task Order No. 9
Tune-Up Master
12605 Rosecrans Avenue
(APN: 8082-001-003)
Norwalk, California

EXECUTIVE SUMMARY

AMEC Geomatrix, Inc. (AMEC), conducted a subsurface investigation on behalf of the California Department of Transportation (Caltrans) to evaluate if hazardous materials including petroleum hydrocarbons may have been released at the Tune-Up Master property located at 12605 Rosecrans Avenue, Norwalk, California (Site or investigation area). Caltrans proposes to improve and widen Interstate 5 from the Orange County Line (to the south) to the 605 Freeway (to the north). To improve the area, Caltrans needs to acquire parcels or portions of parcels located adjacent to the project through purchase in fee or easement.

The objectives of the investigation were to (1) evaluate if hazardous materials including petroleum hydrocarbons may have been released within the investigation area; (2) evaluate if impacts to soil vapor, surface and subsurface soil, and groundwater, if present, pose a risk to human health and the environment; (3) assess the vertical extent of lead-impacted soil, if present in selected areas; (4) provide data to support developing waste management protocols for construction-derived wastes such as excavation spoils and/or groundwater recovered during dewatering operation; and (5) collect quality data. The data collected from the investigation were compared to published screening criteria to evaluate if the presence of constituents of concern (COCs), if detected, are of potential concern. If COC impacts were identified to be of potential concern, the investigation results were used to identify an approach to remediate the COC impacts, if needed, and/or manage construction-derived wastes and costs associated with the remedial and/or waste-management approach were estimated.

The purpose of this report is to describe the procedures, technical approach, and sampling methodologies used to collect soil vapor, soil, and groundwater samples; to present and discuss the analytical results, to evaluate the soil vapor, soil, and groundwater conditions beneath the Site based on data collected during the investigation; and to present conclusions regarding chemical impacts to the investigation area.

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Scope of Work

The project scope of work included drilling soil borings at eight sampling locations within the proposed construction footprint of the project for collecting soil vapor, soil, and shallow groundwater samples. Soil vapor samples were collected at four of the eight boring locations and analyzed for volatile organic compounds (VOCs). Soil samples were collected at specific depths using either hand auger or direct-push drilling methods from all eight boring locations and were analyzed for VOCs, including fuel oxygenates, total petroleum hydrocarbons (TPH), and metals. One boring was advanced to a total depth of approximately 64 feet below grade to evaluate the depth and apparent thickness of a fine-grained interval that underlies the first encountered groundwater at the Site. Shallow groundwater samples were collected at four of the eight boring locations and were analyzed for VOCs, including fuel oxygenates, and TPH.

Investigation Findings

The analytical results for each of the media collected for this investigation were evaluated as described below.

Soil Vapor Results

Soil vapor results were evaluated using California Human Health Screening Levels (CHHSLs) in Evaluation for Contaminated Properties (Cal/EPA, 2005) screening criteria. In the event that a detected COC did not have an established CHHSL, the Environmental Screening Levels (ESLs) for commercial/industrial land use reported in Screening for Environmental Concerns at Sites with Contaminated Soil and Groundwater (SFRWQCB, 2008) were used for screening evaluation.

The VOCs ethylbenzene, toluene, m,p-xylene, o-xylene, 1,2,4-trimethylbenzene (1,2,4-TMB), 1,3,5-trimethylbenzene (1,3,5-TMB), 4-isopropyltoluene, isopropylbenzene, n-butylbenzene, n-propylbenzene, sec-butylbenzene, and naphthalene were detected at or above the laboratory method detection limit (MDL) in one or more of the soil vapor samples analyzed. The VOCs ethylbenzene, 1,2,4-TMB, 1,3,5-TMB, and naphthalene were detected above their respective screening levels in one or more soil vapor samples collected from boring locations 1125-102, 1125-103, and 1125-106. VOCs were not detected in the soil vapor samples collected from boring 1125-104 at concentrations that exceeded their respective screening levels.

Soil Results

Soil sample analytical results were evaluated using CHHSLs as screening criteria (Cal/EPA, 2005). In the event that a detected COC did not have an established CHHSL, the result was compared to the screening level for protection of groundwater listed in the California Regional Water Quality Control Board, Los Angeles Region (LARWQCB, 2006), Maximum

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Soil Screening Levels (MSSLs) for TPH, benzene, toluene, ethylbenzene, xylenes, and methyl tert-butyl ether above Drinking Water Aquifers. If a CHHSL or MSSL was not available for screening, the published U.S. Environmental Protection Agency Region IX (U.S. EPA Region IX, 2010) Regional Screening Levels (RSLs) listed for Protection of Groundwater Soil Screening Levels (SSLs) Risk-Based SSLs was used for screening. Finally, for soil analytes without CHHSLs, MSSLs, or RSLs, values were compared to their respective ESLs for commercial/industrial land use with groundwater as a current or potential source of drinking water. In conformance with the ESL document, the method reporting limits were not considered when developing the individual ESLs and advises the use of the reporting limit as the screening level.

The VOCs 1,2,4-TMB, 1,3,5-TMB, 1,2-dichlorobenzene, 1,3-dichlorobenzene, 1,4-dichlorobenzene, 2-chlorotoluene, 4-isopropyltoluene, benzene, bromomethane, chlorobenzene, ethylbenzene, isopropylbenzene, m,p-xylene, naphthalene, n-butylbenzene, n-propylbenzene, o-xylene, sec-butylbenzene, tert-butanol, and toluene were detected at or above the laboratory MDL in one or more of the soil samples analyzed. The VOCs 1,2,4-TMB, 1,3,5-TMB, 1,4-dichlorobenzene, benzene, ethylbenzene, isopropylbenzene, m,p-xylene, naphthalene, n-propylbenzene, and o-xylene, were detected in one or more soil samples at a concentration that exceeded their respective screening levels in borings 1125-101, 1125-102, 1125-103, 1125-105, 1125-107, and 1125-108. VOCs were not detected in the soil samples analyzed that exceeded their respective screening levels in the samples collected from 1125-104 and 1125-106.

Nineteen of the 35 soil samples analyzed for TPH (carbon chain speciation) had reported TPH concentrations at or above the MDL. The concentrations of TPH detected in the soil samples did not exceed their respective MSSLs except in two samples (1125-103-10.5 and 1125-108-5.5) collected from boring locations 1125-103 and 1125-108, respectively. The detected TPH concentration in soil in the vicinity of boring location 1125-103 and 1125-108 at depths of 10.5 feet and 5.5 feet, respectively, is considered to be potential concern for the protection of groundwater.

Various concentrations of metals were detected at or above the MDL in all 35 soil samples analyzed. Metals were not detected at concentrations that exceeded their respective screening levels with the exception of arsenic and lead. One of the 35 soil samples analyzed (1125-103-10.5) had a reported lead concentration 1,000 milligrams per kilogram (mg/Kg) that exceeded the published commercial/industrial CHHSL value of 320 mg/Kg.

Twenty four of the 35 soil samples analyzed contained arsenic concentrations that exceeded the published RSL for Protection of Groundwater Risk-Based SSLs of 0.0013 mg/Kg. Because arsenic is a naturally occurring element, the detected arsenic concentrations were compared to regional background arsenic concentrations. The March 2008 Department of



Toxic Substances Control (DTSC) publication Determination of a Southern California Regional Background Arsenic Concentration in Soil (DTSC, 2008) establishes a regional background for arsenic within Southern California including Los Angeles County using naturally occurring and anthropogenic concentrations of arsenic. The report finds that the upper-bound background concentration for arsenic within Los Angeles County is 12 mg/Kg. None of the samples analyzed had reported arsenic concentrations that exceeded the DTSC upper-bound background concentration for arsenic within Los Angeles County. However, the arsenic concentrations in samples collected at the Site are considered to be consistent with background concentrations of arsenic in Los Angeles County or naturally occurring.

Groundwater Results

Shallow groundwater sample analytical results were evaluated using California Drinking Water Maximum Contaminant Levels (MCLs) as reported by the California Department of Public Health as screening criteria (California, 2010). In the event that a detected COC did not have an established MCL, the result was compared to the screening level for tap water as listed in the U.S. EPA Region IX (U.S. EPA, Region IX, 2010) RSLs. Finally, if a MCL or RSL was not available for screening, the applicable ESLs reported in Screening for Environmental Concerns at Sites with Contaminated Soil and Groundwater (SFRWQCB, 2008) were used for screening evaluation.

Groundwater was encountered at depths ranging from approximately 36 feet (1125-104) to 38 feet (1125-102) below ground surface (bgs). A total of five grab groundwater samples (including one duplicate sample) were collected from four borings (1125-102, 1125-103, 1125-104, and 1125-106). Field observations indicated that non-aqueous phase liquid (NAPL) was present in the grab groundwater sample collected from boring 1125-103. The groundwater samples were analyzed for VOCs and TPH in ranges as TPH (C4-C8), TPH (C8-C17), and TPH (C9-C32; with individual carbon chain speciation). The NAPL fraction present in the grab groundwater sample in boring 1125-103 also was analyzed for TPH in ranges as TPH (C4-C8), TPH (C8-C17) and TPH (C9-C32; with individual carbon chain speciation).

VOCs were detected at or above the MDL in each groundwater sample analyzed and included one or more of the following compounds: 1,2,4-TMB, 1,2-dichlorobenzene, 1,3,5-TMB, 1,3-dichlorobenzene, 1,4-dichlorobenzene, 4-isopropyltoluene, benzene, bromobenzene, chlorobenzene, cis-1,2-dichloroethene (cis-1,2-DCE), di-isopropyl ether, ethylbenzene, isopropylbenzene, m,p-xylene, methyl tert-butyl ether (MTBE), naphthalene, n-butylbenzene, n-propylbenzene, o-xylene, sec-butylbenzene, tert-amyl methyl ether (TAME), tert-butanol, tert-butylbenzene, and toluene. Reported concentration of VOCs 1,2,4-TMB, 1,4-dichlorobenzene, benzene, ethylbenzene, MTBE, and naphthalene exceeded their respective screening levels in one or more of the samples analyzed.



TPH was detected above the MDL in one or more of the carbon chain ranges in all five of the groundwater samples analyzed (including the one duplicate sample). TPH was detected in all five groundwater samples at concentrations that exceeded their respective ESLs in one or more of the carbon chain ranges.

Conclusions and Recommendations

The following conclusions for the soil vapor, soil, and groundwater impacts beneath the Site within the investigation area were made based on the data collected during this investigation. Soil vapor impacts beneath the Site are present in soil within the vicinity of boring locations 1125-102, 1125-103, and 1125-106.

Soil impacts beneath the Site are present within the upper 20.5 feet of the subsurface. The reported concentrations of VOCs, TPH and/or metals appear to decrease with depth which may be attributed to a release near the surface from former on-site underground fuel dispenser piping or from a nearby off-site source.

Excavation proposed as part of the I-5 improvements in the proximity of the Site is not expected to exceed 5 feet in depth. Soil near boring 1125-103 and 1125-108 in the depth interval of ground surface to about 5 feet in depth is not expected to require special management. AMEC recommends that any soil intended to be transported off-site be stockpiled on-site and characterized in accordance with applicable regulations before export.

Based on the reported VOC and TPH concentrations in soils residing at depths greater than 5 feet in proximity of borings 1125-103 and 1125-108, remediation may be required to mitigate the presence of these COCs in soil. Because the extent of soil impacts observed at these locations is not well defined, additional assessment is recommended to further assess the extent of soil impacts that may require remediation.

The grab groundwater sample collected from the southwest portion of the Site at boring location 1125-103 contained NAPL. The VOCs and TPH compounds detected in the groundwater samples analyzed are characteristic of petroleum hydrocarbon-product releases. Based on the fraction of TPH compounds detected in groundwater and NAPL in the C8-C17 range, the TPH speciation is likely consistent with jet fuel. The detections of TPH as gasoline, diesel fuel, jet fuel, as well as NAPL, are consistent with previously documented subsurface releases and/or conditions located near the Site.

Based on the reported VOC and TPH concentrations, it is likely that remedial action will be required to mitigate the presence of those COCs in groundwater. However, groundwater monitoring may be required to further evaluate the presence of VOCs during the post-construction groundwater period.

The following remedial recommendations are provided based on the results of the investigation reported herein.

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Stage I – Construction Footprint Remediation

Based on the findings of the geophysical survey and field observations, subsurface structures including a suspected, approximate 1,000-gallon capacity, underground waste oil tank and a clarifier appear to be present in the northwest portion of the property. The top of the waste oil tank appears to be at a depth of approximately 3 feet bgs. The clarifier and related piping appear to be approximately 3-feet wide by 30-feet long and 8-feet deep and is connected to the northwest side of the Tune-Up Master building by underground piping. The dimensions of the northwest and southwest ends of the clarifier are approximately 6-feet wide by 6-feet long and 5-feet in diameter, respectively. In addition, two hydraulic lifts and a wash water containment tank are present within the service bay area of the existing building at the Site.

Before construction activities commence, both subsurface structures will likely require removal. Removal activities will likely include the following:

1. Suspected underground waste oil tank: permitting, removing the contents using vacuum methods, transporting the contents to an off-site disposal facility, tank removal with consultant and regulatory oversight, confirmation soil sampling, backfilling and compacting the excavation with clean import soil, and reporting. The approximate excavation depth for the underground tank and associated piping are estimated at approximately 10-feet bgs. The estimated cost for the above described activities is \$25,000.
2. Clarifier: removing the contents using vacuum methods, transporting the contents to an off-site disposal facility, removing clarifier and plugging related piping, confirmation soil sampling, and backfilling and compacting the excavation with clean import soil. The approximate excavation depth for the clarifier and associated piping is estimated at approximately 8-feet bgs. The estimated cost for the above described activities is \$10,000.
3. Two (2) in-ground hydraulic lifts and associated reservoirs located in the service bay require removal. Each structure will require excavation, removal, confirmation soil sampling and recycling. The estimated cost for the above described activities is \$15,000.
4. One in-ground wash water containment tank located within the service bay requires removal. The structure will require rinsing, excavation, removal, and confirmation soil sampling. The estimated cost for the above described activities is \$6,000.



These costs assume that soil beneath or adjacent to these structures is not impacted by a release of hazardous materials from these structures and do not require management or special handling. The total estimated costs for the pre-construction period are \$56,000.

Stage II – Management of Construction-Derived Waste

Caltrans construction plans indicate realignment and widening of Bloomfield and Rosecrans Avenues located adjacent to the Site to the west and south, respectively. As depicted in the construction plans, the widening of Rosecrans Avenue will require an approximate 30-foot wide area across the southern edge of the Tune-Up Master property. Additionally, the widening of Bloomfield Avenue will require approximately 200 square feet within the southwest corner of the property. Based on our conversations with Caltrans, excavation activities will extend to a total depth not to exceed 5 feet bgs and excavated soils will be reused and re-compacted within the construction footprint. Based on the assessment data obtained in this area, soil to a depth of five feet in the planned construction area will not require remediation or special handling.

Stage III – Post-Construction Remediation

Post-construction tasks may be required to mitigate the presence VOC and TPH impacted soils, the presence of NAPL, and to monitor groundwater quality. Based on the site investigation results, soil vapor extraction (SVE) would appear to be the most cost-effective method of remediating the deeper soils because of the apparent size and depth of VOC and TPH impacts in the vicinity of 1125-103 and 1125-108. Before SVE is implemented, additional Phase II site investigation is recommended to further delineate the area and depth of soil impacts that may require remediation. The elements of the additional Phase II site investigation include:

- Pre-field activities include the preparation of a health and safety plan and a work plan for additional Phase II site investigation.
- Phase II site investigation field activities include drilling approximately 10 step out soil borings to assess the vertical and lateral extent of impacted soils north, northeast, and east of 1125-103 and 1125-108. The soil borings will be drilled to a depth of approximately 30 feet bgs using direct push drilling and sampling equipment to collect soil samples to assess the extent of soil impacts in this area. In addition, a minimum of three (3) groundwater samples are recommended to be collected and analyzed to further delineate the lateral extent of NAPL impacts in this portion of the Site. Drilling, lithologic logging, and sampling activities are estimated to be performed in four



working days. Profiling and management of investigation derived waste and reporting also will be conducted as part of the Phase II site investigation.

The estimated cost for the additional Phase II site investigation is approximately \$50,000.

Remediation of VOC and TPH impacted soils may be performed by soil vapor extraction (SVE) for a one year period. We have assume that approximately seven (7) SVE wells will installed to depths ranging from 7 to 22 feet bgs. Piping and well boxes associated with the construction of the SVE system will be installed below grade. Soil will treated to remove VOCs and TPH using an electric catalytic oxidizer. The estimated cost for SVE remediation is \$350,500.

Post-construction tasks also may be required to mitigate the presence of NAPL and to monitor groundwater quality. Remediation of NAPL may be performed by groundwater extraction for a two year period. Groundwater would be treated to remove NAPL using an oil water separator and then treated using granular activated carbon before discharge. The estimated cost of NAPL remediation is \$292,240.

Groundwater monitoring will be necessary to assess the progress of NAPL extraction and is expected to be required for three years. The estimated cost of groundwater monitoring is \$102,500. Total estimated cost for the Stage III post-construction period is \$795,240.

The total estimated costs for Stage I and Stage III tasks identified above are \$851,240.

**EVALUATION OF ON-SITE AND
SURROUNDING SITE CONTAMINATION**

FOR

JONES REAL ESTATE

**PROPERTY LOCATION:
TUNE-UP MASTER
12605 ROSECRANS AVENUE
NORWALK, CALIFORNIA 90670**

DATE: DECEMBER 2011

Prepared by

**PHASE ONE INC.
23282 Mill Creek Rd. Suite 160
Laguna Hills, CA 92653
(800) 524-8877**

PHASE ONE INC.

THE NATIONWIDE ENVIRONMENTAL SPECIALISTS

“Setting the Due Diligence Industry Standard”

PHASE ONE INC.

ENVIRONMENTAL ASSESSMENT SPECIALISTS

December 5, 2011

Greg Jones
Jones Real Estate
440 West Whittier Boulevard
La Habra, California 90631

**RE: *PHASE ONE INC.* Project No. 7122
 Evaluation of On-site and Surrounding Site Contamination
 Subject Site Location: 12605 Rosecrans Avenue, Norwalk, California 90670**

Dear Mr. Jones:

Enclosed is the evaluation of on-site and surrounding site contamination completed by ***PHASE ONE INC.*** for the site referenced above (See Figure 1, *Site Location Map*). The Evaluation of on-site and surrounding site contamination was undertaken at your request, in accordance with ***PHASE ONE INC.***'s *Standard Terms and Conditions* and as outlined in ***PHASE ONE INC.***'s *Letters of Intent/Authorization* for Project N^o7122.

The findings and conclusions of this evaluation are based upon several report reviews and interviews of pertinent persons familiar with the known contamination. Our conclusions regarding the evaluation are summarized in the final section of this report, ***Section 4.0 Conclusions and Recommendations.***

Please do not hesitate to contact us should you have any questions regarding this report, or if we can be of additional assistance.

Sincerely,



Eric Kieselbach
President

Enclosures

1.0 INTRODUCTION

2.0 BACKGROUND INFORMATION

3.0 SUMMARY AND EVALUATION OF REPORTS

4.0 CONCLUSIONS AND RECOMMENDATIONS

5.0 LIMITATIONS

6.0 REPORT SIGNATURES

FIGURES

- Figure 1 Site Location Map
- Figure 2 Site Plan
- Figure 2A Areal Distribution of Petroleum Hydrocarbons

APPENDICES

1.0 INTRODUCTION

This evaluation of environmental reports for on-site and surrounding site contamination presents **PHASE ONE INC.**'s conclusions, recommendations and identifies the main source(s) of contamination at the 12605 Rosecrans Avenue, Norwalk, California 90670 (Figure 1, *Site Location Map*). The objectives of this evaluation are listed below:

- Review and evaluate all environmental reports available for the subject site and adjacent sites.
- Isolate main contaminants with the highest risk and health concerns.
- Distinguish that the main contaminant (Jet Fuel) is the result of off-site sources.
- Contend that the Jet Fuel far outweighs the significance of any other on-site concerns and health concerns of any other contamination on or adjacent to the subject site.
- Provide documentation identifying the possible responsible parties relieving the subject site's owner of all liability of any and all remediation by DOT.

2.0 BACKGROUND INFORMATION

At the time of this evaluation, the site specifics were as follows:

- **Address:** 12605 Rosecrans Avenue, Norwalk, California 90670
- **Acres:** 1
- **Improvements:** Service bays building and attached office
- **Current Site Use:** Automotive (Tune up Masters)
- **Proposed Site Use:** Southern Portion of Site, Caltrans Easement-Improvements to Freeway I-5
- **Site Contact:** Greg Jones

The subject site (Site), a triangular parcel, is a former gasoline service station located at the intersection of Firestone Boulevard, Rosecrans Avenue and Bloomfield Avenue. An automotive oil and lube service (Tune-Up Masters) is currently operated at the Site. The Site had a closed case (T0603705247) in 1989. An underground waste oil tank (WOT) was removed and replaced with an above ground WOT. The closed case number was R-15108 and closure date is December 4, 1990.

An ARCO service station (#5061 located at 12606 Rosecrans Avenue) is located directly across the street from the Site. A closed case is associated with the ARCO site (T0603701557). The case was opened on February 9, 1988, and closed on September 28, 2010. Case closure was achieved despite several inches of free product still present (determined to be jet fuel) in the onsite and offsite groundwater monitoring wells. The source of jet fuel was determined to be

from a leaking underground fuel conveyance pipeline on Rosecrans Avenue operated by the Powerine Refinery.

Powerine Refinery Pipeline (CASE ID: SLT5FR232328) is located at 12606 Rosecrans Avenue, Santa Fe Springs. A fuel leak was reported January 2, 1965. The pipeline was previously operated by Former Esso/Thrifty/Golden West Refinery and the refinery was closed in 1997. A case was opened for the leaking pipeline on August 24, 2000, and the case is still currently open. Jet fuel types JP-5, JP-8 or Jet-A were reportedly detected through analyses of free product samples by ARCOs consultants.

An El Pollo Loco, a fast food restaurant, (12551 Rosecrans Avenue) is located to the west of the Site across Bloomfield Avenue. The restaurant property is reportedly a former service station site.

3.0 SUMMARY AND/OR EVALUATION OF REPORTS

The following is a table listing the reports that have been reviewed:

ENVIRONMENTAL REPORTS REVIEWED

ID #	Date of Document	Author Name and Company	Document Type	Document Title
1	5/28/1997	Kent Green Green Environmental Inc. (GEI)	Soils Investigation Report	Limited Soils Investigation Report
2	9/12/2003	Robin Chang Robin Environmental Management	Opinion Letter	Opinion on Environmental Conditions of 12605 E. Rosecrans Ave. Norwalk, CA
3	9/15/2009	Scott Edblad Stantec Consulting Corp.	Contamination Model Update (ARCO Site)	Site Conceptual Model Update
4	8/25/2010	Nhan Bao State of California EPA	Case Review Form	Underground Storage Tank Low Risk Case Review Form
5	3/30/2011	Unknown Author AMEC Geomatrix, Inc.	Investigation Report	Site Investigation Report Tune-Up Master
6	10/04/2011	Eric Kieselbach & Jay Badiel PHASE ONE INC.	Phase II Report	Limited Phase II Environmental Site Assessment

DOCUMENT ID #1, LIMITED SOILS INVESTIGATION REPORT

Summary:

In a May 1997 report, GEI reported the waste oil tank (WOT) closure of 1989; maximum sampling depths were 15 feet bgs, no significant levels of TRPH were found; including no TPH was identified under the WOT or the lifts. One sample from the eastern lift at 10' bgs was run for carbon-chain. Results were non-detectable for the sample for carbon ranging from C6 to C44 (by USEPA method 8015M).

DOCUMENT ID #2, OPINION ON ENVIRONMENTAL CONDITIONS OF 12605 E. ROSECRANS AVE. NORWALK, CA

Summary:

In 2003 Robin Environmental Management concluded no further action is needed as to the Environmental Condition of the subject site, after reviewing all available documents on the subject site.

DOCUMENT ID #3, SITE CONCEPTUAL MODEL UPDATE (ARCO SITE)-2009

Summary:

Regional Geology And Hydrogeology

The Site is located on the Main Coastal Basin within the Coastal Plain of Los Angeles County. The Main Coastal Basin is approximately 59 miles long and 15 miles wide. The Main Coastal Basin is bounded to the north by the Puente Hills, to the west by the Santa Monica Mountains, to the south by the Newport-Inglewood Structural Zone, and to the east by the Santa Ana Mountains and San Joaquin Hills (CDWR, 1988). The dominant geologic formations of the Main Coastal Basin are older, deeper Tertiary-age and younger, shallower Quaternary-age sedimentary rocks. These rocks overlie Mesozoic-age metamorphic and igneous rocks.

Two significant geologic structures are present in the area of the Site: the Norwalk Fault located ~1.3 miles southwest of the Site, and the Norwalk Syncline located ~2 miles west of the Site trending northwest to southeast (CDWR, 1961a). In the vicinity of the Site, recent-aged alluvium including gravel, sand, silt, and clay extends to approximately 80 feet bgs (CDWR, 1961b). The Lakewood Formation (Exposition, Gardena, and Gage Aquifers) is encountered at approximately 80 feet bgs in the Site vicinity and extends to a depth of approximately 240 ft. bgs. The San Pedro Formation (including from top to bottom the following aquifers: Hollydale, Jefferson, Lynwood, Silverado, and Sunnyside) occurs from approximately 240 feet bgs to approximately 1,230 feet bgs with the Pico Formation continuing beyond (CDWR, 1961a).

The Norwalk Defense Fuels Support Point is located approximately 2,800 feet to the south-southwest, and maintains groundwater monitoring wells installed into both the shallow perched aquifer (Recent Alluvium) and underlying Exposition Aquifer. Groundwater in the perched

aquifer reportedly flows to the north-northwest. Groundwater in the underlying Exposition Aquifer reportedly flows to the southeast (AMEC, 2009).

The former Golden West Refining Company (Golden West) refinery and tank farm is located approximately 5,000 feet to the northeast, and maintains off-site groundwater monitoring wells located as close as 2,500 feet northeast of ARCO Station No. 5061. Golden West groundwater monitoring wells are installed into both the perched and deeper (reported as the Artesia Aquifer at their property) aquifers. Groundwater in the perched aquifer reportedly flows predominantly to the southwest. Groundwater in the underlying Artesia Aquifer reportedly flows to the southeast (Golden West, 2009).

Site Specific Geology And Hydrogeology

Subsurface soils consist of inter-bedded and laterally discontinuous layers of silt, clay, silty sand, and sand from near surface grade to the total depth explored of 65 feet bgs.

Depth to groundwater has generally been approximately 37 to 38 feet bgs, and is considered to be a perched aquifer within the Recent Alluvium. Free Product or separate-phase hydrocarbons (SPH) have been identified in all on site and several off-Site monitoring wells at the station. A maximum SPH thickness of 10.39 feet was identified in VW-1 (June 2, 1994). Most maximum thickness measurements were identified between 1993 and 1996.

Free Product Speciation/ Forensic Analyses

To date, Atlantic Richfield (ARCO) has submitted 11 product, 3 groundwater, and 58 soil samples for forensic analyses/speciation. All product samples were identified by the laboratories as jet fuel (JP-5, JP-8, or Jet-A). Chromatograms of the groundwater samples indicate a pattern closely resembling that of the associated jet fuel product sample chromatograms and not that of gasoline. Forensic analyses/speciation work is summarized below:

Product Speciation Conclusions

All product samples submitted for speciation/forensic analyses (product holding tank, VW-2, VW-4, VW-6, TC-1, TC-2, and TC-4) have consistently been reported as jet fuel (primarily either Jet A, Jet A-1, JP-5, or JP-8). Product samples collected in January 1997 were analyzed by GC/FID, GC/ECD, as well as GC/MS. The presence of n-alkanes supported evidence of a recent release. The laboratory concluded that the JP-5, JP- 8, or Jet A appeared to have been released within the years 1995-1997. Product samples collected in March 2008 from wells VW-2, VW-4, and BH-4 were submitted to Torkelson Geochemistry in Tulsa, Oklahoma for characterization. Interpretation of the laboratory chromatograms identified the product as highly to severely degraded jet fuel, with samples noted to not appear to contain any other hydrocarbon constituents. The estimated date of jet fuel releases from the 2008 fuel fingerprinting analyses is, therefore, between 1989 and 1995. This correlates with the 1997 estimate (at time, release date was estimated at two years).

Potential Sources Of Jet Fuel

The jet fuel source is believed to be a leaking (or formerly leaking) pipeline in Rosecrans Avenue or Bloomfield Avenue. Updated information regarding potential sources of jet fuel beneath the Site was presented in Stantec's Pipeline and Jet Fuel Source Investigation report dated September 2, 2009. Conclusions from that report are presented below:

Jet fuels were historically produced or stored at three primary locations within the general Site vicinity, and transported through numerous pipelines. The primary identified sources are:

- Former Powerine Corporation (Powerine)/Cenco Refining Company (CENCO) Refinery and Tank Farm
- Former Golden West Refining Company (Golden West) Refinery and Tank Farm
- Defense Fuels Support Point (DFSP), Norwalk facility
- Santa Fe Pacific Pipeline Partners (SFPP), Norwalk Pump Station
- Both Golden West and Powerine/CENCO delivered refined products including aviation/jet fuels to the DFSP Norwalk facility through subsurface pipelines connecting the facilities. The DFSP also received fuel products through pipelines connecting other southern California area refineries and marine terminals in the San Pedro area. Pipelines leaving the DFSP delivered fuel products to other Department of Defense (DOD) facilities including those in Nevada and Arizona.

SFPP operated a pump station on a 2-acre easement within the DFSP tank farm property to boost products passing through existing pipelines. The pump station was decommissioned in 2001, but three pipelines heading eastward along the southern boundary of the DFSP facility remain in service and continue to convey refined petroleum fuels including gasoline, diesel, and jet fuel (AMEC, 2009).

A total of three pipelines have been identified located within the intersection of Rosecrans Avenue and Bloomfield Avenue (adjacent to ARCO Station No. 5061) that are reported to have conveyed jet fuel (POC Line #2, POC Line #9, and the Golden West Air Force Line). The approximate pipeline locations are indicated on Figures 1 and 2 of the ARCO report.

The Golden West Air Force Line was reportedly used to convey JP-4 (Jet Fuel) in the 1960's and early 1970's when the refinery was operated by Gulf Oil. It is not clear whether the line was being operated by Gulf or the U.S. Government during this time period as it has also been reported that the U.S. Government may have used this pipeline between the 1940's and 1960's to convey jet fuel to the DFSP Norwalk facility. Golden West stated the pipeline had more recently been used to convey diesel and for some product-re-routing (Stantec, 2009b). Golden West stated there were no known releases from the pipeline and it was filled with slurry and abandoned in the late 1990's. Considering the documented jet fuel use, operation time period, and lack of available hydro-static testing data, the Golden West Air Force Line is considered a suspect source of jet fuel observed at ARCO Station No. 5061.

Powerine/CENCO POC Line #2 was used to convey jet fuel and reported to be primarily in operation from 1978 through suspension of refining operations at the Powerine refinery in 1995. POC Line #2 has reportedly not been operated since 1995. Considering the documented jet fuel use, operational time period, and lack of available hydro-static testing data, POC Line #2 is considered a suspect source of jet fuel observed at ARCO Station No. 5061.

Powerine/CENCO POC Line #9 was used to convey jet fuel, and was reported to be primarily in operation from 1969 through 1982. POC Line #9 was taken out-of-service from 1982 through 1992, then re-activated from 1992 through 1995 until suspension of refining operations at the Powerine refinery in 1995. POC Line #9 has not been operated since 1995. Considering the documented jet fuel use, operation time period, and lack of available hydro-static testing data, Line #9 is considered a suspect source of jet fuel observed at ARCO Station No. 5061.

Based on forensic analyses, the estimated date of jet fuel releases is between 1989 and 1995. This correlates with the operational time frame of POC Line #2 and POC Line #9, active up until 1995, and documented to transport jet fuel. The Golden West Air Force Line is also a suspected source as it was not abandoned until the late 1990's and was reported to be more recently used to convey diesel and for re-routing product (type non stated).

Summary/Conclusions

Extensive soil and groundwater assessments were completed both on and off-Site from 1987 through 1993, and in 2009.

Floating (free) product (SPH) was encountered at approximately 37-38 feet bgs during installation of initial assessment borings (BH-1, BH-2, BH-3) installed peripheral to the underground storage tanks in November 1987. BH-1, installed closest to the USTs, contained the least amount of SPH. BH-2, installed northwest of the USTs and closest to the intersection of Bloomfield Avenue and Rosecrans Avenue *contained the largest thickness of SPH*. The product was initially thought to be related to a release at the gasoline USTs. Assuming that floating product beneath the Site was associated with a release at the gasoline USTs, Atlantic Richfield implemented removal of free product. A total of 3,735 gallons of free product were removed from beneath the site prior to speciation of the product as jet fuel.

Product recovery activities stopped after the product was identified as jet fuel in August 1992. To date, Atlantic Richfield has submitted 11 product, 3 groundwater, and 58 soil samples for forensic analyses/speciation. The product samples were identified by the laboratories as jet fuel JP-5, JP-8, or Jet-A. Atlantic Richfield has conducted monitoring/gauging of jet fuel beneath the site since 1987, with biannual gauging conducted since 1993. Jet fuel product has historically been, and continues to be identified in all on and off-site wells. The wells were last gauged on June 25, 2009, and jet fuel product thicknesses ranged from 3.30 to 4.92 feet.

Only soil samples collected directly beneath the base of the former USTs, and soil borings installed directly within the confines of the former USTs (BH-7, BH-8, and SB-2) identified notable gasoline related vadose zone impacts, with the highest concentrations located from approximately 15 to 35 feet bgs. Jet fuel related soil impacts were identified in soil within the capillary fringe and below.

Soil borings installed peripheral to the USTs and dispenser islands (potential source areas) indicated non detectable or low gasoline related constituents in soil until approximately 37 feet bgs, at which point soils impacted or saturated by jet fuel perched on groundwater were encountered.

The jet fuel source is believed to be a leaking (or formerly leaking) pipeline in Rosecrans Avenue or Bloomfield Avenue. Updated information regarding potential sources of jet fuel beneath the Site was presented in Stantec's Pipeline and Jet Fuel Source Investigation report dated September 2, 2009.

Three pipelines have been identified located within the intersection of Rosecrans Avenue and Bloomfield Avenue (adjacent to ARCO Station No. 5061) that are reported to have conveyed jet fuel (POC Line #2, POC Line #9, and the Golden West Air Force Line.

Based on forensic analyses, the estimated date of jet fuel releases is between 1989 and 1995. This correlates with the operational time frame of POC Line #2 and POC Line #9, active up until 1995, and documented to transport jet fuel. The Golden West Air Force Line is also a suspected source as it was not abandoned until the late 1990's and was reported to be more recently used to convey diesel and for re-routing product (type non stated).

A hydropunch assessment conducted by Atlantic Richfield in 1992 (11 off-Site locations) identified elevated concentrations of dissolved-phase hydrocarbons to the north and northwest, in the areas of POC Lines #2 and #9, and the Golden West Air Force Line. However, groundwater samples were only analyzed for gasoline range hydrocarbons, and not the jet fuel extractable range.

The CRWQCB-LA issued directive letters to both CENCO and Golden West in relation to requested investigations of their pipelines located at the intersection of Rosecrans and Bloomfield Avenues. CENCO submitted a "Workplan and Report for Assessment of Petroleum Hydrocarbon Contamination in Soil and Groundwater" to the CRWQCB-LA dated January 22, 2002. Golden West received a letter from the CRWQCB-LA dated January 22, 2002, requesting submittal of a "workplan for soil and groundwater investigation" due July 31, 2002.

A file review of the above two cases conducted at the CRWQCB-LA in March 2007, and recent review of available documents in Geotracker, did not identify documentation indicating any assessment work had been implemented by CENCO or Golden West to investigate their pipelines within the intersection of Rosecrans and Bloomfield Avenues.

Based on current available information, only Atlantic Richfield has conducted assessment of the jet fuel impacts associated with a likely pipeline leak in the vicinity of Rosecrans Avenue and Bloomfield Avenue, of which Atlantic Richfield is not the source.

Document ID #4, Underground Storage Tank Low Risk Case Review Form

Summary:

This document dated August 25, 2010, prepared by the California Regional Water Control Board (CRWQCB) and Cal EPA, provides a detailed analysis of the Low Risk Closure of the ARCO site directly across the street from our subject site. The following is a summary of the factors supporting Low Risk Closure:

1. The extent of the soil contamination is defined.
2. Low concentrations of petroleum contamination exist in the vadose zone.
3. The groundwater beneath the site is contaminated with Jet Fuel.
4. The Jet fuel came from off site sources.
5. The Regional Board issued investigation orders on May 18, 2010 to the pipelines (Golden West Refining Company and Lakeland Development Company).

Document ID #5, Site Investigation Report Tune-Up Master

Summary:

The consulting firm of AMEC Geomatrix, Inc. performed a site assessment of Tune-up Masters property for Caltrans (March 30, 2011); however, the complete report was not transmitted to our Client or Phase One; we did not receive the actual laboratory results or the exact sampling locations. The report has a narrative that 8 soil borings were installed with depths ranging from hand auger depth (may be 5-10 feet) to Geoprobe depths. A maximum depth reported was 64 feet bgs. A summary of the results are as follows:

1. Two (2) of 35 soil samples (depths 5 and 10 feet bgs) contained TPH (carbon chain) above MSSSLs,
2. Some vapor samples contained VOCs above screening levels (no numbers).
3. One soil sample had a 1000 mg/kg lead content.
4. Four groundwater samples were collected at 36 to 38 feet bgs. One sample had free product.
5. VOCs were detected in all water samples.

The Report concluded that soil vapor impact was present in three borings: 102, 103, and 106. Site soil impact is detected only in the upper 20.5, but below 5 feet; TPH in groundwater is determined to be **Jet fuel**.

Document ID #6, Limited Phase II Environmental Site Assessment

Summary:

Phase One, Inc.'s investigation results of September 2011 at Tune-Up Masters indicates that soil, groundwater, and soil vapor was impacted by fuel hydrocarbons (likely Jet Fuel). Maximum soil impact was found at the soil/water interface (capillary fringe) at a depth of 38-40 feet bgs. Boring GP2 (southwest corner) had the highest impact, clearly pointing to an offsite source (Jet Fuel Transmission Lines). GP2 boring is the closest to the underground pipeline traversing Rosecrans Ave. and Bloomfield Ave. For the investigated areas, maximum impacted area, and the soil boring locations, see **Figure 2A, Areal Distribution of Petroleum Hydrocarbons**.

SUMMARY OF ANALYTICAL RESULTS

Samples Collected 9/13/2011

Soil Samples

Sample ID#	EPA 8260B (VOCs & Oxygenates) mg/kg	EPA 8015M (Carbon Chain) mg/kg	Pertinent Screening Levels * mg/kg
7122-GP1-10	0.023 Naphthalene	ND	4.8 naphthalene
7122-GP1-20	ND	ND	
7122-GP1-35	ND	ND	
7122-GP1-40	0.002 Benzene, 0.016 Ethyl benzene, 0.003 Isopropyl Benzene, 0.004 n-Propyl Benzene, 0.114 Naphthalene	0.2 Gasoline (C4-C12), 71.2 Diesel (C13-C24)	2.0 benzene 4.7 ethyl benzene 1.1 ** isopropyl benzene 2.5 ** n-propyl benzene 4.8 naphthalene
7122-GP2-10	0.112 Ethyl benzene, 0.004 Total Xylenes, 0.022 Isopropyl Benzene, 0.155 n-Propyl Benzene, 0.006 p-Isopropyl -Toluene, 0.31 1, 2, 4-Trimethyl - Benzene, 0.041 sec-Butyl benzene, 0.141 n-Butyl benzene, 2.96 Naphthalene	18.5 Gasoline (C4-C12), 108 Diesel (C13-C24)	4.7 ethyl benzene 11 xylenes 1.1 ** isopropyl benzene 2.5 ** n-propyl benzene NL p-isopropyl toluene 0.021 ** 1, 2, 4- trimethyl - benzene NL sec-butyl benzene NL n-butyl benzene 4.8 naphthalene
7122-GP2-20	0.002 Benzene, 0.127 Ethyl benzene, 0.008 Isopropyl Benzene, 0.035 n-Propyl Benzene, 0.048 Naphthalene	1.45 Gasoline (C4-C12)	2.0 benzene 4.7 ethyl benzene 1.1 ** isopropyl benzene 2.5 ** n-propyl benzene 4.8 naphthalene
7122-GP2-35	0.003 Benzene, 0.006 Naphthalene	ND	2.0 benzene 4.8 naphthalene

Sample ID#	EPA 8260B (VOCs & Oxygenates) mg/kg	EPA 8015M (Carbon Chain) mg/kg	Pertinent Screening Levels * mg/kg
7122-GP2-40	13.3 Benzene, 0.5 Toluene, 27.2 Ethyl benzene, 67.5 Total Xylene, 9.71 Isopropyl Benzene, 14 n-Propyl Benzene, 39.3 4-Chlorotoluene, 29.7 p- Isopropyl Toluene, 130 1, 2, 4-Trimethyl -Benzene, 12.7 sec-Butyl benzene, 29.1 n-Butyl benzene, 163 Naphthalene	13,700 Gasoline (C4-C12), 28,000 Diesel (C13-C24)	2.0 benzene 9.3 toluene 4.7 ethyl benzene 11 xylenes 1.1 ** isopropyl benzene 2.5 ** n-propyl benzene 2.5 ** 4-chlorotoluene NL p-isopropyl toluene 0.021 ** 1, 2, 4-trimethyl - benzene NL sec-butyl benzene NL n-butyl benzene 4.8 naphthalene
7122-GP3-10	ND	ND	
7122-GP3-20	ND	ND	
7122-GP3-35	ND	ND	
7122-GP3-40	0.011 Benzene, 0.033 Ethylbenzene, 0.028 Total Xylene, 0.005 Isopropyl Benzene, 0.005 n-Propyl Benzene, 0.007 1, 3, 5-Trimethyl- Benzene, 0.02 1, 2, 4-Trimethyl- Benzene, 0.143 Naphthalene	1.53 Gasoline (C4-C12)	2.0 benzene 4.7 ethyl benzene 11 xylenes 1.1 ** isopropyl benzene 2.5 ** n-propyl benzene 0.021 ** 1, 2, 4-trimethyl - benzene 0.52 ** 1, 3, 5-trimethyl - benzene 4.8 naphthalene
7122-GP4-10	ND	ND	
7122-GP4-20	ND	ND	
7122-GP4-35	ND	ND	
7122-GP4-40	0.004 Benzene, 0.024 Ethyl benzene, 0.003 Isopropyl Benzene, 0.003 n-Propyl Benzene, 0.12 Naphthalene	0.28 Gasoline (C4-C12)	2.0 benzene 4.7 ethyl benzene 1.1 ** isopropyl benzene 2.5 ** n-propyl benzene 4.8 naphthalene

* Source = deep soil (>10 feet) screening levels for non-drinking groundwater areas
(Table D-2 commercial industrial land use Bay Area RWQCB Nov.2007)

** Source = USEPA Regional Screening Levels – Risk based soil screening level

ND Non-Detect

NL No Screening Level mg/kg= milligrams per kilogram

**Samples Collected 9/13/2011
Water Samples**

Sample ID#	EPA 8260B (VOCs & Oxygenates) ug/L	EPA 8015M ug/L (Carbon Chain)	Pertinent Screening Levels* ug/L
7122-GP1-W	176 Benzene, 537 Ethylbenzene, 2,830 Total Xylene, 503 Isopropyl Benzene, 1,060 n-Propyl Benzene, 4,970 1, 3, 5-Trimethyl- Benzene, 2,120 p-Isopropyl- Toluene, 14,400 1, 2, 4-Trimethyl- Benzene, 1,500 sec-Butylbenzene, 5,000 n-Butylbenzene, 25,200 Naphthalene	2,800 Gasoline (C4-C12), 245 Diesel (C13-C24)	1.0 benzene 150 toluene 300 ethyl benzene 1750 xylenes
7122-GP2-W	2,480 Benzene, 40 Toluene, 2,220 Ethylbenzene, 7,060 Total Xylene, 820 Isopropyl Benzene, 1,350 n-Propyl Benzene, 4,160 1, 3, 5-Trimethyl - Benzene, 3,430 p-Isopropyl -Toluene, 12,700 1, 2, 4-Trimethyl -Benzene, 1,230 sec-Butylbenzene, 3,420 n-Butylbenzene, 19,600 Naphthalene	2,100 Gasoline (C4-C12), 409 Diesel (C13-C24)	1.0 benzene 150 toluene 300 ethyl benzene 1750 xylenes
7122-GP3-W	102 Benzene, 67.5 Ethylbenzene, 232 Total Xylene, 15.5 Isopropyl Benzene, 21.6 n-Propyl Benzene, 73.9 1, 3, 5-Trimethyl - Benzene, 15.8 p-Isopropyl Toluene, 246 1, 2, 4-Trimethyl -Benzene, 12 sec-Butylbenzene, 12.7 n-Butylbenzene, 594 Naphthalene	7.76 Gasoline (C4-C12), 31.5 Diesel (C13-C24)	1.0 benzene 300 ethyl benzene 1750 xylenes
7122-GP4-W	149 Benzene, 210 Ethylbenzene, 740 Total Xylene, 54 Isopropyl Benzene, 87.2 n-Propyl Benzene, 422 1, 3, 5-Trimethyl - Benzene, 172 p-Isopropyl Toluene, 1,130 1, 2, 4-Trimethyl -Benzene, 85.8 sec-Butylbenzene, 325 n-Butylbenzene, 2,960 Naphthalene	246 Gasoline (C4-C12), 15.9 Diesel (C13-C24)	1.0 benzene 300 ethyl benzene 1750 xylenes

* Source = CA Title 17 Maximum Contaminant Levels (MCLs) for drinking water

Note: Chemicals not listed have no MCL

ND Non-Detect
mg/l milligrams per liter
µg/L micrograms per liter
N/A Not applicable, Not Analyzed

**Samples Collected 9/13/2011
Vapor Samples**

Sample ID#	EPA 8260B (VOCs & Oxygenates)ug/L	EPA 8015 M (TPH-Gasoline)ug/L	Pertinent Screening Levels* ug/L
7122-GP1-VAP	0.58 Toluene, 3.13 Ethylbenzene, 4.82 Total Xylene, 0.93 n-Propyl Benzene	1.020 Gasoline (C4-C12)	378 toluene 887 Xylenes
7122-GP2-VAP	2.14 Benzene, 71.1 Ethylbenzene, 9.51 Total Xylene, 4.41 Isopropyl Benzene, 11.2 n-Propyl Benzene, 1.81 1, 3, 5- Trimethyl - Benzene, 0.82 p-Isopropyl Toluene, 6.81 1, 2, 4-Trimethyl -Benzene, 1.19 sec-Butylbenzene, 1.4 n- Butylbenzene, 0.91 Naphthalene	7,140 Gasoline (C4-C12)	0.122 benzene 887 Xylenes 0.106 naphthalene
7122-GP3-VAP	0.64 Ethylbenzene, 0.68 Total Xylene	344 Gasoline (C4-C12)	887 total xylenes
7122-GP4-VAP	ND	171 Gasoline (C4-C12)	

* Source = CHHSL's - California Human Health Screening Levels, CALEPA
Commercial industrial land use, shallow soil gas HHSLs Table-2 values were used
Note: Chemicals not listed have no MCL

ND Non-Detect
µg/L micrograms per liter

4.0 CONCLUSIONS AND RECOMMENDATIONS

As seen and demonstrated by the above listed and reviewed documents, the subject site has been extensively investigated over the years for various environmental contamination. Based on the following key points compiled from all the available data, both from on-site investigations to a very extensive off-site (adjacent, ARCO) investigation and site cleanup, the subject site's (12605 Rosecrans Ave. Norwalk, CA) southern property line is contaminated by Jet Fuel. It appears that all identified significant impacts of the vadose zone; soil and groundwater are the result of pipeline leakage of Jet Fuel from the lines currently and previously running within the road bed adjacent to the subject site along Rosecrans and Bloomfield Avenues. The subject site has never stored, handled, or dispensed Jet Fuel in any way; therefore, Caltrans needs to identify the responsible parties and require them to address the contamination within the foot print of construction.

SOIL

- No levels of VOCs (USEPA Method 8260B) or Fuels (USEPA Method 8015) were detected that are a concern or that exceed their respective reporting limits and/or any identified action levels except in the southern area of the Site (Jet Fuel).

GROUNDWATER

- Elevated concentrations of VOCs (USEPA Method 8260B) and fuels (USEPA Method 8015M Carbon Chain) were detected that are a concern and/or exceed their respective reporting limits or any identified action levels in all four groundwater samples. This is an indication that the local perched water in the site area has been degraded due to area-wide subsurface source(s). A known leaking pipeline (Powerine, Jet Fuel) exists in the close proximity of the Site.

SOIL VAPORS

- Low concentrations of VOCs (USEPA Method 8260B) were detected in three of the vapor samples from borings GP1, GP2, and GP3. No levels of VOCs were detected in GP4.
- Elevated gasoline range (C4-C12) fuel hydrocarbons (USEPA 8015M carbon chain) were reported from the GP1 and GP2 vapor samples, while moderately low level of gasoline range are reported from the GP3 and GP4 vapor samples. Using shallow soil screening levels (from CHHSLs) for industrial/commercial land use, VOCs and fuels in soil vapor are not a concern except for the following:
 - Vapor sample 7122-GP2-VAP exceeds the screening levels for benzene. The gasoline range fuel hydrocarbons in this sample are also the highest among the vapor samples (jet Fuel).

Low VOCs in the collected vapor samples indicate that the fuel source is either a fuel type with low volatile compounds (such as Jet fuel or diesel) or the source is an older leak that has lost its volatile compounds.

Based on the soil, groundwater, and soil vapor samples results collected at the project Site and presented in this report, **PHASE ONE INC.** finds evidence of contamination beneath the Site.

However:

- No fuels, including gasoline or diesel fuel, have been stored, dispensed or used at the Site in over 20 years.
- Jet fuel has been reported in the subsurface area of the Site and the neighboring properties. Source of the jet fuel is reportedly a leaking fuel conveyance pipeline belonging to Powerine Refinery in Santa Fe Springs. It appears that an offsite source has caused the impact to soil/soil vapor and groundwater at the Site and its immediate vicinity.
- Extensive soil and groundwater investigations at ARCO Service Station No.5061 located at 12606 Rosecrans Avenue (across from the Site) have demonstrated that the source of soil and groundwater impact in the immediate Site vicinity is an underground jet fuel pipeline.
- The laboratory has determined that the fuels in the soil and perched groundwater samples match jet fuel based on the chromatogram review.
- The proposed use of the Site by Caltrans is an addition to the I-5 Freeway ingress or egress ramp. The street will be capped with asphalt or concrete. As such, there will be no human health risk associated with the proposed property use.

5.0 LIMITATIONS

To achieve the study objectives stated in this report, we were required to base **PHASE ONE INC.**'s conclusions and recommendations on the best information available during the period the investigation was conducted and within the limits prescribed by **PHASE ONE INC.**'s client in the contract/authorization agreement and standard terms and conditions.

PHASE ONE INC.'s professional services were performed using that degree of care and skill ordinarily exercised by environmental consultants practicing in this or similar fields. The findings were mainly based upon examination of historic records, governmental agencies lists, and laboratory analytical reports. Recommendations are based on the historic land use of the subject property, as well as features noted during the site walk and Phase II assessment. The absence of potential gross contamination sources, historic or present, does not necessarily imply that the subject property is free of any contamination. This report only represents a "due diligence" effort as to the integrity of the subject property. No other warranty or guarantee, expressed or implied, is made as to the professional conclusions or recommendations contained in this report. The limitations contained within this report supersede all other contracts or scopes of work, implied or otherwise, except those stated or acknowledged herewith.

This report is not a legal opinion. It does not necessarily comply with requirements defined in any environmental law such as the "innocent landowner defense" or "due diligence inquiry." Only legal counsel retained by the client is competent to determine the legal implications of any information, conclusions, or recommendations in this report.

The findings, conclusions, recommendations, and professional opinions contained in this report have been prepared by the staff of **PHASE ONE INC.**, in accordance with generally accepted professional practices.

Sample results should not be construed as conclusive and binding in any way. All sampling conducted is only for the purposes of general screening and does not imply that all materials, locations, or hazardous materials have been identified nor was the sampling intended to identify every instance of the materials sampled. **PHASE ONE INC.** only relays the information supplied by the laboratory conducting the analysis.

6.0 REPORT SIGNATURE AND CERTIFICATION

The undersigned hereby certifies that:

The following people have prepared, written, and/or reviewed the report for Project #7122 Evaluation. All the below parties have, in good faith, conducted their respective project responsibilities using that degree of care and skill ordinarily exercised by environmental consultants practicing in this or similar fields.

All parties have acted in good faith and have no known relationship with the subject site, owners, buyers, or any other entity associated with the subject site. All respective project responsibilities have been conducted independently, and with no conflict of interest.

The statements of fact contained in this report are true and correct based on materials reviewed to the best of our abilities.

The reported analyses, opinions, and conclusions are personal, unbiased, professional, and limited only by the assumptions and qualifications stated herein. Compensation is not contingent upon an action or an event resulting from the analyses, opinions, or conclusions included in this report nor is it contingent upon the use of this report.

The investigation has been performed in accordance with all applicable legal requirements and in accordance with accepted practices prevailing in the environmental assessment and environmental consulting industries. The personnel who performed the investigation (or are under the direct supervision of personnel) whom are properly licensed and certified in accordance with the requirements of all federal, state, and local laws, rules, and regulations.

We have no present or prospective interest in the subject property or the parties involved.

If necessary, expert testimony and other legal appearances will be provided at our current Standard Schedule of Rates.



Eric Kieselbach President

Jay Badiei, PG #6744

FIGURES

APPENDICES

From: [Mark Berkebile](#)
To: [Joseph Dzida](#)
Subject: RE: FW: Jones v. Caltrans
Date: Friday, May 06, 2011 1:46:41 PM
Attachments: [Site Investigation Report - 03302011.pdf](#)

Joe,

Attached is the summary of results from the State's consultant.

(See attached file: Site Investigation Report - 03302011.pdf)

Mark Berkebile
Deputy Attorney
State of California
Department of Transportation
(213) 687-6000

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Joseph Dzida
<jdzida@crdattorn
jdzida@crdattorn>
04/29/2011 10:11 AM

To
Mark Berkebile
<mark_berkebile@dot.ca.gov>
cc

Subject
RE: FW: Jones v. Caltrans

Would it be possible to get these results so that the problem can be addressed if there is one?

Joe

-----Original Message-----

From: Mark Berkebile [mailto:mark_berkebile@dot.ca.gov]
Sent: Friday, April 29, 2011 9:11 AM
To: Joseph Dzida
Cc: eric_fleetwood@dot.ca.gov
Subject: Re: FW: Jones v. Caltrans

Joe,

My understanding is that the test results indicated that there is environmental contamination on the property.

Mark Berkebile
Deputy Attorney
State of California
Department of Transportation
(213) 687-6000

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Joseph Dzida
<jdzida@crdattorneys.com>
To
Mark Berkebile
<mark_berkebile@dot.ca.gov>,
"eric_fleetwood@dot.ca.gov"
<eric_fleetwood@dot.ca.gov>
cc
04/28/2011 03:59 PM
Subject
FW: Jones v. Caltrans

Have not received a reply to the following. Please advise.

Joe

From: Joseph Dzida
Sent: Friday, April 22, 2011 3:20 PM
To: Mark Berkebile
Subject: RE: Jones v. Caltrans

Mark: Did the property test clean?

Joe

-----Original Message-----

From: Mark Berkebile [mailto:mark_berkebile@dot.ca.gov]
Sent: Friday, April 22, 2011 2:22 PM
To: Joseph Dzida
Subject: Re: Jones v. Caltrans

Joe,

The environmental testing has been completed and the next step is to appraise the property interest(s) to be acquired. As far as I know, the anticipated schedule for completing the appraisal and getting it approved is generally the same as what we discussed at the mediation.

Mark Berkebile
Deputy Attorney
State of California
Department of Transportation
(213) 687-6000

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Joseph Dzida
<jdzida@crdatton
eys.com>
04/20/2011 09:21 AM
To
"mark_berkebile@dot.ca.gov"
<mark_berkebile@dot.ca.gov>,
"eric_fleetwood@dot.ca.gov"
<eric_fleetwood@dot.ca.gov>
cc
Subject
Jones v. Caltrans

Mark and Eric:

Have not heard back from you since the mediation. Has any progress been made?

Our brief is due on Monday and I am prepared to file it. Was hoping that there would be no need, however.

What is the status on your end?

Regards,

Joe Dzida

Joseph S. Dzida
Callanan, Rogers & Dzida, LLP
800 South Figueroa Street, Suite 1100
Los Angeles, California 90017-2521
Phone: 213-599-7595
Fax: 213-599-7596
Cell: 310-780-0902
E-mail: jdzida@crdattorneys.com
Websites: www.crdattorneys.com; www.eminentdomainlegal.com

From: Joseph Dzida
To: Mark Berkebile; eric.fleetwood@dot.ca.gov
Bcc: Greg Jones
Subject: Jones v. Caltrans -- environmental
Date: Tuesday, May 10, 2011 7:08:46 PM
Attachments: Site Investigation Report - 03302011.pdf

Mark:

Thank you for the attached summary. Among other things:

- a. The summary does not specify or make any findings concerning whether the purported contamination arose due to activity on my client's property. In fact, the summary states on page 2 that the borings were made "within the construction footprint of the project." That would include a part of my client's property; but also other properties not owned by my client and public right of way. In this regard, the summary also does not specifically identify if the findings come from the areas Caltrans is proposing to take from my client's property, or from under the remainder property they are suggesting my client retain, or from the adjacent property that Caltrans has suggested my client take as partial compensation.
- b. The summary refers to ground water contamination but does not describe any investigation to determine the source of the contamination. In fact, at the bottom of page 7 the consultant describes such an investigation confirming that it has not already been performed, and at page 5 the summary states that the contamination is "consistent with" jet fuel (which has never been on my client's property to our knowledge) and that it is "consistent with" "previously documented subsurface releases and/or conditions located near the site," not on it or under it.
- c. The summary includes costs for removal of tenant equipment. What authority does Caltrans have for the proposition that this is chargeable to the owner in a condemnation situation?
- d. There is nothing in the report that contains any evidence that the possible conditions described ACTUALLY affect in any way the market value of the subject property or its capacity to generate income for

the owners.

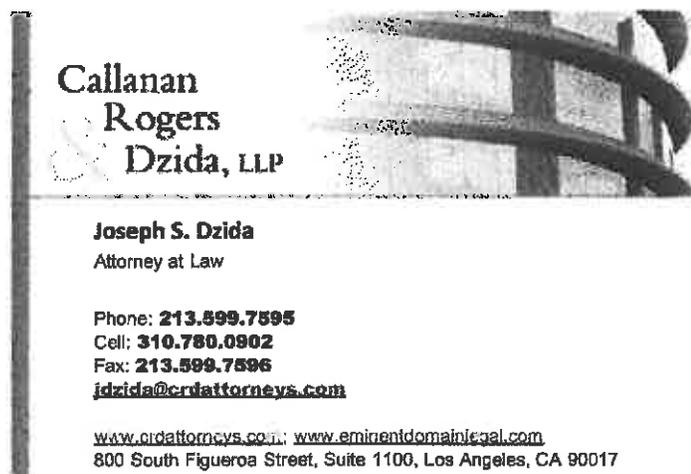
Is it Caltrans' position that the \$851,240 described on page 8 or any other sum should be deducted from the compensation to be paid to my client or any occupant of the property? If so, what is the basis for that contention? If that is Caltrans' position is there any reason at all to proceed with the scheduled second session of the mediation in light of the fact that such a demand makes mediation totally impractical and unproductive? Please advise immediately.

We will probably have more questions once these questions are answered and we reserve the right to retain our own consultant to review these findings and the scope of proposed work. In that regard, we would also like to have a copy of the full report, and not just the summary you sent, so it can be analyzed in detail. Would it be possible for your consultant to mail me a disc with a full copy?

Let's discuss.

Regards,

Joe Dzida



**Callanan
Rogers
Dzida, LLP**

Joseph S. Dzida
Attorney at Law

Phone: **213.599.7595**
Cell: **310.780.0902**
Fax: **213.599.7596**
jdzida@crdattorneys.com

www.crdattorneys.com; www.eminentdomainlegal.com
800 South Figueroa Street, Suite 1100, Los Angeles, CA 90017

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From: Joseph Dzida
To: Greg Jones
Subject: FW: Jones v. Caltrans
Date: Wednesday, December 14, 2011 5:41:47 PM
Attachments: 7122Evaluation.doc

Fyi

From: Joseph Dzida
Sent: Wednesday, December 14, 2011 5:41 PM
To: mark_berkebile@dot.ca.gov; eric_fleetwood@dot.ca.gov
Subject: Jones v. Caltrans

Mark and Eric:

Sometime ago you sent a purported environmental evaluation of the subject property to us and suggested that any compensation paid to my client would be reduced by clean up costs. Of course, that is disputed by us and my client has obtained his own evaluation attached, which demonstrates that the source of contamination in the area is elsewhere and must be tackled on an area wide basis and not from my client's specific property. Please call if you have any questions.

Regards,

Joe Dzida

Joseph S. Dzida
Callanan, Rogers & Dzida, LLP
800 South Figueroa Street, Suite 1100
Los Angeles, California 90017-2521

Phone: 213-598-7595

Fax: 213-598-7596

Cell: 310-780-0902

E-mail: jdzida@crdattorneys.com

Websites: www.crdattorneys.com; www.eminentdomainlegal.com

Joseph Dzida

From: Steven Johnson [steven_johnson@dot.ca.gov]
Sent: Friday, February 10, 2012 1:28 PM
To: Joseph Dzida
Subject: RE: Jones Rosecrans Property

Mr. Dzida,

I will share your concerns with our legal team.



Steven Johnson
Division of Right of Way
100 South Main Street
Los Angeles, CA 90012
Office: (213) 897-0698
Fax (213) 897-0656

Joseph Dzida <jdzida@crdattorneys.com>

02/10/2012 11:28 AM

To Steven Johnson <steven_johnson@dot.ca.gov>
cc Greg Jones <greg@jonesre.net>
Subject RE: Jones Rosecrans Property

Steve:

Disagree with your first paragraph completely. It is now apparent that you have no appraisal or other opinion that the fair market value of the property has been impacted at all by the contamination you claim. Please provide legal authority for your position that my client must pay clean up costs for a condition caused by others and originating off site. Please provide legal authority for your position that my client must pay clean up costs for a condition, even if it originated on site, if that condition did not affect the market value of the property. If you have no such authority, please so state.

Thank you for the information on the \$5000 reimbursement. I will consult with Mr. Jones regarding it.

Joe

From: Steven Johnson [mailto:steven_johnson@dot.ca.gov]
Sent: Friday, February 10, 2012 8:33 AM
To: Joseph Dzida
Subject: RE: Jones Rosecrans Property

Mr. Dzida,

I appreciate the concerns you have for your client's position. The appraisal that was provided to you was completed by certified appraiser whose qualifications are presented within the appraisal report. Next, as I am sure you are aware, when purchasing a property all exiting liabilities must be taken into consideration. In this case, the cost to clean up the hazardous waste exceeds the fair market value of the property. Again, I refer you to the information that has been provided to you regarding the hazardous waste findings. Specific information can be found within the appraisal report. Lastly, I believe that your question regarding reimbursement was adequately answered. However, in the interest of good will, I will provide you with the information that you are requesting.

5. Pursuant to Civil Code of Procedure Section 1263.025 should you elect to obtain an independent appraisal, the Department will pay for the actual reasonable costs up to \$5,000 subject to the following conditions;

a) You, not the Department, must order the appraisal. Should you enter into a contract with the selected appraiser, the Department of Transportation will not be a party to the contract.

b) The selected appraiser must be licensed with the Office of Real Estate Appraisers (OREA)

Appraisal cost reimbursement requests must be made in writing, and submitted to the Department of Transportation, Right of Way Acquisition, 100 South Main Street MS-6, Los Angeles, CA 90012 within 90 days of the earliest of the following dates: (1) the date the selected appraiser requests from you for the appraisal; or, (2) the date upon which you, or someone on your behalf, remitted full payment to the selected appraiser for the appraisal. Copies of the contract (if a contract was made), appraisal report, and invoice for completed work by the appraiser must be provided to the Department of Transportation concurrent with submission of the appraisal cost reimbursement request. The costs must be reasonable and justifiable.

Again, thank you for sharing your concerns. I hope that this information was helpful to you.



Joseph Dzida <jdzida@crdattorneys.com>

02/09/2012 03:39 PM

To Steven Johnson <steven_johnson@dot.ca.gov>
cc Greg Jones <greg@jonesre.net>
Subject RE: Jones Rosecrans Property

Steve:

This does not get it done. Your offer must be based on expert appraisal and, if necessary, other expert opinion. I have received a report that says there is contamination, and I have received an appraisal; but I have received NOTHING that says the contamination reduces the value of the property at all, let alone as drastically as you claim. Please send me the opinion and analysis on which the reduction was based, IF IT EXISTS. If it does not exist, please advise immediately.

Since my client collected rent on this property in excess of your purported value for many years until Caltrans created a cloud of condemnation over it, the valuation you have provided to me is plainly in bad faith and it does not comply with the requirements of law.

Finally, you did not answer my question about the \$5000 reimbursement other than to refer to a pamphlet. Please do so immediately. My client is entitled to know if Caltrans will pay in this case; not just generally, before he expends funds for an appraisal.

Joe Dzida

From: Steven Johnson [mailto:steven_johnson@dot.ca.gov]
Sent: Thursday, February 09, 2012 3:34 PM
To: Joseph Dzida
Subject: RE: Jones Rosecrans Property

Mr. Dzida,

Thanks for getting back to me. Mr. Jones' rights regarding reimbursement can be found under section 5 of the form titled "Summary Statement Relating To The Purchase of Real Property or Interest Therein." With regards to the parcel, Caltrans will be requiring the entire property for this project. Currently, the property has a fair market value of \$570,000.00. Unfortunately there is hazardous waste present with a remediation cost that exceeds the fair market value of the property. As a result, Caltrans made the decision to present your client with a nominal offer of \$1,000.00 as stated in the appraisal.

 **Steven Johnson**
Division of Right of Way
100 South Main Street
Los Angeles, CA 90012
Office: (213) 897-0698
Fax (213) 897-0656

Joseph Dzida <jdzida@crdattorneys.com>

02/09/2012 02:55 PM

To Steven Johnson <steven_johnson@dot.ca.gov>
cc
Subject RE: Jones Rosecrans Property

Steve: I received the additional copy you sent today. So far, we have not found the earlier copy. In any event, I am sure my client has a nice round "file" in which to place Caltrans' \$1000 offer. Will Caltrans reimburse my client up to \$5000 as required by law if he obtains his own appraisal? Also, I am wondering about the "partial fee," as we were informed that Caltrans would acquire the entire property. Please advise.

Regards,

Joe Dzida

From: Steven Johnson [mailto:steven_johnson@dot.ca.gov]
Sent: Thursday, February 09, 2012 10:11 AM
To: Joseph Dzida
Subject: RE: Jones Rosecrans Property

Mr. Dzida,

Please be advised that I have received a return receipt from the post office indicating that the appraisal I forwarded to your office was signed for on January 27, 2012 by Judy Lock. I hope that you now have the document in your possession. I attempted to send an electronic copy, however the file size was too large to allow the transmission to be completed. As such I sent an additional copy to you on 2/8/12. If you have any questions please feel free to call me, have a great day.



Joseph Dzida <jdzida@crdatorneys.com>

02/03/2012 06:34 PM

To Steven Johnson <steven_johnson@dot.ca.gov>
cc
Subject RE: Jones Rosecrans Property

Steve: This has not as yet been received apparently. Could you email to me?

Joe

From: Steven Johnson [mailto:steven_johnson@dot.ca.gov]
Sent: Tuesday, January 31, 2012 9:38 PM
To: Joseph Dzida
Subject: Re: Jones Rosecrans Property

Mr. Dzida,

The appraisal was mailed to you on Thursday via certified mail.

-----Joseph Dzida <jdzida@crdattorneys.com> wrote: -----
To: "steven.johnson@dot.ca.gov" <steven.johnson@dot.ca.gov>
From: Joseph Dzida <jdzida@crdattorneys.com>
Date: 01/31/2012 01:35PM
Subject: Jones Rosecrans Property

Steve: Have not heard from you re the following. Please send me the appraisal. Joe Dzida

From: Joseph Dzida
Sent: Tuesday, January 24, 2012 2:21 PM
To: steven.johnson@dot.ca.gov
Cc: Greg Jones
Subject: Greg Jones Property on Rosecrans

TO STEVE JOHNSON

Steve:

You called me today and said you were the "right of way agent" in regard to the acquisition of the property owned by Greg Jones on Rosecrans Avenue. You asked me to confirm my

representation of Mr. Jones; stating that you were unaware of such representation. By this email, I confirm my representation, and, as we discussed, Caltrans' and its attorneys are aware of such representation as we have been in litigation over the property for some time. You stated that you would send me the appraisal for the property commissioned by Caltrans. Please do so. As we discussed, upon receipt I will send you a copy of the environmental report obtained by Mr. Jones (which has already been provided to Caltrans' attorneys).

Please call if you have any questions.

Regards,

Joe Dzida

Joseph S. Dzida
Callanan, Rogers & Dzida, LLP
800 South Figueroa Street, Suite 1100
Los Angeles, California 90017-2521
Phone: 213-599-7595
Fax: 213-599-7596
Cell: 310-780-0902
E-mail: jdzida@crdattorneys.com
Websites: www.crdattorneys.com; www.eminentdomainlegal.com

Joseph Dzida

From: Joseph Dzida
Sent: Friday, February 03, 2012 6:34 PM
To: 'Steven Johnson'
Subject: RE: Jones Rosecrans Property

Steve: This has not as yet been received apparently. Could you email to me?

Joe

From: Steven Johnson [mailto:steven_johnson@dot.ca.gov]
Sent: Tuesday, January 31, 2012 9:38 PM
To: Joseph Dzida
Subject: Re: Jones Rosecrans Property

Mr. Dzida,

The appraisal was mailed to you on Thursday via certified mail.

-----Joseph Dzida <jdzida@crdattorneys.com> wrote: -----

To: "steven.johnson@dot.ca.gov" <steven.johnson@dot.ca.gov>
From: Joseph Dzida <jdzida@crdattorneys.com>
Date: 01/31/2012 01:35PM
Subject: Jones Rosecrans Property

Steve: Have not heard from you re the following. Please send me the appraisal. Joe Dzida

From: Joseph Dzida
Sent: Tuesday, January 24, 2012 2:21 PM
To: steven.johnson@dot.ca.gov
Cc: Greg Jones
Subject: Greg Jones Property on Rosecrans

TO STEVE JOHNSON

Steve:

You called me today and said you were the "right of way agent" in regard to the acquisition of the property owned by Greg Jones on Rosecrans Avenue. You asked me to confirm my representation of Mr. Jones; stating that you were unaware of such representation. By this email, I confirm my representation, and, as we discussed, Caltrans' and its attorneys are aware of such representation as we have been in litigation over the property for some time. You stated that you would send me the appraisal for the property commissioned by Caltrans. Please do so. As we discussed, upon receipt I will send you a copy of the environmental report obtained by Mr. Jones (which has already been provided to Caltrans' attorneys).

Please call if you have any questions.

Regards,

Joe Dzida

Joseph S. Dzida
Callanan, Rogers & Dzida, LLP
800 South Figueroa Street, Suite 1100
Los Angeles, California 90017-2521

Phone: 213-599-7595

Fax: 213-599-7596

Cell: 310-780-0902

E-mail: jdzida@crdattorneys.com

Websites: www.crdattorneys.com; www.eminentdomainlegal.com

DEPARTMENT OF TRANSPORTATION
DIVISION OF RIGHT OF WAY
100 SOUTH MAIN STREET
P. O. BOX 942873
Los Angeles, CA 90012
PHONE (213) 897-1901
FAX (213) 897-1802



*Flex your power!
Be energy efficient!*

VIA U.S. MAIL AND ELECTRONIC MAIL

March 22, 2012

Mr. Joseph Dzida
Law Offices of Callanan, Rogers, & Dzida
800 South Figueroa Street, Suite 1100
Los Angeles, CA 90017-2521

WRITTEN APPEARANCE RESPONSE

File: 7-LA -LA-PM 5.3
E.A. 215939 Project ID: 0700001833
Parcel No. 79898 APN: 8082-001-003
Grantor: Gregory S. Jones, Trustee

Dear Mr. Dzida:

This letter is in response to your letter dated March 8, 2012 addressed to the Executive Director of the California Transportation Commission (the "Commission") for property located at 12605 Rosecrans Avenue, in the city of Norwalk (the "Property").

Your letter, addressed specific concerns and objections to the Commission's proposed action on several grounds regarding the above referenced parcel and as requested your letter will be submitted to the Commission in lieu of a personal appearance and will be part of the official record presented to the Commission at its April 25-26, 2012, meeting to be held in Orange County, California.

The following is the State of California, Department of Transportation's ("Department") response to the concerns and objections set forth in your letter.

1. Caltrans is only offering \$1,000.00 for this property

The offer being made by the State reflects the effect contamination and required cleanup has on the current market value of the property. Per the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) "a current or former property owner can be found responsible for remediation even if they did not contaminate the property."

2. Caltrans' appraiser appraised the property for \$570,000 but Caltrans arbitrarily reduced its offer to \$1,000 from the appraised value ostensibly because of environmental conditions underneath the property. The basis for the reduction, however, is not reflected in any appraisal opinion or report.

A hazardous waste report that includes a "Remediation Cost Estimate" was attached to the State's property valuation report that was provided to you.

Attachment B

3. Those conditions were described in Caltrans' report (Exhibit 1).

A careful review of this document (Exhibit 1) will clearly show that an estimated cost of remediation has been provided to you. This is the basis for the reduction in the appraised value which you contend that was not provided by the Department.

4. In response we submitted our own report.

A review of the environmental report you have provided confirms the existence of hazardous waste materials on the subject property. Although the report questions the source of the hazardous waste, it does not definitively assign responsibility for said waste.

5. The "Exhibit 2" report demonstrates that the conditions described in "Exhibit 1" originated outside of the subject property, were not caused by Jones, and did not impact his property's value.

The fact that the contamination did not originate on the subject property (nor was it caused by Mr. Jones or his activity) is irrelevant. Counsel cites no authority that requires the condemning agency to pay 'clean' Fair Market Value for contaminated property if/when it is demonstrated that the owner was not the generator. The Fair Market Value of contaminated property may be impacted by the presence of contamination even when the contamination was generated off site, and even where it was not caused by the property owner. An appraisal which takes the cost of clean up into consideration and deducts it, dollar for dollar, from the 'clean' Fair Market Value is the only approach accepted in the published cases thus far. (See Redevelopment Agency vs Thrifty Oil Co. at 4 Cal.App. 4th 469, 1992). The Department applied this appraisal methodology and arrived at a \$1,000 nominal value for the acquisition.

Notwithstanding the origins of the hazardous waste, pursuant to CERCLA, "a current or former property owner can be found responsible for remediation even if they did not contaminate the property."

6. I asked for a response to "Exhibit 2" but did not receive any. Accordingly, it is apparent that Caltrans has no evidence whatsoever to the contrary.

Agent Steven Johnson spoke with you on January 24, 2012, regarding the parcel in question. During that conversation the agent committed to providing you with a copy of the appraisal and the State's hazardous waste report. For your part, you stated that you would provide the agent with a copy of the environmental report conducted on behalf of the grantor. You did not provide said copy of the environmental report to the agent, however it was included with your March 8, 2012 letter to the Commission.

7. Caltrans nevertheless made its \$1,000 offer.

The offer being made by the State reflects the effect contamination and required cleanup has on the current market value of the property. Per the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), "a current or former property owner can be found responsible for remediation even if they did not contaminate the property."

8. I, then, objected to the offer, stating again that the conditions on which it was based originated elsewhere and that, therefore, my client was not responsible for clean up. I also stated that deductions from the appraised value were proper only if the conditions were caused by my client and only if they impacted market value. I pointed out that the \$1,000 offer was less than monthly rent my client received from the property despite the conditions described. The property obviously cannot have a market value less than that indicated by the rent it generates.

Mr. Jones has sufficient recourse if he believes that the offer/deposit is too low; he can and should move to increase the amount of the deposit pursuant to CCP section 1255.030 (a). There is no authority to oppose the Resolution of Necessity on the basis that the offer is based on the wrong appraisal methodology or that it is too low. "If there is a dispute between plaintiff and defendant over an evidentiary or other legal issue affecting the determination of compensation, either party may move the court for a ruling on the issue." (CCP section 1260.040). Neither party has the 'burden of proof' on the issue of compensation (CCP Section 1260.210), and the Department is not now required to make a showing that it will prevail on its appraisal methodology.

9. I asked Mr. Johnson to provide me with copies of any appraisal opinions reflecting that the conditions decreased the market value of the property. He did not do so. Apparently then, the reduction in the offer to \$1,000 from the appraised value is not based on any appraisal, as required by law, and totally arbitrary.

A hazardous waste report that included a "Remediation Cost Estimate" was attached to the State's property valuation report that was provided to you, and was the basis for the "dollar for dollar" deduction from the value before remediation for contamination. Because the cost of remediation exceeded the value of the parcel, Departmental policy dictates that a "nominal offer" be made prior to condemnation

Eminent domain law provides that under these circumstances the parties may employ any 'reasonable appraisal methodology' (Code Civil Procedure section 1263.320) and that the reasonableness of the applied methodology is not an issue at the application for a Resolution of Necessity. (CCP section 1245.230) The amount of compensation to be paid Mr. Jones is solely for the jury to determine based on opinion testimony at time of trial. (Ev. Code section 813). The conclusion of counsel that the contamination "does not impact his property value" is a closing argument in an eminent domain proceeding.

10. We have not yet had time to obtain our own appraisal as Caltrans has not provided funding for same as required by law and the matter has been in litigation.

Counsel contends that the Department has not yet provided funding for him to obtain an appraiser and thus he has not yet obtained one (and therefore has no basis to support his contention that his property is unaffected by the contamination). CCP 1263.025 (a) provides that: "A public entity shall offer to pay the reasonable costs, not to exceed five thousand dollars (\$5,000) of an independent appraisal ordered by the owner of a property (T)he independent appraisal shall be conducted by an appraiser licensed by the Office of Real Estate Appraisers." In effect this section provides for *reimbursement* of costs incurred by the owner who has in fact 'ordered' an appraisal, so that the State may confirm that a licensed appraiser was retained and that the costs are reasonable (not to exceed the \$5,000). The State notified Mr. Jones on

February 9, 2012, in writing that he had this right; but thus far Mr. Jones has failed to notify the State that he has in fact ordered such an appraisal or plans to do so. You confirmed your understanding that this cost is reimbursable in your email response to the agent wherein you stated the following: "thank you for the information on the \$5000 reimbursement. I will consult with Mr. Jones regarding it." This is a clear confirmation of your understanding that the State's requirement is for reimbursement only.

11. In addition, Mr. Jones has suffered pre-condemnation damages including lost rentals as a result of Caltrans' actions. These are subject to litigation. The Court of Appeal ruled on March 8, 2012, that the judgment entered in Caltrans' favor must be reversed in full on this point. The offer made by Caltrans (\$1,000) does not reflect these damages.

Counsel refers to the case of Jones vs. Department of Transportation; Los Angeles County Superior Court Case No. B226430. In this inverse condemnation lawsuit Mr. Jones alleges that he lost income because his tenant on the parcel (which is the subject of the pending request for Resolution of Necessity) negotiated a 50% reduction in rent based on future uncertainties involved with the widening of I-5.

The State filed an Anti SLAPP motion (pursuant to CCP section 425.16) on the grounds that the State had not unreasonably delayed the eminent domain process but rather was engaging in authorized/required pre-condemnation activities. Upon filing the Anti SLAPP motion Mr. Jones had the burden of proving a likelihood that he would prevail and discovery was tolled upon such time as he could meet his burden. The Superior Court granted the State's motion; but it was recently reversed on appeal. In reversing, the Court of Appeal noted that: "We do not weigh credibility, nor do we evaluate the weight of the evidence. Instead, we accept as true all evidence favorable to the plaintiff [here, Jones] and assess the defendant's [here Caltrans'] evidence only to determine if it defeats the plaintiff's submission as a matter of law. ... Only a cause of action that lacks 'even minimal merit' constitutes a SLAPP".

The evidentiary test on an Anti SLAPP motion is quite different than that in an eminent domain trial. In an eminent domain trial neither side has the burden of proof; neither side's evidence is summarily accepted as true and all the evidence is evaluated by the judge and jury.

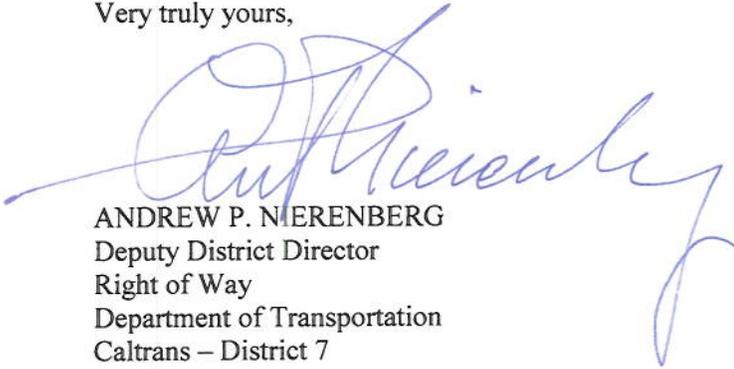
The only effect of the current decision is that Mr. Jones' Inverse Condemnation lawsuit may proceed. There is no ruling that the State is liable in inverse. There is no ruling that Mr. Jones has suffered damages of any kind. There is no ruling that Mr. Jones is entitled to recover 50% loss rents. There is no determination of how much Mr. Jones has lost, if any. There is no ruling that the State has acted unreasonably. There is no ruling that impacts the Fair Market Value of the parcel to be acquired. There is no ruling that impacts the amount the State is required to put on deposit. There is no ruling regarding the appropriate appraisal methodology.

Furthermore, the property in question is currently rented and being operated as "Sal's Fast Lube #2." This is further evidence that the actions of the State have in no way damaged Mr. Jones' ability to rent the property in question. The previous lessee, Tune-up Masters, cancelled their license with the Bureau of Automotive Repair on December 31, 2006.

Mr. Joseph Dzida
March 22, 2012
Page 5

If you have any questions, please feel free to contact Steven Johnson at (213) 897-0698.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Andrew P. Nierenberg". The signature is fluid and cursive, with a large initial "A" and a long, sweeping tail.

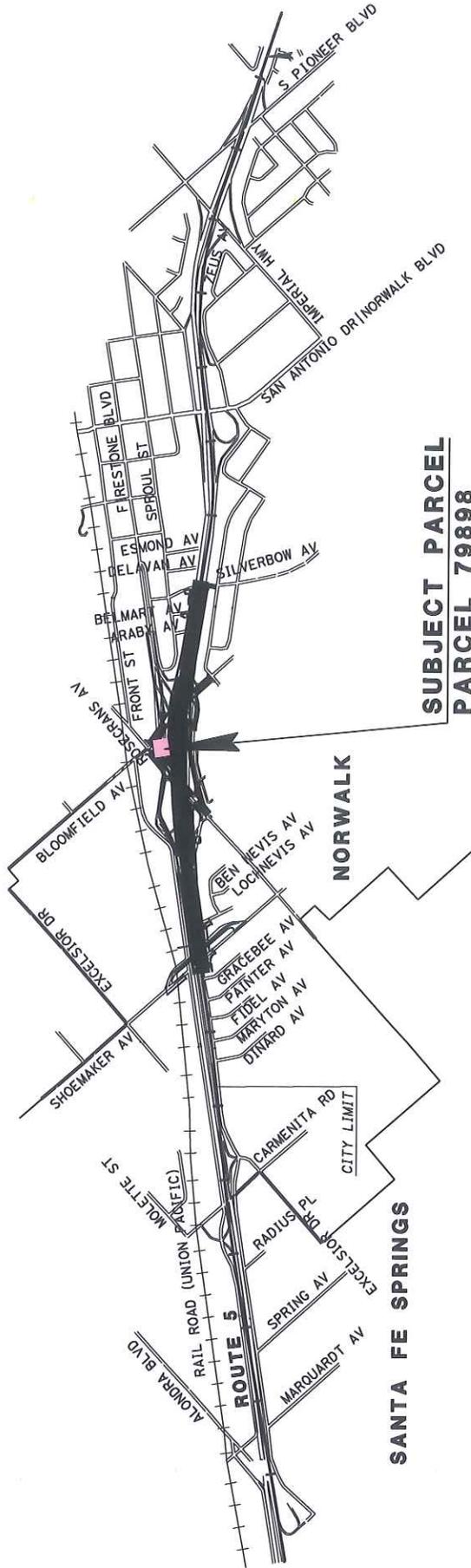
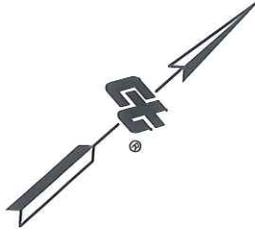
ANDREW P. NIERNBERG
Deputy District Director
Right of Way
Department of Transportation
Caltrans – District 7

Resolution of Necessity Appearance Fact Sheet

PROJECT DATA	07-LA-5-PM 2.4/4.0 Expenditure Authorization 215939
<u>Location:</u>	Interstate 5 (I-5) in Los Angeles County in the cities of Santa Fe Springs and Norwalk
<u>Limits:</u>	Between the Orange County Line limit to 0.7 miles north of the 605 Freeway
<u>Contract Limits:</u>	Between 0.1 miles north of Carmenita Road Overcrossing to 0.1 miles north of Silverbow Avenue Pedestrian Overcrossing
<u>Cost:</u>	Programmed construction cost: \$120,000,000.00 Current right of way cost estimate: \$98,000,000.00
<u>Funding Source:</u>	Corridor Mobility Improvement Account, Traffic Congestion Relief Program, State Transportation Improvement Program, State-Local Transportation Partnership Program, Transportation Equity Act for the 21 st Century, and Local Proposition C
<u>Number of Lanes:</u>	Existing: three mixed-flow lanes in each direction Proposed: four mixed-flow lanes plus one high occupancy vehicle lane in each direction
<u>Proposed Major Features:</u>	Reconfigure interchange at Rosecrans Avenue to Tight Diamond type; replace Shoemaker Avenue Overcrossing and Silverbow Avenue Pedestrian Overcrossing; replace Rosecrans Avenue Undercrossing; construct new Undercrossing at Bloomfield Avenue; re-align Bloomfield Avenue and Firestone Boulevard; and reconstruct local streets and frontage roads
<u>Traffic:</u>	Existing I-5 (year 2005): 171,000 Annual Daily Traffic (ADT) Proposed I-5 (year 2030): 281,000 ADT
PARCEL DATA	
<u>Property Owner:</u>	Gregory S. Jones, Trustee of the Gregory S. Jones Revocable Trust, dated October 11, 2001
<u>Parcel Location:</u>	12605 Rosecrans Avenue, Norwalk Assessor's Parcel Number 8082-001-003
<u>Present Use:</u>	Auto Service Building - Zoned C3 (General Commercial Zone)
<u>Area of Property:</u>	11,588 Square Feet (SF)
<u>Area Required:</u>	Parcel 79898-1 - 4,343 SF - Fee Parcel 79898-2 - 7,245 SF - Temporary Construction Easement Parcel 79898-01-01 - 7,245 SF - Excess Land

CITY OF NORWALK COUNTY OF LOS ANGELES

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.



**SUBJECT PARCEL
PARCEL 79898**

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION

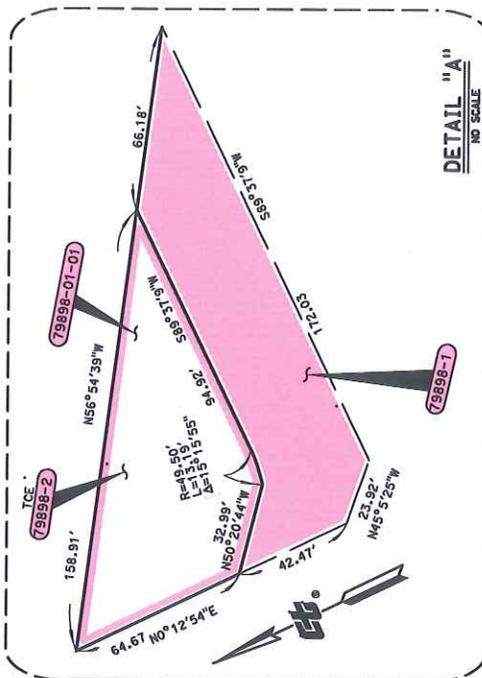
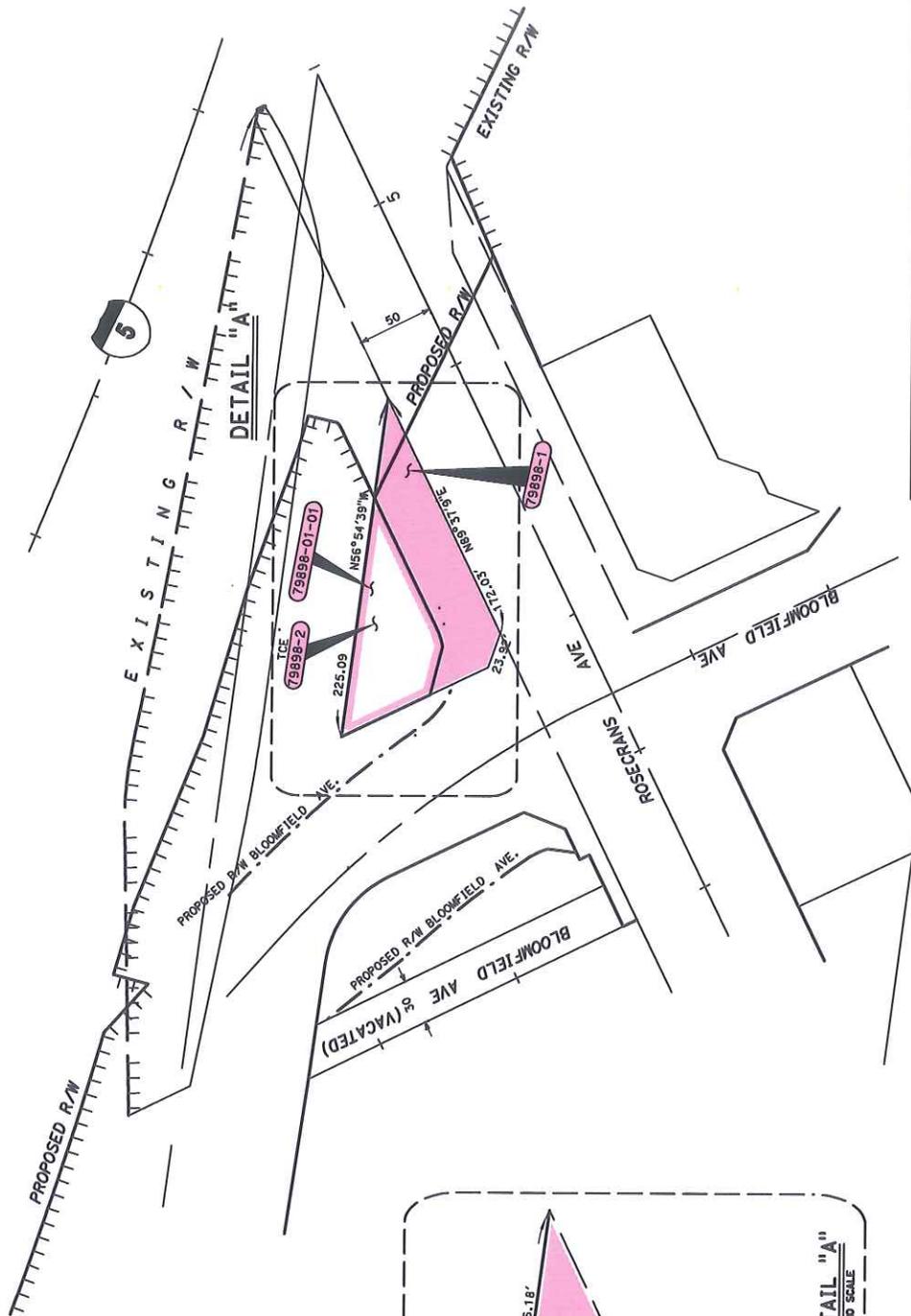
RIGHT OF WAY RESOLUTION OF NECESSITY

EXHIBIT A
NOT TO SCALE

DISTRICT	COUNTY	ROUTE	SHEET	PM	SHEET NO.	TOTAL SHEETS
7	LA	5	3.6		1	1

CITY OF NORWALK COUNTY OF LOS ANGELES

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.



STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY RESOLUTION OF NECESSITY EXHIBIT B

NOT TO SCALE

DISTRICT	COUNTY	ROUTE	SHEET	PM	SHEET	NO.	TOTAL	SHEETS
7	LA	5	5	3.6	1	1	1	1

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.4a.(2)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Brent Green
Chief
Division of Right of Way and
Land Surveys

Subject: **RESOLUTION OF NECESSITY - APPEARANCE**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) adopt Resolution of Necessity (Resolution) C-20815 summarized on the following page. This Resolution is for widening the Interstate 5 Freeway in District 7 in the city of Burbank, county of Los Angeles.

ISSUE:

Prior to initiating Eminent Domain proceedings to acquire needed right of way for a programmed project, the Commission must first adopt a Resolution, stipulating specific findings identified under Section 1245.230 of the Code of Civil Procedure, which are:

1. The public interest and necessity require the proposed project.
2. The proposed project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury.
3. This property is necessary for the proposed project.
4. An offer to acquire the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

In this case, the property owner is contesting the Resolution and has requested a written appearance before the Commission. At the request of the property owner, objections to the Resolution have been submitted in writing to be made part of the official record of the Commission meeting, in lieu of a personal appearance before the Commission. The owner's objections are included as Attachment A. The Department's responses to the owner's objections are contained in Attachment B.

BACKGROUND:

Discussions have taken place with the owner, who has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the Resolution will not interrupt the Department's efforts to secure an equitable settlement. In accordance with statutory requirements, the owner has been advised that the Department is requesting the Resolution at the Commission's

April 25-26, 2012 meeting. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-20815 - Northridge Properties, LLC, a California limited liability company
07-LA-5-PM 29.4 - Parcel 79660-1, 2 - EA 1218W9.

Right of Way Certification Date: 04/18/12; Ready to List Date: 04/18/12. Freeway - construct high occupancy lane and interchange modification. Authorizes condemnation of a permanent easement for State highway purposes, extinguishment of abutter's rights of access, and a temporary easement for construction purposes. Located in the city of Burbank at 777 North Front Street.
APN 2449-037-011.

Attachments:

- Attachment A - Owners Written Objections dated February 16, 2012
- Attachment B - Department Response dated March 26, 2012
- Attachment C - Fact Sheet
- Exhibits A, B and C - Maps

1 copy to Stephen Moller, to Right of Way 2-17-12



ATTORNEYS AT LAW

777 S. Figueroa Street
34th Floor
Los Angeles, CA 90017
T 213.612.7800
F 213.612.7801

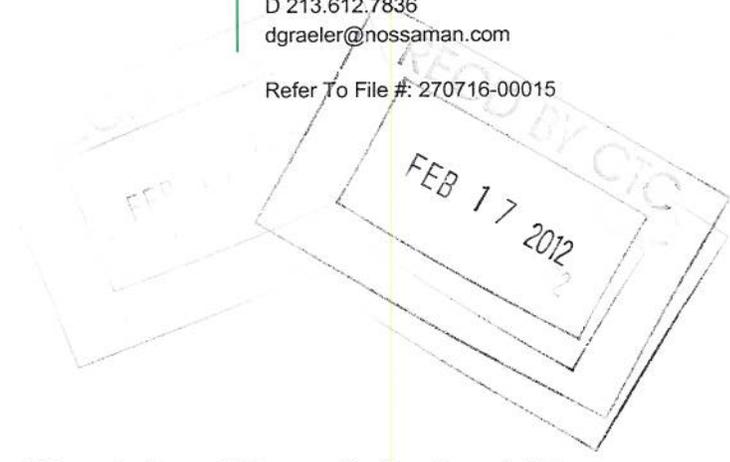
David Graeler
D 213.612.7836
dgraeler@nossaman.com

Refer To File #: 270716-00015

VIA U.S. MAIL AND OVERNIGHT DELIVERY

February 16, 2012

Executive Director
California Transportation Commission
P.O. Box 942873
Mail Station 52
Sacramento, CA 94273-0001



Re: Objection to Proposed Adoption of Resolution of Necessity for Acquisition of Real Property Identified as Caltrans Parcel No. 79660-1, -2, Located at 777 N. Front Street, Burbank, California

Dear Executive Director:

This firm represents Northridge Properties, LLC, the owner of the real property located at 777 N. Front Street, Burbank, California ("Property"). We have received notice of the California Transportation Commission's ("CTC") intent to adopt a resolution of necessity authorizing the California Department of Transportation ("Caltrans") to condemn certain portions of the Property, described as Caltrans Parcel No. 79660-1, -2.

Northridge Properties intends this letter to constitute its statements regarding -- and objections to -- the adoption of that resolution of necessity. Accordingly, we request that this letter be included as part of the formal record.

OBJECTIONS

Northridge Properties objects to the hearing regarding the intention of the CTC to adopt a resolution of necessity and to the CTC's adoption of such a resolution on the following grounds:

- 1. Caltrans Failed to Make an Offer of Just Compensation Based on a Proper Appraisal of the Property:** Northridge Properties intends to develop the Property in the near future. The developability of the Property will be completely and adversely altered as a result of Caltrans' proposed acquisition. In addition, because any ultimate development will utilize the area sought to be acquired by Caltrans for its proposed temporary construction easement ("TCE"), development of the Property will be delayed until, at minimum, the TCE's expiration in 2015. Moreover, Northridge Properties is unable to sell the Property during this time period because the Property is subject to the TCE and because the freeway construction impacts



create detrimental uncertainty. Indeed, Caltrans' inability to provide any definitive timetable for construction has caused prospective purchasers to factor in longer delays than the TCE provides. These delay damages are substantial and place a cloud on the property. The permanent severance damages resulting from the narrowing of the remainder of the Property are also substantial.

In the interim, Northridge Properties has been leasing the Property for special events, such as Cavalia. These special events and the interim benefits and income generated from them will be hindered or completely precluded by Caltrans' construction of the project. This is true because: (1) Caltrans has been unable to provide a definitive construction schedule; (2) many uses are incompatible with the freeway construction; and (3) the size of the property is materially reduced. The uncertain construction schedule and the cloud created by Caltrans have already caused Northridge Properties to lose tenants. As an example, Cavalia would like to lease the entire Property early next year. However, Caltrans is unable to state whether it will be working on the Property, or the portion of the freeway next to the Property, at that time. Cavalia has informed Northridge Properties that it cannot chance leasing the Property under these circumstances. The loss of Cavalia as a lessee has resulted in six-figure losses alone. As a result of this oversight in Caltrans' appraisal, its offer -- which is based on that appraisal -- is improper and fails to satisfy Caltrans' statutory obligations.

These impacts including, but not limited to, Northridge Properties' inability to develop the Property until at least 2015 and Northridge Properties' inability to lease the Property in the interim until at least 2015, are caused directly by Caltrans' proposed acquisition and construction of the project, and they were completely ignored by Caltrans' appraiser. By ignoring these issues, Caltrans' appraiser failed to appropriately analyze the substantial permanent and temporary severance damages created from the project.

In particular, Government Code section 7267.2 requires that Caltrans make a legitimate offer of just compensation based upon an approved appraisal prior to initiating condemnation proceedings. Caltrans' precondemnation offer is invalid because it was based upon an appraisal that did not address the considerable damages that will result from the acquisition and the construction of the project. Moreover, the law provides that "[p]rior to the commencement of an eminent domain proceeding, if the evidence presented by an owner . . . indicates the need for a new appraisal . . . , the public entity shall have its appraisal updated." (Cal. Code Regs., tit. 25, § 6182, subd. (i)(2), emphasis added.) As noted above, Caltrans' appraisal was inaccurate and insufficient, and Caltrans is required to re-appraise the Property before the CTC may adopt a resolution of necessity. (See Johnston v. Sonoma County Agricultural Preservation & Open Space Dist. (2002) 100 Cal.App.4th 973, 988 [explaining that "a good faith offer based on a fair appraisal [is] a prerequisite to adopting the resolution of necessity."])

Because Caltrans' appraisal of the Property fails to find permanent severance damages or properly consider temporary severance damages resulting from Northridge Properties' inability to lease, develop, or otherwise utilize its entire Property until at least 2015, Caltrans' appraisal is deficient and the CTC cannot take any action toward condemning the Property until Caltrans secures a corrected appraisal and makes a new offer to Northridge Properties.



2. The Project is Not Planned or Located in the Manner that Will be Most Compatible With the Greatest Public Good and the Least Private Injury: A public agency may not exercise the power of eminent domain for a proposed project unless it establishes that “the project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury.” (Code Civ. Proc., § 1240.030, subd. (b).) Caltrans has not completed such an analysis.

As described above, the portions of the Property sought to be acquired by Caltrans will significantly limit Northridge Properties’ ability to utilize its remaining property, effectively rendering the remainder useless until the expiration of the TCE. In addition, due to the Property’s size and shape, the permanent acquisition will adversely impact the highest and best use of the Property and its ultimate development potential because the Property remaining after acquisition is substantially thinner and adversely impacted in terms of development possibilities. Because Caltrans failed to understand the impacts of its proposed acquisition, and the severance damages caused by the project, it will be impossible for the CTC to make the required “least private injury” determination. Indeed, CTC could hardly make a finding on the degree of private injury without first properly evaluating that injury.

Until Caltrans re-appraises the Property to understand the impacts and the severance damages resulting from Caltrans’ project, the CTC cannot properly move forward with its resolution of necessity. At the very least, Caltrans should explore with Northridge Properties alternative plans that do not unnecessarily impact the Property; its failure to do so precludes Caltrans’ planned condemnation.

3. The Property is Not Necessary for the Project: A public agency may not exercise the power of eminent domain for a proposed project unless it establishes that “the property sought to be acquired is necessary for the project.” (Code Civ. Proc., § 1240.030, subd. (c).) Given that there have been a number of iterations of the proposed acquisition, it is Northridge Properties’ belief that Caltrans is seeking to condemn more property than is necessary for the proposed project, and therefore the Property is not “necessary for the project.”

4. The CTC Cannot Make Legitimate CEQA Findings to Support its Action: Caltrans’ fundamental misunderstanding concerning the impacts to the Property as a result of the proposed acquisition and construction of the project also means that the CTC will run afoul of the California Environmental Quality Act. More specifically, because Caltrans’ project will prevent any viable use of the Property during construction of the project, Caltrans’ environmental documents fail to consider the environmental impacts of preventing that interim use or development. For example, what will be the impact of eliminating commercial capacity so close to the freeway? Where will that capacity be made up? How will traffic patterns be impacted? What will happen with major special events such as Cavalia? Caltrans needs to evaluate these matters before it proceeds.



CONCLUSION

For the reasons set forth in this letter, the CTC cannot validly adopt the proposed resolution of necessity. Northridge Properties therefore requests that the CTC not proceed with the hearing on that resolution or, if it proceeds, vote to reject the defective resolution.

Very truly yours,

David Graeler
of Nossaman LLP

DG2

DEPARTMENT OF TRANSPORTATION

Right of Way Division
100 S. Main Street, MS 6
Los Angeles, CA 90012
PHONE (213) 897-1901
FAX (213) 897-5603



*Flex your power!
Be energy efficient!*

VIA U.S. CERTIFIED MAIL

March 27, 2012

Mr. David Graeler
Nossaman, LLP
777 S. Figueroa Street, 34th Floor
Los Angeles, CA 90017

07-LA-5-P.M.29.4
EA: 1218W9
EFIS: 0700021119
Parcel No. 79660-1, -2
APN: 2449-037-011
Grantor: Northridge Properties LLC

Re: Response to Objection to Proposed Adoption of Resolution of Necessity for Acquisition of Real Property Identified as Caltrans Parcel No. 79660-1, -2

Dear Mr. Graeler:

This letter is in response to your letter dated February 16, 2012 addressed to the Executive Director of the California Transportation Commission (the "Commission") for property located at 777 N. Front Street in the city of Burbank (the "Property").

Your letter addressed specific concerns and objections to the Commission's proposed action on several grounds regarding the above referenced parcel and as requested your letter will be submitted to the Commission in lieu of a personal appearance and will be part of the official record presented to the Commission at its April 25-26 2012 meeting to be held in Orange County, California.

The following is the State of California, Department of Transportation's ("Department") response to the concerns and objections set forth in your letter:

1. **Caltrans Failed to Make an Offer of Just Compensation Based on a Proper Appraisal of the Property.**

The Department's first written offer was based on a fair market value appraisal for a portion of your client's property and was provided to you, Mr. Howard Coleman and Mr. Alan Skobin, your client's representative, on December 13, 2011. This offer addressed the highway and temporary construction easements required for the widening of Interstate 5 for a High Occupancy Vehicle lane. Your client was notified of the option to obtain another appraisal of the property; however, your client chose not to pursue this option. The Department's representative attempted to contact you to discuss the State's offer, however we did not receive a response from your office. The Department did not receive a request from you concerning the construction timetable for this project.

Attachment B

Mr. Graeler
March 27, 2012
Page 2

The estimated time period for the construction of the project is from January 2013, to January 2015. The estimated time period of the construction on Parcel 79960 is less than one year. The definitive construction schedule cannot be determined until the construction contract for the project is awarded to the contractor.

The Department did not receive any information regarding your client's intention to develop the property in the near future, its intention to sell the property during the temporary construction time period, as well as its problems leasing the property to Cavalia and resulting six-figure loss. The Department was not provided with any information that would warrant another appraisal of the property.

2. **The State's Proposed Project is Not Planned or Located in the Manner That Will Be Most Compatible with the Greatest Public Good and the Least Private Injury.**

The overall purpose of the project is to increase the capacity of the Interstate 5 freeway in order to improve mobility for motorists and improve safety and access. The work involves the addition of a High-Occupancy Vehicle lane as well as realignment of the Interstate 5 mainline and improvements to the ramps.

The manner in which the Interstate 5 Project is planned is basically reducing the impact on the communities as well as reducing the impact on the right of way activities on this parcel. As noted above, your client has not provided the Department with any evidence that substantiates your claims of severance damages which would warrant another appraisal of the property.

3. **The Property is Not Necessary for the Project.**

As previously discussed, the highway easement requirement is necessary to accommodate the HOV lane, southbound onramp and mainline realignment, and the temporary construction easement is necessary for construction activities.

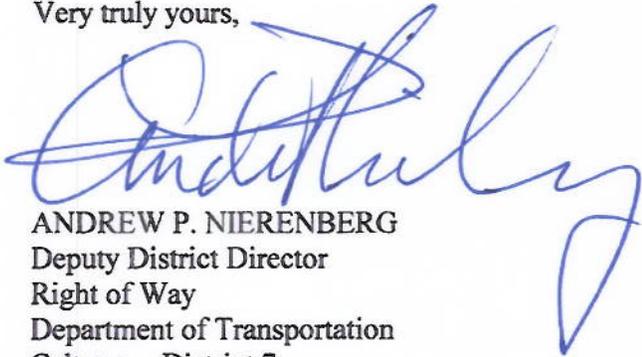
4. **The CTC Cannot Make Legitimate CEQA Findings to Support its Action.**

The Department of Transportation has validated the CEQA/NEPA document that includes this parcel. The environmental impacts of the project were addressed in the document.

If you have any questions, please feel free to contact Kirk Hsu at (213) 897-0780.

Mr. Graeler
March 27, 2012
Page 3

Very truly yours,



ANDREW P. NIERENBERG
Deputy District Director
Right of Way
Department of Transportation
Caltrans – District 7

Resolution of Necessity Appearance Fact Sheet

PROJECT DATA 07-LA-5-PM 29.4/31.6
Expenditure Authorization 1218W9

Location: Interstate 5 (I-5) in Los Angeles County in the city of Burbank

Limits: From West Magnolia Boulevard Overcrossing to 0.3 miles north of Buena Vista Street/Winona Avenue Undercrossing

Cost: Programmed construction cost: \$270,000,000.00
Current right of way cost estimate: \$74,500,000.00

Funding Source: Corridor Mobility Improvement Account, State and Local Partnership Bond Funds, Interregional Improvement Program Funds, Regional Improvement Program Funds, and Local Proposition Funds

Number of Lanes: Existing: four mixed-flow lanes in each direction
Proposed: four mixed-flow lanes plus one high occupancy vehicle lane and one auxiliary lane in each direction

Proposed Major Features: Reconfigure interchange at Burbank Boulevard and modify Empire Avenue into Diamond Type interchange; reconstruct Burbank Boulevard Overcrossing, extend Empire Avenue underneath I-5 to San Fernando Boulevard, realign and elevate railroad tracks and construct railroad separations at Empire Avenue and Buena Vista Street

Traffic: Existing I-5 (year 2006): 216,000 Annual Daily Traffic (ADT)
Proposed I-5 (year 2030): 249,000 ADT

PARCEL DATA

Property Owner: Northridge Properties, LLC, a California limited liability company

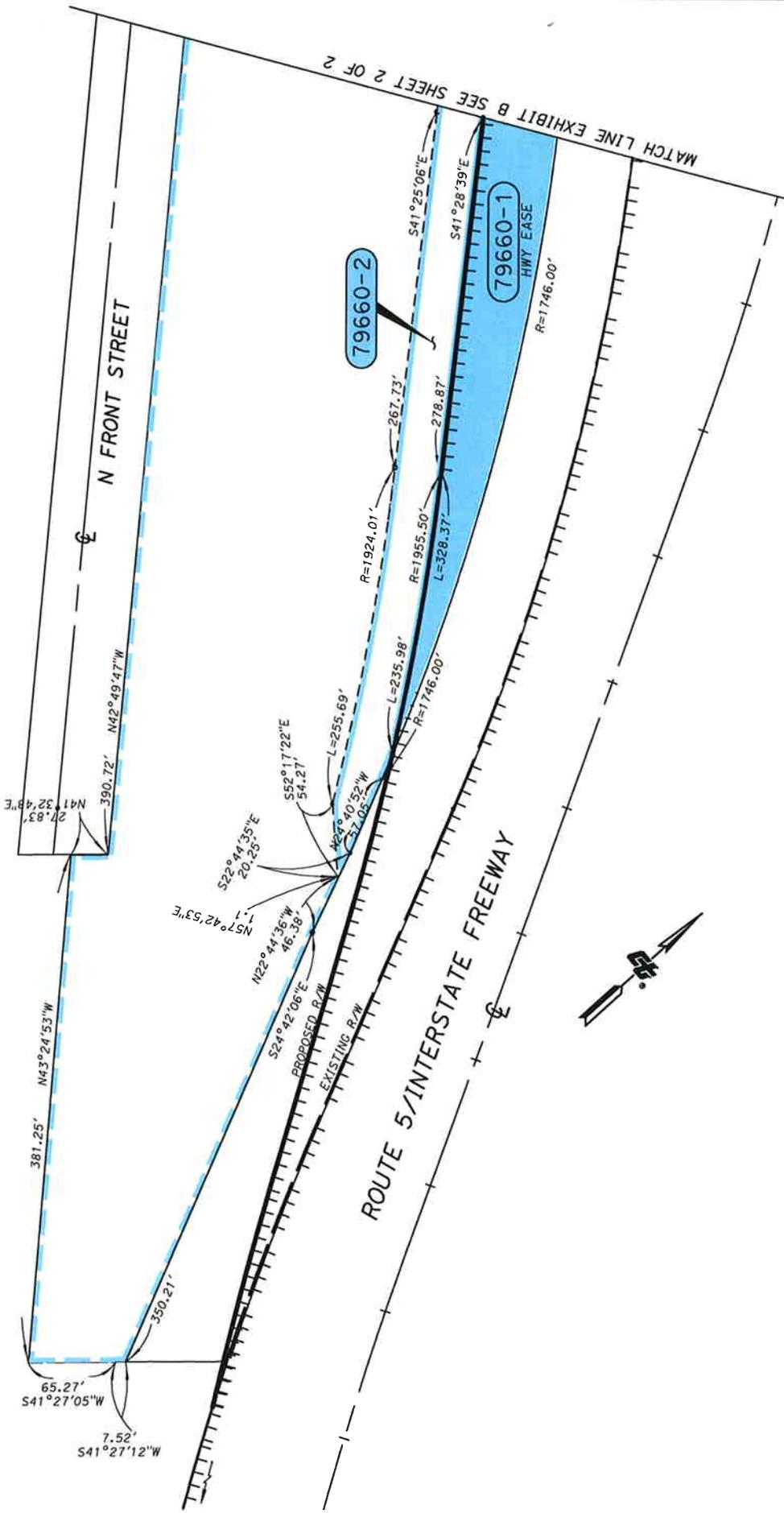
Parcel Location: 777 North Front Street, Burbank
Assessor's Parcel Number 2449-037-011

Present Use: Vacant unimproved land. Zoned AD (Burbank Auto Dealership)

Area of Property: 353,032 Square Feet (SF)

Area Required: Parcel 79660-1 - 46,378 SF - Highway Easement
Parcel 79660-2 - 31,061 SF - Temporary Construction Easement

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.



STATE OF CALIFORNIA
 BUSINESS, TRANSPORTATION AND HOUSING AGENCY
 DEPARTMENT OF TRANSPORTATION

**RIGHT OF WAY
 RESOLUTION OF NECESSITY**

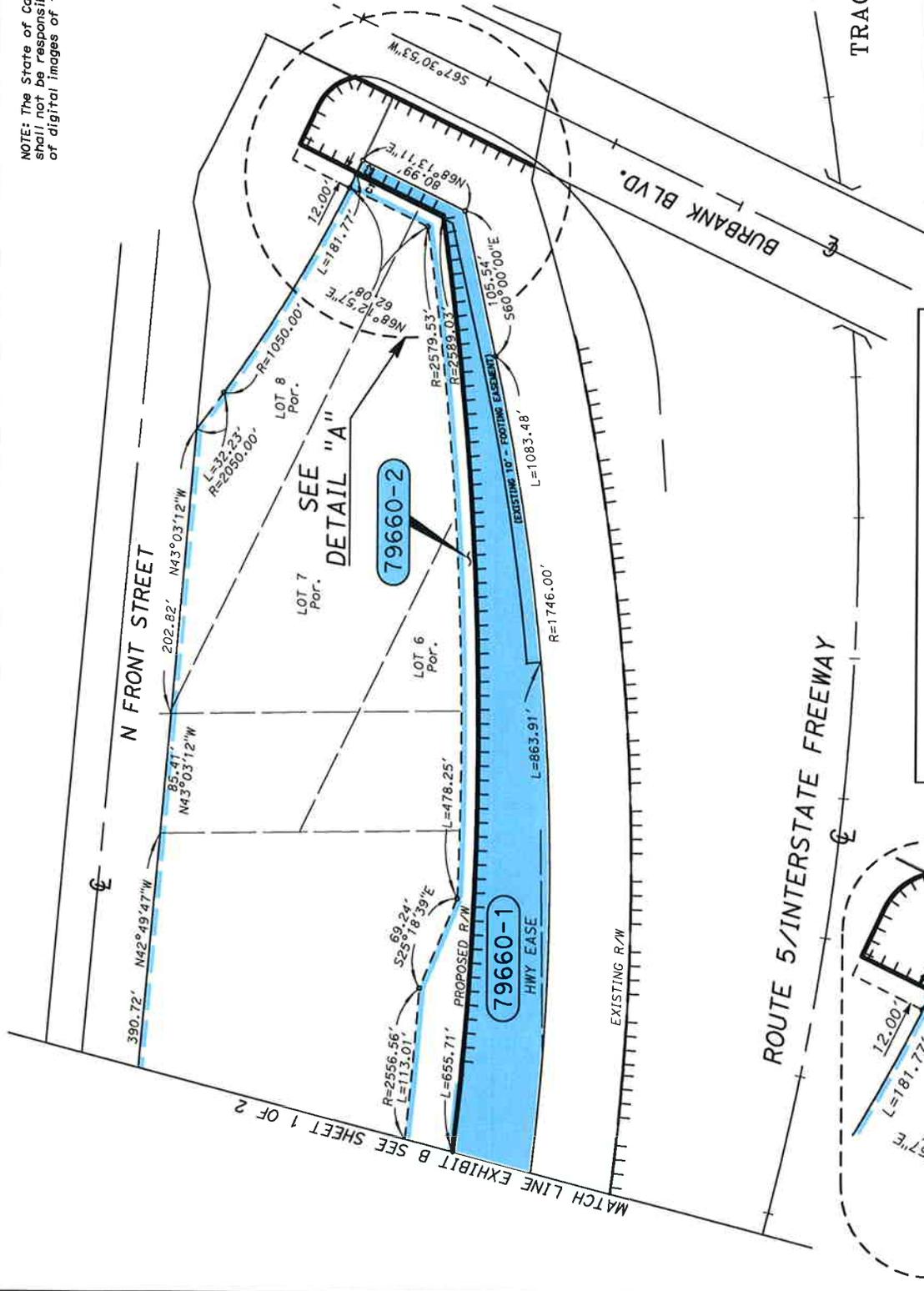
EXHIBIT B
 NOT TO SCALE

DISTRICT	COUNTY	ROUTE	SHEET	PM	SHEET NO.	TOTAL SHEETS
7	LA	5	29-4		1	2

TRACT MAP NO. 2792
 MB 28-15

**CITY OF BURBANK
 COUNTY OF LOS ANGELES**

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.

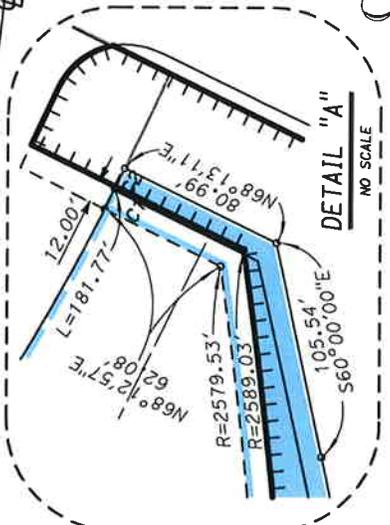


MATCH LINE EXHIBIT B SEE SHEET 1 OF 2

TRACT MAP NO. 2792
MB 28-15

DATA TABLE

NO.	RADIUS	DELTA/BEARING	LEN/DIST
C1	1050.00'	00°39'19"	12.01'
C2	2050.00'	00°16'39"	9.93'



STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
RESOLUTION OF NECESSITY

EXHIBIT B
NOT TO SCALE

DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
7	LA	5	29.4	2	2

CITY OF BURBANK
COUNTY OF LOS ANGELES

MINUTES

CALIFORNIA TRANSPORTATION COMMISSION

http://www.catc.ca.gov

March 28-29, 2012

Orinda, California

Wednesday, March 28, 2012

1:00 p.m.

**Commission Meeting
Orinda Library
26 Orinda Way
Orinda, CA**

1:00 pm	<u>GENERAL BUSINESS</u>				
1	Roll Call	1.1	Joseph Tavaglione	I	C

CHAIR JOSEPH TAVAGLIONE	<i>Absent</i>
COMMISSIONER BOB ALVARADO	Present
COMMISSIONER DARIUS ASSEMI	Present
COMMISSIONER YVONNE B. BURKE	Present
COMMISSIONER LUCETTA DUNN	Present
COMMISSIONER JIM EARP	<i>Absent</i>
COMMISSIONER DARIO FROMMER	<i>Absent</i>
COMMISSIONER JIM GHIEMMETTI	Present
COMMISSIONER CARL GUARDINO	Present
COMMISSIONER FRAN INMAN	Present
TOTAL	Present: 7 Absent: 3
Senator Mark DeSaulnier, Ex-Officio	Arrived 3:24 PM
Assembly member Bonnie Lowenthal, Ex-Officio	<i>Absent</i>

<u>Resolutions of Necessity – Appearances</u>						
2	8 Ayes	Resolution of Necessity – Appearance -- Capricorn Realty, Inc., a California Corporation, et al. El Pollo Loco, Inc. (Lessee) 07-LA-5-PM 3.6 Resolution C-20781	2.4a.	Stephen Maller Brent Green	A	D

Item was deferred to the April meeting as there were not eight Commissioners present for the vote.

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows:

Resolution of Necessity – Appearance, Capricorn Realty, Inc., a California Corporation, et al.

--Correct Book Item, Page 2, Line 5 as follows: Ready to List ~~ate~~ **Date:** 03/23/12

--Correct Fact Sheet as follows: ~~Property Owner:~~ El Pollo Loco, Inc. **Lessee:** El Pollo Loco, Inc.

YELLOW HANDOUT

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
3	Approval of Minutes for February 22-23, 2012	1.2	Joseph Tavaglione	A	C
<p>Recommendation: approval Action Taken: approved Motion: Dunn Second: Guardino Vote result: 7-0 Absent: Earp, Frommer, Tavaglione</p>					
4	Executive Director's Report	1.3	Bimla Rhinehart	A	C
<p>Executive Director Rhinehart discussed the statewide needs assessment.</p>					
5	Commission Reports	1.4	Joseph Tavaglione	A	C
<p>Commissioner Ghielmetti informed the Commission that Chair Tavaglione appointed Commissioner Inman to the TACA Committee.</p> <p>Commissioner Guardino invited Commissioners to the April 12 BART/Silicon Valley opening.</p>					
6	Commissioners' Meetings for Compensation	1.5	Joseph Tavaglione	A	C
<p>Recommendation: approval Action Taken: approved Motion: Alvarado Second: Guardino Vote result: 7-0 Absent: Earp, Frommer, Tavaglione</p>					
7	Welcome to the Region	1.12	Amy Worth	I	R
<p>Amy Worth welcomed the Commissioners and staff to Orinda and presented a PowerPoint discussing the Bay Area projects.</p> <p>Steve Glazer, Mayor of Orinda, also welcomed the Commissioners.</p> <p>Dan Tatzin, Contra Costa County, discussed the removal of the ½ cent sales tax.</p> <p>Mark Green, Chair, Alameda County of Transportation, welcomed the Commissioners and staff and gave a brief report.</p>					
<u>BUSINESS. TRANSPORTATION & HOUSING AGENCY REPORT</u>					
8	Report by Agency Secretary and/or Deputy Secretary	1.6	Brian Kelly	I	B
<p>Acting Secretary Brian Kelly announced that the Governor's Office is currently reorganizing the transportation departments and revising the high speed rail plan.</p>					
<u>CALTRANS REPORT</u>					
9	Report by Caltrans' Director and/or Deputy Director	1.7	Malcolm Dougherty	I	D

Caltrans Acting Director Dougherty announced that there were leadership changes within Caltrans, including Rachel Falsetti's appointment as District 5 Acting Director. Kurt Scherzinger would be backfilling the Division Chief of Programming role. He also discussed current transportation projects.

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
<u>LOCAL REPORTS</u>					
10	Report by Regional Agencies Moderator	1.8	Jose Nuncio	I	R
Jose Nuncio reported on the RTPA new projects and discussed Proposition 1A, the CMIA savings action plan, and the 2012 STIP.					
11	Report by Rural Counties Task Force Chair	1.9	Lisa Davey-Bates	I	R
Lisa Davey-Bates briefly discussed the March 16 Rural Counties Task Force meeting held in Sacramento. She added that the RCTC are monitoring the reauthorization and blueprint planning.					
12	Report by Self-Help Counties Coalition Chair	1.10	Andy Chesley	I	R
Andy Chesley discussed AB 1718 requiring STIP oversight. The Coalition is planning focus groups for 2012 and they are hopeful the 1% sales tax will pass for transportation.					
<u>FEDERAL HIGHWAY ADMINISTRATION (FHWA) REPORT</u>					
13	Report by FHWA Division Administrator	1.11	Vincent Mammano	I	R
Vincent Mammano introduced Jermaine Hannon, the new Director of Planning and Air Quality. He also announced that the I-5 Right of Way certification was signed by the Federal Highway Administration. Commissioner Burke expressed her appreciation for the cooperation the Commission has received from the FHWA.					
<u>POLICY MATTERS</u>					
14	Proposition 1A Update	4.22	Bimla Rhinehart	I	C
Executive Director Rhinehart discussed the letter sent to the CTC from the High Speed Rail Authority, and the proposal to work with the Authority, Caltrans and local agencies to come up with a revised program of projects consistent with the Authority's draft 2012 business plan and blended approach.					
<u>Public speakers:</u> Alix Bockelman, Metropolitan Transportation Commission David Yale, Los Angeles County Metropolitan Transportation Authority Lee Saage, San Francisco County Transportation Authority					
15	State and Federal Legislative Matters	4.1	Annette Gilbertson	A	C
CTC Associate Deputy Director Annette Gilbertson gave an update on legislation including nine bills that directly impact the CTC.					
Recommendation: approve support position on SB 1102, direct staff to prepare letter to transmit concerns to bill author of AB 441, oppose bill AB 1645 Action Taken: approved as recommended Motion: Assemi Second: Dunn Vote Result: 7-0 Absent: Earp, Frommer, Tavaglione					
16	Budget and Allocation Capacity Update	4.2	Mitchell Weiss Steven Keck	I	D

Caltrans Division Chief of Budgets Steven Keck discussed the Budget and Allocation Capacity via PowerPoint and also discussed Item 69, FY 2011-12 Second Quarter Finance Report, as well.

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
17	Update on Projects Delivered But Not Yet Allocated	4.3	Laurel Janssen Rachel Falsetti	A	D

CTC Associate Deputy Director Laurel Janssen discussed TCIP projects. She recommended that project #1 on attachment #1 be removed and would come back for allocation when the project was complete per the approved LONP. She also recommended that project #2 on attachment #1 be allocated TCIF funds.

Recommendation: approval

Action Taken: approved

Motion: Dunn

Second: Assemi

Vote result: 7-0

Absent: Earp, Frommer, Tavaglione

18	Approval of 2012 SHOPP	4.5	Juan Guzman Rachel Falsetti	A	D
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Recommendation: approval

Action Taken: approved

Motion: Dunn

Second: Assemi

Vote result: 7-0

Absent: Earp, Frommer, Tavaglione

19	Review of Commission policy and guidelines for the approval of AB 3090 replacement projects or direct cash reimbursements	4.12	Mitchell Weiss	I	C
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CTC Deputy Director Mitchell Weiss gave an overview of the agenda item.

Public speakers:

Kurt Brotcke, OCTA

Shirley Medina, RCTC

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows:

Review of Commission policy and guidelines for the approval of AB 3090 replacement projects or direct cash reimbursements

YELLOW HANDOUT

20	Presentation of 2012 State Transportation Improvement Program (STIP) Staff Recommendations <i>(Related Item under Tab 61.)</i>	4.14	Mitchell Weiss	I	C
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CTC Deputy Director Mitchell Weiss gave an overview of the agenda item.

Public speakers:

Rich Murphy, SLOCOG

Jay Walter, City of San Luis Obispo

Paul W. Price, Napa County Transportation Planning Agency

21	Update on I-5 Carpool Lane and Freeway Widening Project – Orange County Line to I-605	4.4	Mike Miles	A	D
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Mike Miles, Caltrans District 7 Director, discussed the segments of the project via PowerPoint, which is scheduled to be completed in December 2016.

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
22	Presidio Parkway Project Financial Plan Update	4.9	Kome Ajise	I	D

Kome Ajise, Caltrans P3 Program Manager, gave an update on the Presidio Parkway Project. Lisa Davey-Bates also discussed the approval of the project.

23	Adoption of an Amendment to the Trade Corridors Improvement Program Resolution TCIF-P-1112-026	4.20	Maura Twomey	A	C
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Recommendation: approve as revised
Action Taken: approved as recommended
Motion: Alvarado
Second: Guardino
Vote result: 7-0
Absent: Earp, Frommer, Tavaglione

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows:

Adoption of an Amendment to the Trade Corridors Improvement Program
~~Resolution TCIF-P-1112-026~~ ~~Resolution TCIF-P-112-27~~ Resolution TCIF-P-1112-27
 --Change resolution number in Agenda and Book Item.

24	Adoption of Amendment to the Corridor Mobility Improvement Account Program Resolution CMIA-P-1112-11	4.16	Maura Twomey	A	C
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Recommendation: approval
Action Taken: approved
Motion: Inman
Second: Assemi
Vote result: 7-0
Absent: Earp, Frommer, Tavaglione

25	Corridor Mobility Improvement Account Project Baseline Agreement 1. Capitol Expressway/Yerba Buena Interchange Improvements Resolution CMIA-P-1112-12B	4.17	Maura Twomey	A	C
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This item was heard on Thursday, March 29.

Recommendation: approval
Action Taken: approved
Motion: Assemi
Second: Alvarado
Vote result: 6-0
Absent: Dunn, Earp, Frommer, Tavaglione

Public speaker:
 Rob Ball, Kern COG

26	Potential Alternatives for Programming Corridor Mobility Improvement Account Project Cost Savings	4.21	Maura Twomey	I	C
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CTC Deputy Director Maura Twomey presented this informational item.

Public speaker:
 Debbie Hale, Transportation Agency for Monterey County

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
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<u>PROGRAM STATUS</u>					
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27	Status Update on Corridor Mobility Improvement Account (CMIA) Projects	3.5	Maura Twomey Rachel Falsetti	A	D/R
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CTC Deputy Director Maura Twomey presented this item and no action was taken or required. Caltrans Division Chief of Programming Rachel Falsetti provided an update.

Status Update on Corridor Mobility Improvement Account (CMIA) Projects **YELLOW HANDOUT**
 --Minor correction on page 2 in chart - Project 25 (ORA 74 – Reconstruct I-5/Rte 74 Interchange) should be Medium Low not Medium High

28	Status Update on State Route 99 (SR 99) Projects	3.6	Maura Twomey Rachel Falsetti	A	D/R
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CTC Deputy Director Maura Twomey reported that these projects are scheduled to return for future allocation. Caltrans Division Chief of Programming Rachel Falsetti provided an update.

Public speakers:
 Rob Ball, Kern COG
 Raul Rojas, City of Bakersfield

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows: **YELLOW HANDOUT**
 Status Update on State Route 99 (SR 99) Projects.

29	Status Update on TCIF Project 6: Tehachapi Trade Corridor Rail Improvement Project	3.15	Maura Twomey Bill Bronte	I	D
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Caltrans Deputy Director for Planning and Modal Programs Marty Tuttle discussed via PowerPoint slides the Tehachapi Trade Corridor project which will begin construction in February 2013. The corridor is changing from a single to double tract.

<u>Environmental Matters – Approval of Projects for Future Consideration of Funding, Route Adoption or New Public Road Connection (Final Negative Declaration or EIR)</u>					
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30	Approval of Project for Future Consideration of Funding: 03 – El Dorado County Silva Valley Parkway Interchange Project will construct a new interchange connection to U.S. Route 50 in El Dorado Hills. (FEIR) (SLPP) Resolution E-12-13	2.2c.(4)	Kandra Hester-Del Bianco	A	C
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Recommendation: approve with changes
Action Taken: approved as recommended
Motion: Assemi
Second: Dunn
Vote result: 7-0
Absent: Earp, Frommer, Tavaglione

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows: **YELLOW HANDOUT**
 Approval of Project for Future Consideration of New Public Road Connection and:
 for Future Consideration of Funding
 03 - El Dorado County
 --Replacement for Pages 1 through 3 only.

<u>INFORMATION CALENDAR</u>			Stephen Maller		
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<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
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CTC Deputy Director Stephen Maller presented the Information Calendar. There were no questions or comments.

31	<u>Informational Reports on Allocations Under Delegated Authority</u> -- Emergency G-11 Allocations (2.5f.(1)): \$21,570,000 for nine projects. -- SHOPP Safety G-03-10 Allocations (2.5f. (3)): \$604,000 for one project. -- Minor G-05-05 Allocations (2.5f.(4)): \$9,722,000 for 17 District minor projects.	2.5f.		I	D
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This item was presented as part of the Information Calendar.

32	Monthly Report on Projects Amended into the SHOPP by Department Action	3.1		I	D
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This item was presented as part of the Information Calendar.

33	Monthly Status of Construction Contract Award for State Highway Projects, per Resolution G-06-08	3.2a		I	D
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This item was presented as part of the Information Calendar.

34	Monthly Status of Construction Contract Award for Local Assistance STIP Projects, per Resolution G-06-08	3.2b		I	D
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This item was presented as part of the Information Calendar.

35	Update on Implementation of the Recovery Act of 2009	3.3		I	D
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This item was presented as part of the Information Calendar.

36	First Quarter – Balance Report on AB 1012 “Use It or Lose It” Provision for FFY 2010 Unobligated CMAQ and RSTP Funds	3.13		I	D
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This item was presented as part of the Information Calendar.

37	Quarterly Report - Local Assistance Lump Sum Allocation for the period ending December 31, 2011	3.14		I	D
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This item was presented as part of the Information Calendar.

	<u>CONSENT CALENDAR</u>		Stephen Maller		
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Recommendation: approval with changes as noted: Tab 42, Vacation Resolution No. A888 - 11-SD-76-PM 17.9/18.7 (Request No. V31132) - 2 Segments was pulled at the request of the commission for further evaluation. Tab 43, Item is deferred to April meeting as eight commissioners are not present. Tab 44, Director's Deed 16 - 04-Ala-880 PM 33.6 Disposal Unit #DK 035820-01-01 was withdrawn prior to the meeting

Action Taken: approved as recommended

Motion: Assemi

Second: Dunn

Vote result: 7-0

Absent: Earp, Frommer, Tavaglione

Tab # / Time	Item Description	Ref. #	Presenter	Status*	
38	Approval of Project for Future Consideration of Funding: 02 – Tehama County Construct a new bridge over Thomes Creek in the County of Tehama. (MND) (STIP) (PPNO 2430) Resolution E-12-14 <i>(Related Item under Tab 82.)</i>	2.2c.(1)		A	C

This item was presented and approved as part of the Consent Calendar.

39	Approval of Three Projects for Future Consideration of Funding: 03-ED-49, PM 3.76/3.92 State Route 49 Curve Improvement Project (MND) (PPNO 3119) (SHOPP) Resolution E-12-09 04-ALA-262, PM R0.0/0.5, 04-ALA-880, PM R0.0/2.9, 04-SCL-880, PM 8.2/10.5 Route 262/Warren Avenue/I-880 Interchange Reconstruction and I-880 Widening Project. (ND) (PPNO 0016V) (Federal, Local) Resolution E-12-10 <i>(Related Item under Tab 64.)</i> 08-SBD-15, PM 9.82/11.94 Interstate 15/Duncan Canyon Road New Interchange Project. (MND) (PPNO 0168Q) (SLPP) Resolution E-12-11 <i>(Related Item under Tab 92.)</i>	2.2c.(2)		A	D
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This item was presented and approved as part of the Consent Calendar.

40	Approval of One Project for Future Consideration of Funding: 05-SB-101, PM 83.1/83.9 Union Valley Parkway Extension/Interchange Project. (FEIR) (PPNO 4638) (STIP) Resolution E-12-12	2.2c.(3)		A	D
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This item was presented and approved as part of the Consent Calendar.

41	Five Relinquishment Resolutions: -- 12-Ora-39-PM 12.9/15.1 Right of way on Route 39, from the south city limits to Route 5, in the city of Buena Park. Resolution R-3829 -- 06-Ker-33-PM 59.68/60.00 Right of way on and along Route 33, between Route 46 and 0.4 mile southeasterly thereof, in the county of Kern. Resolution R-3830 -- 06-Ker-58-PM 45.96/50.61 Right of way on Route 58, from the Bakersfield city limits west of Allen Road to Mohawk Street, in the county of Kern. Resolution R-3831	2.3c.		A	D
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Tab # / Time	Item Description	Ref. #	Presenter	Status*	
	-- 06-Ker-58-PM 47.60/49.53 Right of way on Route 58, from Verdugo Lane to the Bakersfield city limits west of Patton Way, in the city of Bakersfield. Resolution R-3832 -- 07-LA-19-PM 4.0/5.5 Right of way on Route 19, between the city limits of Long Beach and Bellflower, in the city of Lakewood. Resolution R-3833				

This item was presented and approved as part of the Consent Calendar.

42	Three Vacation Resolutions – -- 10-Tuo-49-PM 23.3 Right of way along Route 49 at Poppy Hills Drive, in the county of Tuolumne. Resolution A884 -- 06-Ker-33-PM 59.48/60.57 Right of way along Route 33, between 0.4 mile southeasterly and 0.4 mile northwesterly of Route 46, in the county of Kern. Resolution A887 -- 11-SD-76-PM 17.9/18.7 Right of way along Route 76, between Pankey Road and 0.8 mile easterly thereof, in the county of San Diego. Resolution A888	2.3d.		A	D
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This item was presented and approved as part of the Consent Calendar.

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows:

Three Vacation Resolutions -

- Resolution No. A888 – 11-SD-76-PM17.9/18.7 (Request No. V31132 – 2 Segments) **Withdrawn at the CTC Meeting.**

43 8 Ayes	46 Resolutions of Necessity Resolutions C-20766 through C-20775, Resolution C-20777 through C-20797, and Resolution C-20799 through C-20807, and Resolution C-20809 through C-20814	2.4b.		A	D
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This item was withdrawn as eight Commissioners were not present for the vote.

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows:

~~46~~ **42** Resolutions of Necessity

Resolutions C-20766 through C-20775, Resolution C-20777 through C-20797, and

Resolution C-20799 through C-20807, and Resolution C-20809 through C-20814

Resolutions C-20766, C-20767, C-20769 through C-20775, C-20777, C-20779,

C-20780, C-20782 through C-20796, C-20799 through C-20807, and

C-20809 through C-20814

**PINK SUPPLEMENTAL HANDOUT
FOR RESOLUTION C-20799**

- Resolution C-20768 (Union Pacific Railroad Company, a Delaware Corporation, Parcel 86520-1, EA 471009) **Withdrawn prior to CTC Meeting.**
- Resolution C-20778 (Burgundy House Apartments, et al., Parcel 86708, EA 430709) **Withdrawn prior to CTC Meeting.**
- Resolution C-20781 (Capricorn Realty, Inc. a California Corporation, et al., Parcel 79048-1, 2, 01-01, EA 245939.) **Moved to Tab 2 Appearance.**
- Resolution C-20797 (CBS Outdoor Advertising, Parcel 16390-2(A), EA 3A1009) **Withdrawn prior to CTC Meeting.**

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
44	Director's Deeds Items 1 through 18 Excess Lands - Return to State: \$470,011 Return to Others: \$0	2.4d.		A	D

This item was presented and approved as part of the Consent Calendar.

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows:

Director's Deeds, Items 1 through 48 **15, and Items 17 and 18**

➤ Item 16 (04-Ala-880 PM 33.6, DK 035820-01-01, City of Oakland) *Withdrawn prior to CTC Meeting.*

45	Financial Allocation Amendment: Reduce the original CMIA allocation for construction by \$50,307,000, from \$116,300,000 to \$65,993,000, for the HOV Lanes, Mussel Shoals to Casitas Pass Road project (PPNO 3918) in Ventura and Santa Barbara Counties. Resolution CMIA-AA-1112-025, Amending Resolution CMIA-A-1112-003	2.5g.(1d)		A	D
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This item was presented and approved as part of the Consent Calendar.

46	Financial Allocation Amendment: Re-allocate \$968,000 in previously allocated TCRP funds to Project 17 – Route 101; add HOV lanes through San Rafael, Sir Francis Drake Boulevard to North Pedro Road in Marin County project for construction. Resolution TFP-11-08, Amending Resolution TFP-05-10	2.6e.		A	D
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This item was presented and approved as part of the Consent Calendar.

47	Financial Allocation: \$162,000 of FY 2011-12 California Aid to Airports Program (CAAP) funds for the Nut Tree Airport in Solano County from the 2010 Aeronautics Program. Resolution FDOA-2011-04	2.7		A	D
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This item was presented and approved as part of the Consent Calendar.

48	Technical Correction to Resolution SLP1B-A-1112-08, originally approved on October 26, 2011, which allocated \$6,638,000 for 11 locally administered SLPP projects off the Delivered But Not Yet Allocated List. A technical correction is needed for Project 10 (Tustin Avenue and La Palma Avenue Intersection Improvement project) to revise the Project ID number.	2.9a.		A	D
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This item was presented and approved as part of the Consent Calendar.

49	Technical Correction to Resolution TCIF-A-1112-05, originally approved on October 26-27, 2011, which allocated \$355,575,000 for three locally administered TCIF projects off the Delivered But Not Yet Allocated List. A technical correction is needed for Project 3 (San Gabriel Grade Separation Project – Phase 2) to correct the Project ID number.	2.9b.		A	D
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This item was presented and approved as part of the Consent Calendar.

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
50	Technical Correction to Resolution FP-11-27, originally approved January 26, 2012, for \$58,625,000 for 16 SHOPP projects. A technical correction is needed to revise the Budget Act item for Project 3.	2.9c.		A	D

This item was presented and approved as part of the Consent Calendar.

51	Adoption of the Proposition 1B Highway Railroad Safety Account (HRCSA) 2012 Guidelines Resolution GS1B-G-1112-01	4.19		A	C
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This item was presented and approved as part of the Consent Calendar.

Amendment for Action – TCRP

52	The Department and the Stanislaus Council of Governments propose to amend TCRP Project 109 -Route 132 Expressway project (PPNO 0944M) to revise the project funding plan, limits, and schedule, and change the implementing agency for Design. Resolution TAA-11-06, Amending Resolution TA-02-08	2.1a	Juan Guzman Rachel Falsetti	A	D
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Recommendation: approve

Action Taken: approved

Motion: Assemi

Second: Alvarado

Vote result: 7-0

Absent: Earp, Frommer, Tavaglione

Proposition 1B Route 99 Project Amendments for Action

53	The Department, the Sacramento Area Council of Governments, and Sutter County propose to amend the State Route 99 Corridor baseline agreement for the Riego Road Interchange project (PPNO 3L44) to update the delivery schedule. Resolution R99-PA-1112-006, Amending Resolution R99-PA-1011-007 <i>(Related Item under Tab 87.)</i>	2.1c.(2b)	Maura Twomey Rachel Falsetti	A	D
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Recommendation: approval

Action Taken: approved

Motion: Alvarado

Second: Assemi

Vote result: 7-0

Absent: Earp, Frommer, Tavaglione

Proposition 1B TCIF Project Amendments for Action

54	The Department and the Orange County Transportation Authority propose to amend the TCIF baseline agreement for Project 34 (Route 91 Auxiliary Lanes project [PPNO 4516A]) to revise funding plan and delivery schedule and to split off a follow-up landscaping project. Resolution TCIF-P-1112-23	2.1c.(5a)	Maura Twomey Rachel Falsetti	A	D
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Tab # / Time	Item Description	Ref. #	Presenter	Status*	
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Recommendation: approval of items 54-56
Action Taken: all approved
Motion: Dunn
Second: Assemi
Vote result: 7-0
Absent: Earp, Frommer, Tavaglione

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows:

TCIF baseline agreement for Project 34 (Route 91 Auxiliary Lanes project [PPNO 4516A]).
 Resolution TCIF-P-1112-23, **Amending Resolution TCIF-P-0809-01B**
 --Revise Agenda Language to add Amending Resolution. Book item is correct.

55	The Department and the San Joaquin Council of Governments propose to amend the TCIF baseline agreement for Project 10 (State Route 4 Crosstown Freeway Extension project [PPNO 0284]) to revise the project schedule and to split off a follow-up landscaping project. Resolution TCIF-P-1112-24, Amending Resolution TCIF-P-1011-22	2.1c.(5b)	Maura Twomey Rachel Falsetti	A	D
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Recommendation: approval of items 54-56
Action Taken: all approved
Motion: Dunn
Second: Assemi
Vote result: 7-0
Absent: Earp, Frommer, Tavaglione

56	The Department and the Alameda County Transportation Commission propose to amend the TCIF baseline agreement for Project 4 (I-880 Reconstruction, 29 th -23 rd Avenue [PPNO 0044C]) to update the project delivery schedule. Resolution TCIF-P-1112-26, Amending Resolution TCIF-P-1011-05	2.1c.(5d)	Maura Twomey Rachel Falsetti	A	D
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Recommendation: approval of items 54-56
Action Taken: all approved
Motion: Dunn
Second: Assemi
Vote result: 7-0
Absent: Earp, Frommer, Tavaglione

Proposition 1B TLSP Project Amendments for Action					
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57	The San Diego Association of Governments, the City/County Association of Governments of San Mateo County, and the Cities of Watsonville, Fresno, Glendale, and Pasadena proposes to amend the TLSP baseline agreement for fourteen projects to update the project schedules. Resolution TLSP-PA-1112-05	2.1c.(6)	Teresa Favila Robert Copp	A	D
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Recommendation: approve as revised
Action Taken: approved as recommended
Motion: Alvarado
Second: Assemi
Vote result: 7-0
Absent: Earp, Frommer, Tavaglione

Tab # / Time	Item Description	Ref. #	Presenter	Status*	
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Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows:

Proposition 1B TLSP Project Amendment for 14 projects

--Revise Book Item, Page 2, under "City of Fresno - Shaw Avenue" to delete the third sentence as follows: ~~The project is in construction and completion is scheduled for September 2012.~~

--Revise Attachment as follows: For the Signal Corridor Upgrade in the County of Santa Cruz, the Revised CONST End Date should be **April-13** not April 12.

Proposition 1B HRCSA Project Amendments for Action					
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58	The Orange County Transportation Authority proposes to amend the HRCSA baseline agreement for the Sand Canyon Grade Separation project, to update the funding plan. Resolution GS1B-P-1112-10, Amending Resolution GS1B-P-1011-05	2.1c.(7a)	Teresa Favila Bill Bronte	A	D
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Recommendation: approval

Action Taken: approved

Motion: Dunn

Second: Inman

Vote result: 7-0

Absent: Earp, Frommer, Tavaglione

59	The Orange County Transportation Authority, City of Sacramento and Peninsula Corridor Joint Powers Board request baseline agreement amendments for three HRCSA projects to update the project schedules. Resolution GS1B-P-1112-11, Amending Resolutions GS1B-P-1112-02, GS1B-P-0910-01 and GS1B-P-0910-02	2.1c.(7b)	Teresa Favila Bill Bronte	A	D
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Recommendation: approve as revised on pink handout

Action Taken: approved as recommended

Motion: Alvarado

Second: Dunn

Vote result: 7-0

Absent: Earp, Frommer, Tavaglione

60	The City of Fremont proposes to amend the HRCSA baseline agreement amendment for the Warren Avenue Grade Separation project to update the funding plan and schedule. Resolution GS1B-P-1112-12, Amending Resolution GS1B-P-1011-07B <i>(Related Item under Tab 90.)</i>	2.1c.(7c)	Teresa Favila Bill Bronte	A	D
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Recommendation: approve as revised on pink handout

Action Taken: approved as recommended

Motion: Guardino

Second: Assemi

Vote result: 7-0

Absent: Earp, Frommer, Tavaglione

5:00 pm	Adjourn
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Vice Chair Ghielmetti adjourned meeting at 4:24 PM.

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>
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Tab # / Time	Item Description	Ref. #	Presenter	Status*
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Thursday, March 29, 2012

9:00 a.m.

Commission Meeting
Orinda Library
Auditorium
26 Orinda Way
Orinda, CA

9:00 am	<u>GENERAL BUSINESS</u>				
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	Roll Call	1.1	Joseph Tavaglione	I	C
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CHAIR JOSEPH TAVAGLIONE	<i>Absent</i>
COMMISSIONER BOB ALVARADO	Present
COMMISSIONER DARIUS ASSEMI	Present
COMMISSIONER YVONNE B. BURKE	Present
COMMISSIONER LUCETTA DUNN	<i>Absent</i>
COMMISSIONER JIM EARP	<i>Absent</i>
COMMISSIONER DARIO FROMMER	<i>Absent</i>
COMMISSIONER JIM GHIEMMETTI	Present
COMMISSIONER CARL GUARDINO	Present
COMMISSIONER FRAN INMAN	Present
TOTAL	Present: 6 Absent: 4
Senator Mark DeSaulnier, Ex-Officio	<i>Absent</i>
Assembly member Bonnie Lowenthal, Ex-Officio	<i>Absent</i>

	<u>POLICY MATTERS</u>				
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61	Adoption of 2012 State Transportation Improvement Program (STIP) Resolution G-12-05	4.15	Mitchell Weiss	A	C
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Recommendation: approve as revised
Action Taken: approved as recommended
Motion: Alvarado
Second: Assemi
Vote result: 6-0
Absent: Dunn, Earp, Frommer, Tavaglione

Public speaker:
Kenneth Kao, MTC

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows:
 Adoption of 2012 State Transportation Improvement Program (STIP)
 --Replacement for Resolution pages only.

YELLOW HANDOUT

62	Proposition 1B Intercity Rail Improvement Program Amendment. Resolution ICR1B-P-1112-01, Amending Resolution ICR1B-P-1011-05	4.6	Juan Guzman Bill Bronte	A	D
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This Item was approved on Wednesday, March 28.
Recommendation: approval
Action Taken: approved

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
63	Proposition 1B State-Local Partnership Formula Program Amendment Resolution SLP1B-P-1112-08	4.8	Laurel Janssen	A	C

This Item was approved on Wednesday, March 28.

Recommendation: approve as revised

Action Taken: approved as recommended

Motion: Assemi

Second: Dunn

Vote result: 7-0

Absent: Earp, Frommer, Tavaglione

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows:

Proposition 1B State-Local Partnership Formula Program Amendment
--Replacement for Attachment only.

YELLOW HANDOUT

64	Local Alternative Transportation Improvement Program Advance Funding Request for the Mission/Warren/Truck-Rail project Resolution LATIP-1112-01 <i>(Related Item under Tab 39.)</i>	4.7	Laurel Janssen Rachel Falsetti	A	D
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This Item was approved on Wednesday, March 28.

Recommendation: approval

Action Taken: approved

Motion: Guardino

Second: Dunn

Vote result: 7-0

Absent: Earp, Frommer, Tavaglione

65	Amendment to the FY 2010-11 Environmental Enhancement Mitigation Program Resolution G-12-03, Amending Resolution G-11-06	4.10	Juan Guzman	A	C
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This Item was approved on Wednesday, March 28.

Recommendation: approval

Action Taken: approved

Motion: Dunn

Second: Assemi

Vote result: 7-0

Absent: Earp, Frommer, Tavaglione

66	Amendment to the FY 2011-12 Environmental Enhancement Mitigation Program Resolution G-12-04, Amending Resolution G-12-02	4.11	Juan Guzman	A	C
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This Item was approved on Wednesday, March 28.

Recommendation: approval

Action Taken: approved

Motion: Alvarado

Second: Assemi

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
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Vote result: 7-0

Absent: Earp, Frommer, Tavaglione

<u>Airspace Leases</u>					
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67	Request to Directly Negotiate with McCall Automotive, Inc. (Doing business as Toyota Central)	2.4c.	Stephen Maller Brent Green	A	D
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This Item was approved on Wednesday, March 28.

Recommendation: approval

Action Taken: approved

Motion: Inman

Second: Assemi

Vote result: 7-0

Absent: Earp, Frommer, Tavaglione

<u>PROGRAM STATUS</u>					
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68	FY 2011-12 Second Quarter – Excess Land Sales Report	3.12	Stephen Maller Brent Green	I	D
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CTC Deputy Director Stephen Maller gave an overview of the Excess Land Sales Report on Wednesday, March 28.

69	FY 2011-12 Second Quarter Finance Report	3.8	Mitchell Weiss Steven Keck	I	D
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Caltrans Division Chief of Budgets Steven Keck discussed this item on Wednesday, March 28 with Item 16, Budget and Allocation Capacity Update.

70	FY 2011-12 Second Quarter Rail Operations Report	3.9	Juan Guzman Bill Bronte	I	D
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Caltrans Deputy Director of Planning and Modal Programs Marty Tuttle presented this item via Power Point slides on Wednesday, March 28.

71	FY 2011-12 Second Quarter Project Delivery Report, including Supplement Report on Completed Projects	3.10	Maura Twomey Karla Sutliff	I	D
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Caltrans Division Chief of Programming Rachel Falsetti gave an overview of the 2nd quarter Project Delivery Report.

72	Proposition 1B – Quarterly Reports -- Corridor Mobility Improvement Account (3.11a.) -- Route 99 Corridor (3.11b.) -- Local Bridge Seismic Retrofit Program (3.11c.) -- State-Local Partnership Program (3.11d.) -- Traffic Light Synchronization Program (3.11e.) -- Highway-Railroad Crossing Safety Account (3.11f.) -- Intercity Rail Improvement Program (3.11g.) -- Trade Corridors Improvement Fund (3.11h.)	3.11	Maura Twomey Rachel Falsetti	I	D
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Caltrans Division Chief of Programming Rachel Falsetti gave an overview of the Proposition 1B projects on Wednesday, March 28.

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows:

Proposition 1B - Quarterly Reports

Tab # / Time	Item Description	Ref. #	Presenter	Status*	
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--Correct Book Item for Local Bridge Seismic Retrofit Program; on Page 1, Paragraph 3, the fifth sentence should read as: These funds are available to accommodate part of the current \$35.3 million shortfall in required local match.

Financial Allocations for Supplemental Funds					
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73	Financial Allocation: \$169,000 in supplemental funds for the previously allocated SHOPP Minor A project in Tuolumne County to award the construction contract. The current allocation is \$755,000. This request for \$169,000 results in an increase of 22.4 percent over the current allocation. Resolution FA-11-19	2.5e.(1)	Mitchell Weiss Carrie Bowen	A	D
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This Item was approved on Wednesday, March 28.

Recommendation: approval

Action Taken: approved

Motion: Alvarado

Second: Assemi

Vote result: 7-0

Absent: Earp, Frommer, Tavaglione

74	Financial Allocation: \$5,008,000 in supplemental funds for the previously voted SHOPP Roadway Rehabilitation (PPNO 0030) project in San Luis Obispo County to complete the construction contract. The current SHOPP allocation is \$34,826,900. This request for \$5,008,000 results in an increase of 14.4 percent over the current allocation. Resolution FA-11-20	2.5e.(2)	Mitchell Weiss Richard Krumholz	A	D
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These items were approved on Wednesday, March 28.

Recommendation: approval of items 74-75

Action Taken: both approved

Motion: Inman

Second: Dunn

Vote result: 7-0

Absent: Earp, Frommer, Tavaglione

75	Financial Allocation: \$2,350,000 in supplemental funds for the previously voted SHOPP Operational Improvements (PPNO 3343) project in Los Angeles County to complete the construction contract. The current SHOPP allocation is \$23,080,000. This request for \$2,350,000 results in an increase of 10.2 percent over the current allocation. Resolution FA-11-21	2.5e.(3)	Mitchell Weiss Mike Miles	A	D
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These items were approved on Wednesday, March 28.

Recommendation: approval of items 74-75

Action Taken: both approved

Motion: Inman

Second: Dunn

Vote result: 7-0

Absent: Earp, Frommer, Tavaglione

Financial Allocations for District Projects					
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76	Financial Allocation: \$2,809,000 for four District Minor projects. Resolution FP-11-41	2.5a.	Juan Guzman Rachel Falsetti	A	D
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<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
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Recommendation: approval
Action Taken: approved
Motion: Alvarado
Second: Assemi
Vote result: 6-0
Absent: Dunn, Earp, Frommer, Tavaglione

Financial Allocations for SHOPP Projects					
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77	Financial Allocation: \$31,265,000 for 16 SHOPP projects, as follows: -- \$6,991,000 for seven SHOPP projects. -- \$24,274,000 for nine projects amended into the SHOPP by Departmental action. Resolution FP-11-42	2.5b.(1)	Juan Guzman Rachel Falsetti	A	D
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Recommendation: approval
Action Taken: approved
Motion: Inman
Second: Assemi
Vote result: 6-0
Absent: Dunn, Earp, Frommer, Tavaglione

Financial Allocations for Environmental Enhancement and Mitigation (EEM) Program Projects					
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78	Financial Allocation: \$9,683,778 for 32 Environmental Enhancement and Mitigation Program projects. Contributions from other sources: \$16,496,599 Resolution FP-11-46	2.5c.(7)	Juan Guzman Denix Anbiah	A	D
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Recommendation: approval
Action Taken: approved
Motion: Alvarado
Second: Inman
Vote result: 6-0
Absent: Dunn, Earp, Frommer, Tavaglione

Financial Allocations for STIP Projects					
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79	Financial Allocation: \$5,546,000 for the state administered Clovis to Temperance Landscape (PPNO 6434) STIP project in Fresno County, on the State Highway System. Resolution FP-11-43	2.5c.(1a)	Mitchell Weiss Rachel Falsetti	A	D
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Recommendation: approval of Items 79-82
Action Taken: all approved
Motion: Alvarado
Second: Assemi
Vote result: 6-0
Absent: Dunn, Earp, Frommer, Tavaglione

80	Financial Allocation: \$ 257,000 for the state administered Yurok Tribe Transportation Corridor (PPNO 2015) STIP TE project in Del Norte County, on the State Highway System. Resolution FP-11-44	2.5c.(1b)	Mitchell Weiss Rachel Falsetti	A	D
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Tab # / Time	Item Description	Ref. #	Presenter	Status*	
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Recommendation: approval of Items 79-82
Action Taken: all approved
Motion: Alvarado
Second: Assemi
Vote result: 6-0
Absent: Dunn, Earp, Frommer, Tavaglione

81	Advance Financial Allocation: \$519,000 for the locally administered Highway 43 Corridor Beautification (PPNO 6559) STIP TE project in Kern County, programmed in FY 2012-13, on the State Highway System. Contributions from other sources: \$67,000. Resolution FP-11-__	2.5c.(2a)	Mitchell Weiss Rachel Falsetti	A	D
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Recommendation: approval of Items 79-82
Action Taken: all approved
Motion: Alvarado
Second: Assemi
Vote result: 6-0
Absent: Dunn, Earp, Frommer, Tavaglione

82	Financial Allocations: \$3,047,000 for seven locally administered STIP projects off the State Highway, as follows: -- \$98,000 for three STIP projects. -- \$2,633,000 for three STIP Transportation Enhancement projects. -- \$316,000 for one STIP Planning, Programming, and Monitoring project. Contributions from other sources: \$1,887,000. Resolution FP-11-45 (Related Item under Tab 38.)	2.5c.(3)	Mitchell Weiss Rachel Falsetti	A	D
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Recommendation: approval of Items 79-82
Action Taken: all approved
Motion: Alvarado
Second: Assemi
Vote result: 6-0
Absent: Dunn, Earp, Frommer, Tavaglione

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows:

Financial Allocations: \$3,047,000 for seven locally administered STIP Projects off the State Highway
 --Correct Attachment and Vote List for:
 Project 4 (PPNO 9098J) - The Recipient should be **San Francisco Department of Public Works** not ~~San Francisco County~~.

Financial Allocation Adjustment for Proposition 1B STIP Projects (AB 608)					
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83	Financial Allocation Adjustment: Reduce the original allocation of \$17,610,000 (\$10,600,000 RIP and \$7,010,000 IIP) to \$12,967,000 (\$7,720,000 RIP and \$5,247,000 IIP), per AB 608, for Segment 1 (PPNO 0367D) and Segment 2 (PPNO 0367I) of the State Route 12 Jameson Canyon Widening – Phase 1 project in Solano and Napa Counties. Resolution STIP1B-AA-1112-005, Amending Resolution STIP1B-AA-1112-004 and STIP1B-A-1112-002 Resolution CMIA-AA-1112-026 Amending Resolution CMIA-AA-1112-024 and CMIA-A-1112-007.	2.5g.(3b)	Mitchell Weiss Rachel Falsetti	A	D
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<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>
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Recommendation: approve as revised
Action Taken: approved as recommended
Motion: Alvarado
Second: Assemi
Vote result: 6-0
Absent: Dunn, Earp, Frommer, Tavaglione

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows:

Financial Allocation Adjustment for the State Route 12 Jameson Canyon Widening – Phase 1 project

--Revise Attachment and Vote List as follows:

→ Change all Item #'s of ~~304-6058~~ to **301-0890** and change all Fund Types of TFA to **FTF** for Project 1 and Project 2.

Financial Allocations for Proposition 1B STIP Projects					
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84	Financial Allocation: \$135,511,000 for the state administered Willits Bypass (PPNO 0125F) STIP project in Mendocino County. Resolution STIP1B-A-1112-005	2.5g.(3a)	Mitchell Weiss Rachel Falsetti	A	D
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Recommendation: approval
Action Taken: approved
Motion: Alvarado
Second: Assemi
Vote result: 6-0
Absent: Dunn, Earp, Frommer, Tavaglione

Public speakers:

- Bruce Burton, Mayor of Willits
- Chris Snyder, Operating Engineers Local #3 (Building Trades)
- Margie Handley, former CTC Commissioner
- John Pinches, Mendocino County Supervisor
- Hal Wagenet, Former Mendocino County Supervisor
- Phil Dow, Mendocino Council of Governments

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows:

Financial Allocation: \$135,511,000 for the state administered Willits Bypass (PPNO 0125F)

STIP project in Mendocino County

--Corrections to Attachment and Vote List. Book item is correct.

YELLOW HANDOUT

Financial Allocations for Proposition 1B CMIA Projects					
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85	Financial Allocation: \$6,067,000 for the locally administered I-80 ICM Specialty Materials Procurement (PPNO 0062H) CMIA project on the State Highway System. Resolution CMIA-A-1112-025	2.5g.(1a)	Maura Twomey Rachel Falsetti	A	D
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Recommendation: approve as revised
Action Taken: approved as recommended
Motion: Alvarado
Second: Assemi
Vote result: 6-0
Absent: Dunn, Earp, Frommer, Tavaglione

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows:

Financial Allocation: ~~\$6,067,000~~ **\$5,363,000** for the locally administered I-80 ICM Specialty Materials Procurement (PPNO 0062H)

CMIA project on the State Highway System

<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
--Revise Agenda, Book Item, Attachment, and Vote List to reflect an allocation of \$5,363,000 not \$6,067,000 . --Revise Attachment and Vote List to delete the following: CON-ENG \$704,000 004-6055 CMIA \$704,000 .					
86	Financial Allocation: \$10,918,000 for the state administered I-80 ICM Adaptive Ramp Metering (PPNO 0062J) CMIA project on the State Highway System. Resolution CMIA-A-1112-026	2.5g.(1b)	Maura Twomey Rachel Falsetti	A	D

This item was deferred.

<u>Financial Allocations for Proposition 1B RTE 99 Projects</u>					
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87	Financial Allocation: \$21,110,000 for the State administered SR 99/Riego Road Interchange (PPNO 3L44) State Route 99 project on the State Highway System. Resolution R99-A-1112-007 <i>(Related Item under Tab 53.)</i>	2.5g.(2)	Maura Twomey Rachel Falsetti	A	D
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Recommendation: approval
Action Taken: approved
Motion: Alvarado
Second: Assemi
Vote result: 6-0
Absent: Dunn, Earp, Frommer, Tavaglione

<u>Financial Allocations for Proposition 1B TCIF Projects</u>					
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88	Financial Allocation: \$2,060,000 for two state administered TCIF Projects. Contributions from other sources: \$2,704,000. Resolution TCIF-A-1112-08	2.5g.(5a)	Maura Twomey Rachel Falsetti	A	D
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Recommendation: approval of Items 88-89
Action Taken: approved
Motion: Inman
Second: Assemi
Vote result: 6-0
Absent: Dunn, Earp, Frommer, Tavaglione

89	Financial Allocation: \$40,718,000 for the state administered West Basin Road Rail Access Improvements – Segment 1 (PPNO TC32) TCIF Rail project in Los Angeles County. Contributions from other sources: \$63,834,000. Resolution TCIF-A-1112-09	2.5g.(5b)	Maura Twomey Bill Bronte	A	D
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Recommendation: approval of Items 88-89
Action Taken: approved
Motion: Inman
Second: Assemi
Vote result: 6-0
Absent: Dunn, Earp, Frommer, Tavaglione

<u>Financial Allocations for Proposition 1B HRCSA Projects</u>					
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90	Financial Allocation: \$9,600,000 for the locally administered Warren Avenue Grade Separation HRCSA project in Alameda County. Contributions from other sources: \$59,182,000. Resolution GS1B-A-1112-003 <i>(Related Item under Tab 60.)</i>	2.5g.(9)	Teresa Favila Bill Bronte	A	D
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<u>Tab # / Time</u>	<u>Item Description</u>	<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
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Recommendation: approval

Action Taken: approved

Motion: Alvarado

Second: Assemi

Vote result: 6-0

Absent: Dunn, Earp, Frommer, Tavaglione

Financial Allocations for Proposition 1B SLPP Projects					
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91	Financial Allocation: \$ 1,972,000 for the locally administered I-15/Duncan Canyon Road Interchange (PPNO 0168Q) SLPP project in San Bernardino County. Resolution SLP1B-A-1112-16 <i>(Related Items under Tab 39.)</i>	2.5g.(10)	Laurel Janssen Denix Anbiah	A	D
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This item was deferred.

Financial Allocations for STIP Projects					
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92	Advance Financial Allocation: \$1,823,000 for the locally administered Bus Stop Improvements (PPNO 2128A) STIP Transit Project, programmed in FY 2012-13, in Marin County. Resolution MFP-11-___	2.6a.(1)	Juan Guzman Jane Perez	A	D
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Recommendation: denial

Action Taken: allocation denied as recommended

Motion: Alvarado

Second: Guardino

Vote result: 6-0

Absent: Dunn, Earp, Frommer, Tavaglione

Public speaker:

Mary Archer, Marin Transit

93	Financial Allocation: \$1,000,000 for the locally administered Capitalized Maintenance (Capitol Corridor) STIP Rail Project. Resolution MFP-11-___	2.6a.(2)	Juan Guzman Bill Bronte	A	D
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Recommendation: approval

Action Taken: approved

Motion: Guardino

Second: Inman

Vote result: 6-0

Absent: Dunn, Earp, Frommer, Tavaglione

Public speaker:

David Kutrosky, Capital Corridor JPA

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows:

Financial Allocation: \$1,000,000 for the locally administered Capitalized Maintenance (Capitol Corridor) STIP Rail Project

--Correct Book Item, Attachment and Vote List for:

→ Project 1 (Capitalized Maintenance [Capitol Corridor]) - The PPNO should be **75-2065G** not ~~75-2065~~

--Correct Attachment & Vote list for:

→ Project 1 (Capitalized Maintenance [Capitol Corridor]) - The PPNO should be **75-2065G** not ~~75-2065A~~.

Tab # / Time	Item Description	Ref. #	Presenter	Status*	
94	Financial Allocation: \$2,000,000 for two state administered Capitalized Maintenance (San Joaquin and Pacific Surfliner Corridors) STIP Rail Projects. Resolution MFP-11-__	2.6a.(3)	Juan Guzman Bill Bronte	A	D

Recommendation: approve as revised
Action Taken: approved as recommended
Motion: Assemi
Second: Alvarado
Vote result: 6-0
Absent: Dunn, Earp, Frommer, Tavaglione

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows:

Financial Allocation: \$2,000,000 for two state administered Capitalized Maintenance (San Joaquin and Pacific Surfliner Corridors) STIP Rail Projects.

--Correct Attachment and Vote List for:

→ Project 1 (Capitalized Maintenance [San Joaquin Corridor]) - The PPNO should be **75-2065H** not ~~75-2065B~~.

→ Project 2 (Capitalized Maintenance [Pacific Surfliner]) - The PPNO should be **75-2065I** not ~~75-2065C~~.

Request to Extend the Period of Project Allocation

95	Request to extend the period of project allocation for the state administered I-80/I-680/SR 12 Interchange (PPNO 5301L) STIP project in Solano County, per STIP Guidelines. Waiver 12-11	2.8a.	Juan Guzman Rachel Falsetti	A	D
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Recommendation: approve
Action Taken: approved
Motion: Alvarado
Second: Assemi
Vote result: 6-0
Absent: Dunn, Earp, Frommer, Tavaglione

Proj #	PPNO	County	Agency	Request	Caltrans	CTC Staff	Notes
1	04-5301L	SOL	Caltrans-STIP	13 months	13 months	13 months	Delays with Biological Opinion

Request to Extend the Period of Contract Award

96	Request to the extend the period of contract award for three SHOPP projects for \$211,779,000, per Resolution G-06-08 Waiver 12-12	2.8b.	Juan Guzman Rachel Falsetti	A	D
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Recommendation: approval of projects #1 and 2
Action Taken: approved as recommended
Motion: Alvarado
Second: Assemi
Vote result: 6-0
Absent: Dunn, Earp, Frommer, Tavaglione

Proj #	PPNO	County	Agency	Request	Caltrans	CTC Staff	Notes
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<u>Tab # / Time</u>	<u>Item Description</u>			<u>Ref. #</u>	<u>Presenter</u>	<u>Status*</u>	
1	07-4137	LA-710	Caltrans-SHOPP	6 months	6 months	6 months	Addendum issued delayed bids Delayed by project transfer to CCC Project was awarded
2	08-0188Y	SBD-18	Caltrans-SHOPP	6 months	6 months	6 months	
3	12-4506B	ORA-91	Caltrans-SHOPP	3 months	3 months	Withdrawn	

Changes to this item were listed on the pink "Changes to CTC Agenda" handout as follows:

Request to extend the period of contract award for three SHOPP projects for \$211,779,000

- Project 3 (PPNO 12-4506B) – **Withdrawn prior to the CTC Meeting.**

<u>OTHER MATTERS / PUBLIC COMMENT</u>
--

Vice Chair Ghielmetti reported that Commissioners Dunn and Assemi had been reappointed by the Governor. He also reported that Jim Waring from San Diego had been appointed as a new Commissioner.

Public speaker:

Amy Blakeney, Citizen of San Rafael

12:00 pm <u>Adjourn</u>

Vice Chair Ghielmetti adjourned the meeting at 9:48 AM.

Original signed 4/10/12 by A. Boutros for

BIMLA G. RHINEHART, EXECUTIVE DIRECTOR

DATE

EXECUTIVE DIRECTOR'S REPORT

A VERBAL PRESENTATION ON THIS ITEM
WILL BE MADE AT THE CALIFORNIA
TRANSPORTATION COMMISSION MEETING.

COMMISSION REPORTS

A VERBAL PRESENTATION ON THIS ITEM
WILL BE MADE AT THE CALIFORNIA
TRANSPORTATION COMMISSION MEETING.

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 25 & 26, 2012

Reference No.: 1.5
Action



From: BIMLA G. RHINEHART
Executive Director

Subject: **Meetings for Compensation for March 2012 (March 1 – March 30.)**

Per Government Code Section 14509, each member of the California Transportation Commission (Commission) shall receive a compensation of one hundred dollars (\$100) per day, but not to exceed eight hundred dollars (\$800) for any commission business authorized by the commission during any month, when a majority of the commission approves the compensation by a recorded vote, plus the necessary expenses incurred by the member in the performance of the member's duties. The need for up to eight days per diem per month is unique to the commission in that its members must evaluate projects and issues throughout the state in order to prioritize projects for the state transportation improvement program. These responsibilities require greater time, attention, and travel than local or regional transportation entities which have responsibility only for individual portions of the program.

The following list of meetings is being submitted for Commission approval.

Regular Commission Meeting Activities:

- March 27 Commissioners Retreat (Commissioner Frommer and Earp absent)
- March 28 Commission Meeting in Orinda (Chair Tavaglione, Commissioner's Frommer and Earp absent).
- March 29 Commissioner Meeting in Orinda (Chair Tavaglione, Commissioner's Frommer, Earp and Dunn absent).

Additional Meetings:

Bob Alvarado:

- No additional meetings reported for this period.

Darius Assemi:

- Mar 20 Fresno COG Issues and STIP Funding Discussion with Fresno COG Deputy Director Council Tony Boren.
- Mar 26 Teleconference with CTC Staff regarding upcoming CTC Meeting agenda.

Yvonne Burke:

- Mar 20 Metrolink Safety Workshop with former Vice Chair Robert Sumwalt of the National Transportation Safety Board, Public Utilities Commission, Federal Highway's, CTC Commissioner Fran Inman and various transportation agencies. Los Angeles
- Mar 23 Teleconference with LA Metro Transportation Planning Manager Patricia Chen, LA Metro Consultant Robert Naylor and Metro staff regarding 1-5 certifications from Federal Highways, awards for construction goals, pending project status and AB 3090 agenda items. Los Angeles
- Mar 26 Teleconference with Caltrans District 7 Director Michael Miles, CTC Executive Director Bimla Rhinehart and staff regarding 1-5 Segment 3 and 4 progress. Los Angeles
- Mar 26 Teleconference with CTC Staff regarding upcoming CTC Meeting agenda. Los Angeles

Lucy Dunn:

- Mar 7 Meeting with Orange County Transportation Authority (OCTA) Director of Development Kia Mortazavi regarding gas tax and road cost comparison. Irvine
- Mar 22 Keynote speaker for Gen Next regarding CTC and mobility issues. Newport Beach
- Mar 26 CTC Briefing with Caltrans District 12 Director Cindy Quon and OCTA State and Federal Programming Manager Adrienne Cardosa and OCTA Planning and Development Manager Kurt Brotke. Irvine

James Earp:

- No additional meetings reported for this period.

Dario Frommer:

- No additional meetings reported for this period

James Ghielmetti:

- Mar 13 Teleconference to review retreat agenda. Pleasanton
- Mar 16 Teleconference call with Gray Bowen & Company President Bill Gray and CTC Chief Deputy Director Andre Boutros regarding SR 152. Pleasanton
- Mar 21 Teleconference with Oakland Mayor Jean Quan regarding TCIF funding for Port of Oakland. Pleasanton

James Ghielmetti continued:

- Mar 26 Teleconference with CTC Staff regarding upcoming CTC Meeting agenda. New York
- Mar 30 1/580/Isabel Interchange Project Grand Opening. Livermore

Carl Guardino:

- No additional meetings reported for this period.

Fran Inman:

- Mar 2 Teleconference regarding Federal Transportation Update Washington D.C. Freight Policy. City of Industry
- Mar 14 Meeting with Caltrans District Director 7 Michael Miles regarding 1-5 briefing.
- Mar 19 1/5 Groundbreaking Ceremony. Santa Fe Springs
- Mar 20 Metrolink Safety Workshop with former Vice Chair Robert Sumwalt of the National Transportation Safety Board, Public Utilities Commission, Federal Highway's, CTC Commissioner Fran Inman and various transportation agencies.
- Mar 20 Attended a Port of Los Angeles tour with National Transportation Safety Board Former Vice-Chair Robert Sumwalt. Los Angeles
- Mar 21 Participated in Global Cities Initiative. Los Angeles
- Mar 26 Teleconference with Metro Consultant Robert Naylor and Metro staff. City of Industry
- Mar 26 Teleconference with CTC Staff regarding upcoming CTC Meeting agenda. City of Industry
- Mar 26 Teleconference with Santa Monica Attorney at Law Dominick Rubalcava regarding Item 66. City of Industry
- Mar 30 Meeting with Metro Project Manager, Tham Nguyne, Metro Executive Officer Diego Carduso and Shahrzad Amiri regarding Eastside Phase 2. City of Industry

Joe Tavaglione:

- Mar 6 Legislative transportation meeting with Assemblywoman Bonnie Lowenthal. Sacramento

Joe Tavaglione continued:

- Mar 7 Meeting with CTC Executive Director Bimla Rhinehart. Sacramento
- Mar 9 HOV/91 Groundbreaking Event. Riverside
- Mar 13 Teleconference call re: Agenda for Legislative Breakfast. Riverside
- Mar 22 Meeting with Caltrans District 8 Deputy District Director Basem Muallem regarding 91 maintenance landscaping. Riverside
- Mar 26 Teleconference regarding ROW. Riverside
- Mar 26 Teleconference with CTC Deputy Director Maura Twomey, Caltrans Transportation Programming Division Chief Rachel Falsetti and Caltrans Project Management Division Chief Karla Sutliff. Riverside
- Mar 26 Teleconference with CTC Staff regarding upcoming CTC Meeting agenda. Riverside
- Mar 28 Meeting with BTH Acting Secretary Brian Kelly and CTC Executive Director Bimla Rhinehart

WELCOME TO THE REGION

A VERBAL PRESENTATION ON THIS ITEM
WILL BE MADE AT THE CALIFORNIA
TRANSPORTATION COMMISSION MEETING.

REPORT BY AGENCY SECRETARY
AND/OR DEPUTY SECRETARY

A VERBAL PRESENTATION ON THIS ITEM
WILL BE MADE AT THE CALIFORNIA
TRANSPORTATION COMMISSION MEETING.

REPORT BY CALTRANS' DIRECTOR
AND/OR DEPUTY DIRECTOR

A VERBAL PRESENTATION ON THIS ITEM
WILL BE MADE AT THE CALIFORNIA
TRANSPORTATION COMMISSION MEETING.

**REPORT BY REGIONAL
AGENCIES MODERATOR**

A VERBAL PRESENTATION ON THIS ITEM
WILL BE MADE AT THE CALIFORNIA
TRANSPORTATION COMMISSION MEETING.

REPORT BY RURAL COUNTIES
TASK FORCE CHAIR

A VERBAL PRESENTATION ON THIS ITEM
WILL BE MADE AT THE CALIFORNIA
TRANSPORTATION COMMISSION MEETING.

REPORT BY SELF-HELP COUNTIES
COALITION MODERATOR

A VERBAL PRESENTATION ON THIS ITEM
WILL BE MADE AT THE CALIFORNIA
TRANSPORTATION COMMISSION MEETING.

REPORT BY FHWA DIVISION ADMINISTRATOR

A VERBAL PRESENTATION ON THIS ITEM
WILL BE MADE AT THE CALIFORNIA
TRANSPORTATION COMMISSION MEETING.

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 25-26, 2012

Reference No.: 4.1
Action


From: BIMLA G. RHINEHART
Executive Director

Subject: STATE AND FEDERAL LEGISLATION

ISSUE:

The Legislature reconvened on April 9, 2012 from spring recess. Attachment A provides the status of bills that staff is monitoring.

At the March 28-29, 2012 California Transportation Commission (Commission) meeting, staff was directed to prepare letters stating the Commission's adopted positions and/or concerns on legislation.

Action Item from the March 28-29, 2012 Commission Meeting

Assembly Bill 441 (Monning) – State Transportation Improvement Program

This bill would require that the Commission to, by no later than 2014, include health issues, as specified, voluntary health and health equity factors, strategies, goals, and objectives in the guidelines promulgated by the Commission for the preparation of regional transportation plans.

Action: Prepare a letter stating the Commission's concerns on the bill. The Commission's Chair approved the letter that was forwarded to the appropriate legislative members.

Bill Status: In Senate Committee on Transportation and Housing. No hearing scheduled at this time.

Assembly Bill 1645 (Norby) – State Highways: Naming and Designation by the Legislature

This bill would transfer the authority for naming highways, bridges, pathways, and other transportation infrastructure from the Legislature to the Commission.

Action: Prepare a letter in opposition on the bill. The Commission's Chair approved the letter that was forwarded to the appropriate legislative members.

Bill Status: This bill was heard by the Assembly Committee on Transportation on April 9, 2012. The bill failed passage by the Committee.

Senate Bill 1102 (DeSaulnier) – State Transportation Improvement Program

This bill would require the Department of Transportation, as part of the annual project delivery report, to report on the difference between the original allocation made by the Commission and the actual construction capital and support costs at project close for all STIP projects completed during the previous fiscal year. Would revise provisions to require project costs to include right-of-way support costs. Would require the Commission to allocate funds for construction support costs for a project in the STIP at the time of allocation of funds for construction capital costs. Would require a supplemental project allocation request to be made for all interregional and regional projects that experience construction support costs equal to more than 120% of the amount originally allocated.

Action: Prepare a letter in formal support on the bill. The Commission's Chair approved the letter that was forwarded to the appropriate legislative members.

Bill Status: In Senate Committee on Appropriations. No hearing scheduled at this time.

Copies of the letters can be found on Attachment B.

Amended Legislation

Following the March 2012 Commission meeting, two bills of interest to the Commission were amended. Staff is currently analyzing these bills.

SB 1117 (DeSaulnier) – Statewide Passenger Rail Transportation Plan

As amended March 29, 2012: This bill would require the Commission to prepare a statewide passenger rail transportation plan relative to conventional and high-speed intercity passenger rail, commuter rail, and urban rail transit containing various elements. The bill would require the commission to adopt the plan by September 2014, and update the plan every 4 years thereafter. Requires the plan to contain goals for integrated passenger rail services and facilities, and to adopt policies and guidelines to be used by the Department of Transportation, the High-Speed Rail Authority, and regional transportation agencies in the development of their plans, and would prohibit those agencies from taking inconsistent actions. Requires regional transportation planning agencies to submit their plans for commuter rail and urban rail transit to the Commission by December 31, 2013. This bill would also impose certain requirements on the High-Speed Rail Authority with regard to the high-speed rail element of the plan and implementation of projects on an incremental basis by the authority, including preparation of an incremental high-speed rail development program, as specified, by December 31, 2013, which would be incorporated into the authority's business plan.

SB 1189 (Hancock) – The Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century: Project Funding

As amended March 26, 2012: This bill would appropriate \$523,400,000 from the High-Speed Passenger Train Bond Fund to the Department of Transportation for allocation by Commission as provided for in specified guidelines adopted by the Commission.

The amended bills can be found on Attachment C.

RECOMMENDATION:

The Commission is requested to provide direction to staff on legislation of interest to it.

BACKGROUND:

The Commission approved criteria to guide Commission staff in monitoring legislation and selecting bills that should be brought forward for Commission consideration. An over-arching criterion is that a bill must directly affect transportation on a statewide basis. Bills meeting one or more of the criteria, provided below, will be brought forward to the Commission for consideration.

- Funding/Financing - funding or a funding mechanism for transportation (capital and operations)
- Environmental Mitigation - implementation of green house gas emissions reduction and transportation (e.g., AB 32), and/or involve the environmental process and transportation (e.g., CEQA)
- Planning - implementation of transportation and land use and planning (e.g., SB 375)
- Project Delivery - changes to the way transportation projects are delivered

Additional criteria for bringing a bill forward include:

- Direct Impact to Commission - changes in Commission responsibility, policy impact or operations
- Commissioner Request - recommended by a Commissioner for consideration by the Commission at its next regularly scheduled meeting

The Commission adopted policy to consider legislation in relation to its overall policy by topic area, prior to taking a position on legislation addressing that topic; and remain selective in its use of watch, support or opposition on a bill. The rationale for a policy by topic area is it permits the Commission to address a suite of legislative proposals dealing with the same topic by commenting to the author(s) without necessarily taking a position. Rather than taking specific positions on bills in their initial state, the Commission can advise the Legislature on a bill's policy and/or technical aspects, as well as how it helps or hinders transportation. The intent of the Commission's comments is to alert the author of the bill's impact on a policy and/or technical aspect related to transportation planning, programming, financing, mitigation, or project delivery.

Further direction will be provided to staff, by the Chair, on bills that meet the aforementioned criteria.

Attachments

CALIFORNIA TRANSPORTATION COMMISSION
Status of State Legislation
April 25-26, 2012 Commission Meeting

FUNDING/FINANCING

Bill #	Author	Bill Title	Subject	Status
AB 1229	Feuer	California Transportation Financing Authority Fund: local agency revenue bonds	Provides the term eligible transportation project in existing law may include projects programmed by a regional transportation planning agency using specified federal funds. Authorizes a minimum percentage of bonding capacity of GARVEE bonds from being made available for these projects. Requires such agency to commit to repaying the state for debt service if that agency's share of federal regional surface transportation program funds or federal congestion mitigation and air quality funds is insufficient.	<i>Last Action</i> In Senate Committee on Appropriations Held in Committee August 25, 2011 <i>Current Location</i> Senate Committee on Appropriations
<u>AB 1770</u>	Lowenthal B.	California Transportation Financing Authority	The bill provides that a rail project may consist of, or include, rolling stock for the purpose of the issuance of bonds to fund transportation projects. Requires a project to be supplemental to or improve existing facilities currently owned or operated by the project sponsor.	<i>Last Action</i> In Assembly Committee on Transportation Do Pass April 9, 2012 <i>Current Location</i> Assembly Committee on Appropriations
SB 475	Wright & Emmerson	Infrastructure Financing	Authorizes a local governmental agency to enter into an agreement with a private entity for financing (public private partnership) for specified types of revenue-generating infrastructure projects (including commuter and light rail and highways or bridges). Requires an agreement entered into under these provisions to include adequate financial resources to perform the agreement, and would permit the agreements to lease or license to, or provide other permitted uses by the private entity.	<i>Last Action</i> In Assembly Committee on Local Government Failed Passage Reconsideration granted June 29, 2011 <i>Current Location</i> Assembly Committee on Local Government
SB 633	Huff	Bond: Fine for Unauthorized Use	Amends the State General Obligation Bond Law. Provides that if the Department of Finance determines that funds from a bond act are expended for a purpose not authorized by the bond act, and the entity responsible for the funds does not take the corrective action prescribed by the department within a time to be determined by the department, then the Department of Finance may prohibit the entity that was responsible for the unauthorized use from allocating any additional funds from the bond act.	<i>Last Action</i> In Assembly Read first time Held at desk January 23, 2012 <i>Current Location</i> Assembly

CALIFORNIA TRANSPORTATION COMMISSION
Status of State Legislation
April 25-26, 2012 Commission Meeting

FUNDING/FINANCING (Continued)

Bill #	Author	Bill Title	Subject	Status
SB 907	Evans	Master Plan for Infrastructure Financing and Development Commission	Would create the Master Plan for Infrastructure Financing and Development Commission, consisting of specified members, and would require the commission to prepare and submit a strategy and plan for infrastructure development in California that meets certain criteria to the Legislature and the Governor by December 1, 2013. This bill would provide that the commission would dissolve 30 days after submission of its final report. This bill would repeal these provisions upon the dissolution of the commission. Would provide that these provisions become operative only if the funds required to support the commission are appropriated and made available in the annual Budget Act.	<p><i>Last Action</i> In Senate Read third time Do Pass to Assembly June 1, 2011</p> <p><i>Current Location</i> Assembly Committee on Jobs, Economic Development and the Economy</p>
<u>SB 1102</u>	DeSaulnier	State Transportation Improvement Program	This bill would require the Department of Transportation, as part of the annual project delivery report, to report on the difference between the original allocation made by the Commission and the actual construction capital and support costs at project close for all STIP projects completed during the previous fiscal year. Would revise provisions to require project costs to include right-of-way support costs. Would require the Commission to allocate funds for construction support costs for a project in the STIP at the time of allocation of funds for construction capital costs. Would require a supplemental project allocation request to be made for all interregional and regional projects that experience construction support costs equal to more than 120% of the amount originally allocated. Similar Bill: SB 1499 (Anderson, 2012) – See below Action Item: March 28-29, 2012 – Send letter expressing the Commission’s support. Completed	<p><i>Last Action</i> Senate Committee on Transportation and Housing Do Pass March 27, 2012</p> <p><i>Current Location</i> Senate Committee on Appropriations</p>
<u>SB 1189</u>	Hancock	The Safe, Reliable High-Speed Passenger Train Bond Act for the 21 st Century: project funding	<p>This bill would state the intent of the Legislature to enact legislation that would appropriate funding from the \$950 million net proceeds of bonds described above to projects that eligible operators have requested and that have been approved by the California Transportation Commission. Existing law requires the Commission to allocate those funds to eligible recipients, as defined, and to develop guidelines to implement those provisions. This bill would appropriate \$523,400,000 from the High-Speed Passenger Train Bond Fund to the Department of Transportation for allocation by the Commission as provided for in specified guidelines adopted by the Commission.</p>	<p><i>Last Action</i> In Senate Read second time and amended March 26, 2012 In Senate Committee on Rules Withdraw and re-referred to Committee March 29, 2012</p> <p><i>Current Location</i> Senate Committee on Transportation and Housing <u>Hearing Scheduled</u> April 17, 2012</p>

CALIFORNIA TRANSPORTATION COMMISSION
Status of State Legislation
April 25-26, 2012 Commission Meeting

FUNDING/FINANCING (Continued)

Bill #	Author	Bill Title	Subject	Status
<u>SB 1499</u>	Anderson	California Transportation Commission: review of expenditures	This bill would require the Commission to allocate funds for construction support costs for a project in the state transportation improvement program at the time of allocation of funds for construction capital costs. The bill would require a supplemental project allocation request to be made for all state transportation improvement program projects that experience construction support costs equal to or more than 120% of the amount originally allocated. The bill would also require the department, as part of the annual project delivery report, to report on the difference between the original allocation made by the Commission and the actual construction support costs at project close for each state transportation improvement program project completed during the previous fiscal year. Similar Bill: SB 1102 (DeSaulnier, 2012) – See above	<i>Last Action</i> Referred to Committee March 30, 2012 <i>Current Location</i> Senate Committee on Transportation and Housing <u>Hearing Scheduled</u> April 17, 2012

PROJECT DELIVERY

Bill #	Author	Bill Title	Subject	Status
AB 294	Portantino	Transportation Projects: Procurement	Requires the Department of Transportation to use specified persons for highway projects. Authorizes the department to let contracts for the design and construction of not more than 5 transportation projects utilizing the design-sequencing method, and to use department employees or consultants under contract for these design services. Requires the department to compile data on the transportation projects awarded under these provisions and to include that information in a report to the Legislature.	<i>Last Action</i> In Senate Ordered to third reading To inactive file September 2, 2011 <i>Current Location</i> Senate
<u>AB 2498</u>	Gordon	Department of Transportation: Construction Manager/General Contractor project method	Existing law sets forth the requirements for the solicitation and evaluation of bids and the awarding of contracts by state agencies for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement. This bill would authorize Caltrans to engage in a Construction Manager/General Contractor project delivery method, as specified, for projects for the construction of a highway, bridge, or tunnel, and would require specified information to be verified under oath, thus imposing a state-mandated local program by expanding the scope of an existing crime. Similar Bill: SB 1549 (Vargas, 2012) – See below	<i>Last Action</i> Referred to Committee March 15, 2012 <i>Current Location</i> Assembly Committee on Transportation <u>Hearing Scheduled</u> April 23, 2012
<u>SB 1549</u>	Vargas	Transportation Projects: construction Manager/General Contractor project method	Would, upon authorization by the Commission, allow a consolidated San Diego regional transportation entity, as specified, or Caltrans to engage in a Construction Manager/General Contractor project delivery method, as specified, for up to 20 total projects for either local street or road, bridge, tunnel, or public transit projects within the jurisdiction of the local transportation entity or state highway, bridge, or tunnel projects by Caltrans. Require a transportation entity, as defined, to pay fees related to prevailing wage monitoring and enforcement into the State Public Works Enforcement Fund, a continuously appropriated fund, except as specified, and, thus, would make an appropriation. Require a progress report to be submitted by the transportation agency to the Commission every year following the award of a contract under these provisions, and require the Commission to submit an annual report to the Legislature that includes the information in the report submitted by the transportation agency. Require specified information to be verified under oath, thus imposing a state-mandated local program by expanding the scope of an existing crime. Provide that its provisions are severable. Makes legislative findings and declarations as to the necessity of a special statute for San Diego regional transportation entities. Similar Bill: AB 2498 (Gordon, 2012) – See above	<i>Last Action</i> Referred to Committee March 30, 2012 <i>Current Location</i> Senate Committee on Transportation and Housing <u>Hearing Scheduled</u> April 17, 2012

CALIFORNIA TRANSPORTATION COMMISSION
Status of State Legislation
April 25-26, 2012 Commission Meeting

DIRECT IMPACT TO COMMISSION

Bill #	Author	Bill Title	Subject	Status
<u>AB 441</u>	Monning	State Planning	This bill would require that the Commission to, by no later than 2014, include health issues, as specified, voluntary health and health equity factors, strategies, goals, and objectives in the guidelines promulgated by the Commission for the preparation of regional transportation plans. Action Item: March 28-29, 2012 – Send letter expressing Commission’s the concerns. Completed	<i>Last Action</i> In Senate Committee on Rules Assigned to Committee February 16, 2012 <i>Current Location</i> Senate Committee on Transportation and Housing
AB 845	Ma	Transportation: Bond Funds	Requires the guidelines adopted by the Commission to determine the funding share for each eligible commuter and urban rail recipient to use the distribution factors gathered from the 2007 Data Tables in the National Transit Database of the Federal Transit Administration. Requires the Commission to accept from each eligible recipient a priority list of projects up to the target amount expected to be available for the recipient and would require matching funds for bond fund allocation purposes.	<i>Last Action</i> In Senate Ordered to third reading To inactive file August 22, 2011 <i>Current Location</i> Senate
<u>AB 1645</u>	Norby	State Highways: Naming and Designation by the Legislature	This bill would transfer the authority for naming highways, bridges, pathways, and other transportation infrastructure from the Legislature to the Commission. Action Item: March 28-29, 2012 – Send letter expressing the Commission’s opposition. Completed	<i>Last Action</i> Assembly Committee on Transportation Failed Passage April 9, 2012
SB 103	Liu	State government: meetings	Authorizes a state body, to the extent practicable, to conduct teleconferencing meetings. Requires a state body to provide a supplemental live audio broadcast on the Internet Web site of its board meetings that are open to the public unless it is determined to be too costly. Prohibits teleconference meetings as a matter of convenience. Requires a body that operates an Internet Web site to provide a supplemental live audio or video broadcast on the Web site of board meetings open to the public.	<i>Last Action</i> In Assembly Committee on Appropriations Held in Committee August 25, 2011 <i>Current Location</i> Assembly Committee on Appropriations
SB 749	Steinberg	California Transportation Commission: guidelines	Establishes specified procedures that the Commission will be required to utilize when it adopts guidelines regarding transportation capital improvement projects. Provides exceptions. Exempts the adoption of those guidelines from the requirements of the Administrative Procedure Act. Similar Bills: SB 1348 (Steinberg, 2010) – Vetoes by Governor on September 30, 2010 SB 126 (Steinberg, 2011) – Amended to relate to agriculture labor relations	<i>Last Action</i> In Assembly Read first time Head at desk January 23, 2012 <i>Current Location</i> Assembly

CALIFORNIA TRANSPORTATION COMMISSION
Status of State Legislation
April 25-26, 2012 Commission Meeting

DIRECT IMPACT TO COMMISSION (Continued)

Bill #	Author	Bill Title	Subject	Status
<u>SB 1117</u>	DeSaulnier	Transportation Commission: Passenger Rail Planning Statewide Passenger Rail Transportation Plan	This bill would require the Commission to prepare a statewide passenger rail transportation plan relative to conventional and high-speed intercity passenger rail, commuter rail, and urban rail transit containing various elements. <i>The bill would require the Commission to adopt the plan by September 2014, and update the plan every 4 years thereafter. Requires the plan to contain goals for integrated passenger rail services and facilities, and to adopt policies and guidelines to be used by the department, the authority, and regional transportation agencies in the development of their plans, and would prohibit those agencies from taking inconsistent actions. Requires regional transportation planning agencies to submit their plans for commuter rail and urban rail transit to the Commission by December 31, 2013. This bill would also impose certain requirements on the High-Speed Rail Authority with regard to the high-speed rail element of the plan and implementation of projects on an incremental basis by the authority, including preparation of an incremental high-speed rail development program, as specified, by December 31, 2013, which would be incorporated into the authority's business plan.</i>	Last Action In Senate Read second time and amended Referred to Committee March 29, 2012 Current Location Senate Committee on Transportation and Housing Hearing Scheduled April 24, 2012

OTHER

Bill #	Author	Bill Title	Subject	Status
AB 286	Berryhill	State Highways: Route 108 and 120	Requires the proceeds from the sale of excess properties acquired for improvements to State Highway Route 120, less any reimbursements due to the federal government and all costs include in the sale of those properties, to be used for improvements to State Highway Route 108 in Stanislaus County, the North County Corridor. Authorizes the Commission to allocate funds to the Stanislaus Council of Governments or any agency designated by that entity to deliver the North County Corridor project.	Last Action In Senate Order to third reading To inactive file September 6, 2011 Current Location Senate
<u>AB 1780</u>	Bonilla	Department of Transportation: Project Study Reports	This bill would make a technical, nonsubstantive change to these provisions revise these provisions to authorize the department to prepare project study reports or equivalent planning documents for any projects on the state highway system, limited by the resources available to the department. <i>Require the department to pay for the costs of its review and approval of project study reports or equivalent regional transportation plan, a voter-approved county sales tax measure that are in an adopted regional transportation program, a voter-approved county sales tax measure expenditure plan, or other voter-approved transportation program. In other cases, the bill would require the cost of the department's review and approval to be paid by the entity preparing the project study report or equivalent planning document. Delete the provisions relating to the guidelines adopted by the Commission and would instead require open and continuous communications between the parties during the development of project study reports or equivalent planning documents.</i>	Last Action In Assembly Read second time and amended Referred to Committee March 29, 2012 Current Location Assembly Committee on Transportation Hearing Scheduled April 23, 2012

CALIFORNIA TRANSPORTATION COMMISSION
Status of State Legislation
April 25-26, 2012 Commission Meeting

RELATED TO RAIL

Bill #	Author	Bill Title	Subject	Status
AB 16	Perca (D)	High-Speed Rail Authority	Amends existing law that creates the High-Speed Rail Authority. Requires the authority to make every effort to purchase high-speed train rolling stock and related equipment that are manufactured in California, consistent with federal and state laws.	<i>Last Action</i> In Senate Order to third reading To inactive file September 9, 2011 <i>Current Location</i> Senate
<u>AB 41</u>	Hill	High-Speed Rail Authority: Conflicts of Interest: Disqualification: Ex Parte Communications	Amends existing provisions of the Political Reform Act of 1974. Adds members of the High-Speed Rail Authority to those specified officers who must publicly identify a financial interest giving rise to a conflict of interest, and recuse themselves accordingly. Prohibits a board member and any defined interested person from conducting an ex parte communication, as defined unless the board member and makes public the communication, as specified. Requires the agency overseeing the authority to enforce these provisions under specified conditions. (Urgency)	<i>Last Action</i> In Senate Read third time and amended March 29, 2012 Read second time To third reading April 9, 2012 <i>Current Location</i> Senate
AB 145	Galgiani and Lowenthal	High-Speed Rail	Repeals all of the State High-Speed Train Act and enacts a new act. Continues the High-Speed Rail Authority with limited responsibilities within the Business, Transportation, and Housing Agency. Requires specified personnel matters. Requires the authority to adopt policies directing the development and implementation of high-speed rail, prepare and adopt a business plan and high-speed train capital program, and select alignments for the routes of the trains system, award franchises, and provide for fares.	<i>Last Action</i> In Senate Committee on Appropriations Held in Committee August 25, 2011 <i>Current Location</i> Senate Committee on Appropriations
AB 292	Galgiani	High Speed Rail: Agricultural Lands	Requires the High-Speed Rail Authority to appoint an agricultural advisory committee with a specified number of members recommended by the Secretary of Food and Agriculture. Requires the Authority to consult with the committee and to reflect the committee's comments on policies and related matters in any action item brought before the Board of the Authority.	<i>Last Action</i> In Senate Ordered to third reading To inactive file August 30, 2011 <i>Current Location</i> Senate
AB 492	Galgiani	High-Speed Rail Authority	Requires the High-Speed Rail Authority to consider, to the extent permitted by federal and state law, the creation of jobs and participation by small business enterprises in the state when awarding major contracts or purchasing high-speed trains. Requires the authority to appoint a small business enterprise advisory committee.	<i>Last Action</i> In Senate Read second time and amended Referred to Committee on Rules June 27, 2011 <i>Current Location</i> Senate Committee on Rules

CALIFORNIA TRANSPORTATION COMMISSION
Status of State Legislation
April 25-26, 2012 Commission Meeting

RELATED TO RAIL (Continued)

Bill #	Author	Bill Title	Subject	Status
AB 1092	Lowenthal	High-Speed Rail	Requires the High-Speed Rail authority to report biannually to the Legislature beginning on a specified date on the status of the project, including overall progress, the 0065 project budget, expenditures to date, a comparison of the current and project work schedule and the baseline schedule.	<i>Last Action</i> In Senate Read first time To Senate Committee on Rules for assignment June 2, 2011 <i>Current Location</i> Senate Committee on Rules
<u>AB 1455</u>	Harkey	High-Speed Rail	This bill would reduce the amount of general obligation debt authorized for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to the amount contracted as of January 1, 2013.	<i>Last Action</i> In Assembly Read second time and amended Referred to Committee February 9, 2012 <i>Current Location</i> Assembly Committee on Transportation <u>Hearing Scheduled</u> April 23, 2012
<u>AB 1523</u>	Perca	Preapprenticeship Training Program: High-Speed Rail	Appropriates funds from the High-Speed Passenger Train Bond Fund to the High-Speed Rail Authority for the purposes of funding a pilot project in the Central Valley to train unemployed workers for high-speed rail construction jobs. Requires the Authority to work with various labor organizations to train a total of 400 clients in preapprenticeship programs that will lead to direct referrals to building trade unions. <i>Amended April 9, 2012 – Career Technical Education: Partnership Academies: Green Technology</i>	<i>Last Action</i> Referred to Committee January 26, 2012 <i>Current Location</i> Assembly Committee on Transportation and Labor and Employment
<u>AB 1574</u>	Galgiani	High-Speed Rail	This bill would repeal all of the provisions of the California High-Speed Rail Act. The bill would enact a new California High-Speed Rail Act. The bill would continue the High-Speed Rail Authority in existence with limited responsibilities and would place the authority within the Business, Transportation and Housing Agency. The 5 members of the authority appointed by the Governor would be subject to Senate confirmation, but existing members could continue to serve the remainder of their terms. The bill would authorize the authority to appoint an executive director, and would provide for the Governor to appoint up to 6 additional individuals exempt from civil service as authority staff. The bill would require the authority to adopt policies directing the development and implementation of high-speed rail, prepare and adopt a business plan and high-speed train capital program, establish a peer review group, select alignments for the routes of the high-speed train system established by law, adopt criteria for the award of franchises, and set fares or establish guidelines for the setting of fares.	<i>Last Action</i> In Assembly Introduced and read first time February 2, 2012 <i>Current Location</i> Assembly Committee on Transportation <u>Hearing Scheduled</u> April 23, 2012

CALIFORNIA TRANSPORTATION COMMISSION
Status of State Legislation
April 25-26, 2012 Commission Meeting

RELATED TO RAIL (Continued)

Bill #	Author	Bill Title	Subject	Status
SB 517	Lowenthal	High-Speed Rail Authority	Places the High-Speed Rail Authority within the Business, Transportation and Housing Agency. Requires the Secretary to propose an annual budget for the authority. Requires the members of the authority appointed by the Governor to be appointed with the advice and consent of the Senate. Vacates the membership of the authority. Provides for the appointment or reappointment of members on a specified date. Provides that the executive director is subject to appointment with the advice and consent of the Senate.	<i>Last Action</i> In Assembly Committee on Appropriations Held in Committee August 25, 2011 <i>Current Location</i> Assembly Committee on Appropriations
<u>SB 985</u>	LaMalfa	Transportation Bonds	Provides that no further bonds shall be sold for high-speed rail and related rail purposes pursuant to the Safe, Reliable, High-Speed Passenger Train Bond Act for the 21 st Century. Authorizes redirection of the net proceeds received from outstanding bonds issued and sold prior to the effective date of this act, to retiring the debt incurred from the issuance and sale of those outstanding bonds.	From Senate Committee on Rules Assigned to Committee February 16, 2012 <i>Current Location</i> Senate Committee on Transportation and Housing <u>Hearing Scheduled</u> April 17, 2012

JOSEPH TAVAGLIONE, Chair
JAMES C. GHIEMMETTI, Vice Chair
BOB ALVARADO
DARIUS ASSEMI
YVONNE B. BURKE
LUCETTA DUNN
JAMES EARP
DARIO FROMMER
CARL GUARDINO
FRAN INMAN
JAMES WARING

STATE OF CALIFORNIA



SENATOR MARK DESAULNIER, Ex Officio
ASSEMBLY MEMBER BONNIE LOWENTHAL, Ex Officio

BIMLA G. RHINEHART, Executive Director

CALIFORNIA TRANSPORTATION COMMISSION

1120 N STREET, MS-52
SACRAMENTO, CA 95814
P. O. BOX 942873
SACRAMENTO, CA 94273-0001
FAX (916) 653-2134
(916) 654-4245
<http://www.catc.ca.gov>

April 6, 2012

The Honorable William W. Monning
Member of the Assembly
P.O. Box 942849, Room 4116
Sacramento, CA 94849-0072

Re: Assembly Bill (AB) 441

Dear Assemblymember Monning:

As part of its statutory charge, the Commission reviewed a number of bills at its March 28, 2012 meeting. I am writing to express the Commission's concerns on AB 441.

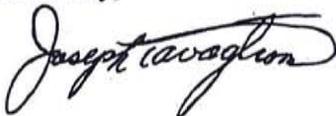
AB 441 requires the Commission to include voluntary health and health equity factors, strategies, goals and objectives in the Regional Transportation Plan (RTP) Guidelines prescribed by the Commission for the preparation of RTPs. The Commission's concerns with the bill include:

- Current RTP Guidelines, adopted by the Commission in April 2010, already provide information and best practices regarding health and equity factors and issues in the following specific sections : Complete Streets; Context Sensitive Solutions, Public Participation; Consultation and Coordination; Social Equity and Environmental Justice; Local Streets and Roads, Bicycle and Pedestrian Modes; Transit; Land Use Transportation Strategies to Address Regional Greenhouse Gas, and Sustainable Communities Strategies.
- Metropolitan Planning Organizations (MPOs) and Regional Transportation Planning Agencies (RTPAs) already partner with local government organizations, cities and counties, and appropriate health oriented agencies, to support any health factors, strategies, objectives and goals as appropriate for their particular region. With the current RTP Guidelines, the MPO and RTPAs also continue to be able to determine at a regional level what is practical and financially feasible for their regions.

- Public health concerns are addressed via the California Environmental Quality Act (CEQA). Since RTPs undergo CEQA programmatic review, public health impacts are addressed at that time.
- MPOs and RTPAs currently develop performance objectives and measures in policies and regional planning where public health issues are addressed.
- The bill states that the inclusion of health and health equity factors in the planning process is voluntary. However, with “voluntary” programs becoming “mandates” on several occasions in recent history, the Commission questions how long these factors will truly be voluntary.
- As projects are presented by the MPOs and RTPAs for programming and allocation by the Commission, it will be nearly impossible for the Commission to question the health benefits of each individual project several years after an RTP is adopted by the region. This would most likely lead to project delays as these issues are debated and challenged by potential opponents of a project, thus negating the public review process afforded during the CEQA process.
- The bill’s Legislative Counsel’s Digest indicates that the Commission shall “by no later than 2014, include voluntary health and health equity factors, strategies, goals and objectives” in the RTP Guidelines, although the bill itself requires the Commission to include such factors in the next revision of the guidelines.
- This bill does not provide resources for MPOs or RTPAs to address additional health and health equity factors, strategies, objective and goals, nor does it address the impact on Commission resources to update the RTP Guidelines. The Commission’s update would require close coordination with the MPOs, RTPAs, Caltrans and a myriad of affected agencies, stakeholders, and advocates to develop and reach consensus on public health and health equity factors.

If you have questions in regard to the Commission’s concerns, please call the Commission’s Executive Director, Ms. Bimla Rhinehart, at 916-654-4245.

Sincerely,



JOSEPH TAVAGLIONE
Chair

c: The Honorable Bonnie Lowenthal, Assembly Transportation Committee Chair
The Honorable Mark DeSaulnier, Senate Transportation and Housing Committee Chair
California Transportation Commissioners

JOSEPH TAVAGLIONE, Chair
JAMES C. GHIEMMETTI, Vice Chair
BOB ALVARADO
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STATE OF CALIFORNIA



SENATOR MARK DESAULNIER, Ex Officio
ASSEMBLY MEMBER BONNIE LOWENTHAL, Ex Officio

BIMLA G. RHINEHART, Executive Director

CALIFORNIA TRANSPORTATION COMMISSION

1120 N STREET, MS-52
SACRAMENTO, CA 95814
P. O. BOX 942873
SACRAMENTO, CA 94273-0001
FAX (916) 653-2134
(916) 654-4245
<http://www.catc.ca.gov>

April 6, 2012

The Honorable Chris Norby
Member of the Assembly
P.O. Box 942849, Room 4116
Sacramento, CA 94849-0072

Re: Oppose Assembly Bill (AB) 1645

Dear Assemblymember Norby:

The California Transportation Commission (Commission) is responsible for the programming and allocating of funds for the construction of highway, passenger rail and transit improvements throughout California. The Commission also advises and assists the Secretary of Business, Transportation and Housing Agency and the Legislature in formulating and evaluating state policies and plans for California's transportation programs. The Commission is also an active participant in the initiation and development of State and Federal legislation that seeks to secure financial stability for the State's transportation needs.

As part of its statutory charge, the Commission reviewed a number of bills at its March 28, 2012 meeting. I am writing to inform you that the Commission expressed concerns about AB 1645, and formally adopted an oppose position on this bill.

AB 1645 would transfer the authority of naming highways, bridges, pathways, and other transportation infrastructure from the Legislature to the Commission. In 2008, the Legislature authorized the naming of 50 transportation infrastructure facilities. Although the signs are paid for with private donations, it has been estimated that it costs \$15,000 in staff time for every transportation infrastructure naming resolution that is approved. If the authority to transfer the naming of transportation infrastructure to the Commission was approved, the Commission would need to develop and adopt guidelines on the submission of naming requests and screening criteria for naming nominations. Commission staff would then be required to review the requests, develop written recommendations for Commission approval, and write and issue the approving resolution.

The Honorable Chris Norby

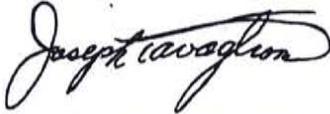
April 6, 2012

Page 2

Due to limited staff and budget resources it would be extremely difficult for the Commission to carry out the intent of this bill.

If you have questions concerning the Commission's oppose position, please call the Commission's Executive Director, Ms. Bimla Rhinehart, at 916-654-4245.

Sincerely,

A handwritten signature in cursive script that reads "Joseph Tavaglione".

JOSEPH TAVAGLIONE

Chair

c: The Honorable Bonnie Lowenthal, Assembly Transportation Committee Chair
The Honorable Mark DeSaulnier, Senate Transportation and Housing Committee Chair
California Transportation Commissioners

JOSEPH TAVAGLIONE, Chair
JAMES C. GHIEMMETTI, Vice Chair
BOB ALVARADO
DARIUS ASSEMI
YVONNE B. BURKE
LUCETTA DUNN
JAMES EARP
DARIO FROMMER
CARL GUARDINO
FRAN INMAN
JAMES WARING

STATE OF CALIFORNIA



ATTACHMENT B
EDMUND G. BROWN Jr., Governor

SENATOR MARK DESAULNIER, Ex Officio
ASSEMBLY MEMBER BONNIE LOWENTHAL, Ex Officio

BIMLA G. RHINEHART, Executive Director

CALIFORNIA TRANSPORTATION COMMISSION

1120 N STREET, MS-52
SACRAMENTO, CA 95814
P. O. BOX 942873
SACRAMENTO, CA 94273-0001
FAX (916) 653-2134
(916) 654-4245
<http://www.catc.ca.gov>

April 4, 2012

The Honorable Mark DeSaulnier
Member of the Senate
State Capitol, Room 5035
Sacramento, CA 95814

Re: Support Senate Bill (SB) 1102

Dear Senator DeSaulnier:

As part of its statutory charge, the California Transportation Commission (Commission) advises the Administration and the Legislature in formulating and evaluating state policies and plans for California's transportation programs.

I am writing to inform you that the Commission, at its March 28, 2012 meeting, formally adopted a support position on SB 1102.

The Commission looks forward to continuing to work with you on this bill. If you have any questions, please call the Commission's Executive Director, Ms. Bimla Rhinehart, at 916-654-4245.

Sincerely,

A handwritten signature in cursive script that reads "Joseph Tavaglione".

JOSEPH TAVAGLIONE
Chair

c: The Honorable Bonnie Lowenthal, Assembly Transportation Committee Chair
California Transportation Commissioners

AMENDED IN SENATE MARCH 29, 2012

SENATE BILL

No. 1117

Introduced by Senator DeSaulnierFebruary 17, 2012

An act to add Section ~~14537~~ 14521.5 to the Government Code, and to add Section 185033.1 to the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1117, as amended, DeSaulnier. ~~California Transportation Commission: passenger rail planning. Statewide passenger rail transportation plan.~~

Existing law creates the California Transportation Commission, with various powers and duties relating to the programming and allocation of certain funds available for transportation capital improvement projects and various other transportation policy matters. Existing law creates the Department of Transportation with various powers and duties relating to the state highway system and other transportation modes, including the authority to contract for conventional rail passenger service. Existing law requires the department to prepare a 10-year State Rail Plan on a biennial basis. Existing law creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties, including preparation of a business plan on a biennial basis. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes.

This bill would require the California Transportation Commission to prepare a statewide passenger rail transportation plan relative to

conventional and high-speed intercity passenger rail, commuter rail, and urban rail transit containing various elements. The bill would require the commission to adopt the plan by September 2014, and update the plan every 4 years thereafter. The bill would require the plan to contain goals for integrated passenger rail services and facilities, and to adopt policies and guidelines to be used by the department, the authority, and regional transportation agencies in the development of their plans, and would prohibit those agencies from taking inconsistent actions. The bill would require regional transportation planning agencies to submit their plans for commuter rail and urban rail transit to the commission by December 31, 2013.

This bill would also impose certain requirements on the High-Speed Rail Authority with regard to the high-speed rail element of the plan and implementation of projects on an incremental basis by the authority, including preparation of an incremental high-speed rail development program, as specified, by December 31, 2013, which would be incorporated into the authority's business plan.

~~Existing law requires the California Transportation Commission to submit an annual report to the Legislature summarizing the prior year's transportation capital outlay appropriations and transportation issues facing the state.~~

~~This bill would require the commission to also prepare a statewide passenger rail transportation plan.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes.~~

~~State-mandated local program: no.~~

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 14521.5 is added to the Government Code,
- 2 to read:
- 3 14521.5. (a) The commission shall prepare a statewide
- 4 passenger rail transportation plan, with the following elements:
- 5 (1) A statement of the goals for an integrated rail passenger
- 6 system consisting of high-speed intercity rail, conventional intercity
- 7 rail, commuter rail, and urban rail transit services and facilities.
- 8 (2) Identification of all of the following:
- 9 (A) Proposed investments in high-speed intercity rail and
- 10 conventional intercity rail services and facilities.
- 11 (B) Proposed investments in commuter rail and urban rail
- 12 transit services and facilities.

1 (C) Corridors in which new or enhanced improvements will be
2 made.

3 (D) A demonstration of the plan's consistency with the
4 requirements of Senate Bill 375 (Chapter 728 of the Statutes of
5 2008) and subsequent amendments.

6 (E) An assessment of transportation energy requirements for
7 high-speed intercity rail, conventional intercity rail, commuter
8 rail, and urban rail transit services.

9 (F) An assessment of the ability of passenger rail transportation
10 services to reduce regional and intercity highway congestion, and,
11 in the case of high-speed rail, an assessment of the ability of the
12 service to reduce intercity passenger airline travel and congestion.

13 (G) Identification of rail corridors and expected impediments
14 to their development, including the availability of rights-of-way
15 for tracks, stations, and maintenance facilities.

16 (b) In preparing the plan, the commission shall adopt policies
17 and guidelines for developing high-speed intercity rail,
18 conventional intercity rail, commuter rail, and urban rail transit
19 services and facilities, as follows:

20 (1) Performance goals related to passenger capacity, financial
21 capacity, and service performance, and frequency of passenger
22 rail services based on the estimated size of statewide, regional,
23 and local travel markets.

24 (2) Performance goals for connections between rail systems to
25 ensure convenience and to increase travel opportunities for
26 passengers connecting between various rail systems.

27 (3) Capital and operating revenue estimates for the development
28 of high-speed intercity rail, conventional intercity rail, commuter
29 rail, and urban rail transit services and facilities. The estimates
30 shall be for 5-, 10-, and 20-year time horizons.

31 (c) The policies and guidelines shall be developed in
32 consultation with the department, the High-Speed Rail Authority,
33 regional transportation planning agencies, and the agencies
34 administering or operating commuter rail and urban rail transit
35 systems.

36 (d) The policies and guidelines shall be used by regional
37 transportation planning agencies when developing the rail mass
38 transportation element of their regional transportation plans. The
39 regional agencies shall not take actions that are inconsistent with
40 the policies and guidelines adopted by the commission.

1 (e) The regional transportation planning agencies shall submit
2 their rail plans for commuter rail and urban rail transit to the
3 commission on or before December 31, 2013.

4 (f) The policies and guidelines shall be used by the department
5 when preparing the conventional State Rail Plan pursuant to
6 Section 14036 and the High-Speed Rail Authority, or its successor,
7 when preparing the High-Speed Rail Business Plan pursuant to
8 Section 185033 of the Public Utilities Code. Neither the department
9 nor the authority shall take actions that are inconsistent with the
10 policies and guidelines adopted by the commission.

11 (g) The commission shall incorporate statewide and regional
12 rail plans into the statewide passenger rail transportation plan
13 prepared pursuant to this section, provided the other plans are
14 consistent with the policies and guidelines adopted by the
15 commission.

16 (h) The peer review group established pursuant to Section
17 185034 of the Public Utilities Code may be convened by the
18 commission to provide an independent review and comment on
19 the proposed policies and guidelines, and on issues encountered
20 during the preparation of the plan.

21 (i) The commission shall submit a draft plan developed pursuant
22 to this section to the department, the High-Speed Rail Authority,
23 regional transportation planning agencies, and the Legislature
24 on or before April 30, 2014, for review and comment. The
25 commission shall hold at least two public workshops, with at least
26 one workshop in northern California and one in southern
27 California, to secure public comments on the draft plan.

28 (j) The final plan shall be adopted at the September 2014
29 meeting of the commission and updated every four years thereafter.
30 The commission may extend the adoption date by up to 60 days.

31 SEC. 2. Section 185033.1 is added to the Public Utilities Code,
32 to read:

33 185033.1. (a) Consistent with Proposition 1A (2008) and the
34 policies and guidelines of the California Transportation
35 Commission relative to the high-speed intercity rail element of the
36 statewide passenger rail transportation plan adopted pursuant to
37 Section 14521.5 of the Government Code, the authority shall plan
38 for implementation of an incremental high-speed rail development
39 program with the following features:

1 (1) Investments in passenger rail projects in the Phase I
2 high-speed rail corridor (San Francisco Transbay Terminal-Los
3 Angeles Union Station-Anaheim) that benefit conventional intercity
4 and commuter rail services but that are compatible with being
5 upgraded to high-speed rail service in the future.

6 (2) Investments in operable segments in the Phase I high-speed
7 rail corridor that generate sufficient passenger revenue to be
8 attractive to private investors, that will be electrified, and that will
9 be converted to high-speed rail service in the future.

10 (3) Proposed upgrades to conventional intercity and commuter
11 rail segments that connect with Phase I projects and would enhance
12 the performance of future high-speed rail service, such as Anaheim
13 to San Diego and San Jose to Oakland and Sacramento.

14 (4) Maximization of state, local, federal, and private funds to
15 support intercity and commuter passenger rail development,
16 including high-speed rail.

17 (5) Projects that will create employment opportunities and meet
18 rail development goals.

19 (b) In developing the incremental high-speed rail development
20 program, the authority shall consult with the department, regional
21 transportation planning agencies, agencies administering or
22 operating commuter rail, freight railroads operating in the
23 conventional intercity and commuter rail corridors and in the
24 Phase I corridors, and firms that have experience in commercial
25 high-speed intercity rail operations.

26 (c) The authority shall identify one or more possible operating
27 segments in the Phase I corridor as a candidate for a public-private
28 partnership. This shall be done in cooperation with a regional rail
29 agency and a private rail development consortium. The selected
30 segment shall have substantial existing intercity or commuter rail
31 ridership. There shall be a competitive procurement process
32 consistent with the existing procurement authority of the authority
33 to select the consortium. In pursuing a public-private partnership,
34 the authority shall minimize the capital and operating risks to the
35 state.

36 (d) The authority shall submit a draft of its incremental
37 development program to the California Transportation Commission
38 and the Legislature on or before December 31, 2013. The program
39 shall subsequently be incorporated into the authority's business
40 plan prepared pursuant to Section 185033.

1 SECTION 1. Section 14537 is added to the Government Code,
2 to read:
3 14537. The commission shall prepare a statewide passenger
4 rail transportation plan.

O

AMENDED IN SENATE MARCH 26, 2012

SENATE BILL

No. 1189

Introduced by Senator Hancock
(Principal coauthor: Assembly Member Ma)
(Coauthor: Senator Alquist)
(Coauthor: Assembly Member Beall)

February 22, 2012

An act relating to high-speed rail, *and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1189, as amended, Hancock. The Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century: project funding.

Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed train capital projects and other associated purposes. Existing law makes \$950 million of the proceeds of those bonds available for capital improvements to intercity and commuter rail lines and urban rail systems that provide direct connectivity to the high-speed train system and its facilities, or that are part of the construction of the high-speed train system, as specified, or that provide capacity enhancements and safety improvements. Existing law requires the California Transportation Commission to allocate those funds to eligible recipients, as defined, and to develop guidelines to implement those provisions.

This bill would appropriate \$523,400,000 from the High-Speed Passenger Train Bond Fund to the Department of Transportation for

allocation by the California Transportation Commission as provided for in specified guidelines adopted by the commission.

~~Existing law, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides that \$950 million of net proceeds of bonds issued pursuant to the bond act shall be allocated to eligible recipients for capital improvements to intercity and commuter rail lines and urban rail systems that provide direct connectivity to high-speed rail, as specified.~~

~~This bill would state the intent of the Legislature to enact legislation that would appropriate funding from the \$950 million net proceeds of bonds described above to projects that eligible operators have requested and that have been approved by the California Transportation Commission.~~

~~Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.~~

The people of the State of California do enact as follows:

1 SECTION 1. *The Legislature finds and declares all of the*
2 *following:*

3 (a) *In approving the Safe, Reliable High-Speed Passenger Train*
4 *Bond Act for the 21st Century at the November 4, 2008, general*
5 *election, California voters approved \$950 million in general*
6 *obligation bonds to be available for capital improvements to the*
7 *state's intercity and commuter rail lines and urban rail systems.*
8 *The funds, available upon appropriation by the Legislature, are*
9 *for improvements that provide direct connectivity to the high-speed*
10 *train system and its facilities, are part of the construction of the*
11 *high-speed train system, or are improvements that provide capacity*
12 *enhancements and safety improvements on the existing intercity,*
13 *commuter, or urban rail lines.*

14 (b) *Of the \$950 million authorized for expenditure by the voters*
15 *for the purposes described in subdivision (a), 20 percent, or \$190*
16 *million, is to be allocated among the three state-supported intercity*
17 *rail lines known as the Capitol Corridor line, the San Joaquin line,*
18 *and the Pacific Surfliner line (Intercity Rail Program). Eighty*
19 *percent, or \$760 million, is to be allocated to other commuter and*
20 *urban rail line operators based on a formula outlined in the bond*
21 *act (Commuter and Urban Rail Program).*

1 (c) *The approved bond act requires commuter and urban rail*
2 *line operators that are eligible recipients of these state bond funds*
3 *to provide matching funds in an amount not less than the amount*
4 *of bond funds allocated to the recipient. This match requirement*
5 *means for every dollar of state bond funds invested in an eligible*
6 *local project, at least one dollar of nonbond funds will also be*
7 *invested in the project.*

8 (d) *The Safe, Reliable High-Speed Passenger Train Bond Act*
9 *for the 21st Century requires the California Transportation*
10 *Commission to develop guidelines for the implementation of both*
11 *the Intercity Rail Program and the Commuter and Urban Rail*
12 *Program. The commission is also responsible for allocating the*
13 *available funds to eligible recipients in each program.*

14 (e) *On February 24, 2010, the commission adopted the program*
15 *guidelines for the \$950 million High-Speed Passenger Train Bond*
16 *Program, consisting of the \$190 million Intercity Rail Program*
17 *and the \$760 million Commuter and Urban Rail Program.*

18 (f) *On May 20, 2010, the commission adopted the initial*
19 *program of projects to be funded by the High-Speed Passenger*
20 *Train Bond Program, a program that proposed to fund \$262.4*
21 *million in projects in the 2011–12 fiscal year alone.*

22 (g) *While the Budget Act of 2011, passed by the Legislature on*
23 *June 28, 2011, included an appropriation totaling more than \$262*
24 *million to begin funding eligible projects in the*
25 *commission-adopted High-Speed Passenger Train Bond Program,*
26 *all but \$28 million of the appropriation was vetoed.*

27 (h) *Notwithstanding the veto of a significant portion of the bond*
28 *funds appropriated for the High-Speed Passenger Train Bond*
29 *Program, it remains imperative for the Legislature to appropriate*
30 *bond funds to eligible recipients so that project contracts can be*
31 *signed, mobility and safety improvements can commence, and*
32 *immediate job opportunities for Californians can be made*
33 *available.*

34 (i) *According to commuter and urban rail service providers*
35 *throughout the state, the bond funds from the \$760 million*
36 *Commuter and Urban Rail Program alone are estimated to fund*
37 *no less than 15 capital improvement and safety projects in*
38 *California, leveraging more than \$4.9 billion in nonstate*
39 *transportation funds, and creating nearly 200,000 jobs.*

1 (j) *The mobility and safety improvements funded by these bond*
2 *funds will benefit Californians in all regions of the state.*

3 (k) *The appropriation of bond funds for the High-Speed*
4 *Passenger Train Bond Program, as adopted and updated by the*
5 *commission, is a necessary precursor for rail mobility and safety*
6 *improvements and for job creation in California. It is, therefore,*
7 *the intent of the Legislature to appropriate these funds for*
8 *allocation by the commission to eligible rail operators requesting*
9 *an allocation.*

10 SEC. 2. *Pursuant to Section 2704.095 of the Streets and*
11 *Highways Code, the sum of five hundred twenty-three million four*
12 *hundred thousand dollars (\$523,400,000) is hereby appropriated*
13 *from the High-Speed Passenger Train Bond Fund to the*
14 *Department of Transportation for allocation by the California*
15 *Transportation Commission as provided for in the guidelines*
16 *adopted by the commission in Resolution HST1A-G-0910-01 on*
17 *February 24, 2010, and as those guidelines may be updated by*
18 *the commission.*

19 ~~SECTION 1. It is the intent of the Legislature to enact~~
20 ~~legislation that would appropriate funding from the net proceeds~~
21 ~~of nine hundred fifty million dollars (\$950,000,000) from the~~
22 ~~issuance of bonds authorized by the Safe, Reliable High-Speed~~
23 ~~Passenger Train Bond Act for the 21st Century to be allocated for~~
24 ~~intercity and commuter rail lines and urban rail systems, in~~
25 ~~accordance with subdivision (a) of Section 2704.095 of the Streets~~
26 ~~and Highways Code, for projects that have been requested by~~
27 ~~eligible operators and have been approved by the California~~
28 ~~Transportation Commission.~~

BUDGET AND ALLOCATION CAPACITY UPDATE

A VERBAL PRESENTATION ON THIS ITEM
WILL BE MADE AT THE APRIL 25-26, 2012
CALIFORNIA TRANSPORTATION COMMISSION MEETING

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 25-26, 2012

Reference No.: 4.10
Information

From: BIMLA G. RHINEHART
Executive Director

Subject: **PROPOSITION 1A – HIGH-SPEED PASSENGER TRAIN BOND PROGRAM**

SUMMARY:

As required by Streets and Highways Code, Division 3, Chapter 20, Section 2704.095, the Commission adopted High-Speed Passenger Train Bond (HSPTB) Program guidelines in February 2010 (attached) and the initial HSPTB Program of projects in May 2010 (with amendments in September 2010 and March 2011.) Funds were appropriated and allocated only for the Positive Train Control safety projects in the program. The remaining appropriations were vetoed by Governors Schwarzenegger and Brown. They both stated that the projects identified appeared unrelated to the high-speed rail project or an integrated rail plan. The Administration directed that the High-Speed Rail Authority, the Department of Transportation, and local jurisdictions should work together to program and build projects consistent with a comprehensive statewide rail plan.

The High-Speed Rail Authority has recently completed a revised 2012 Business Plan detailing a phased strategy for building the high-speed rail system blended with existing rail systems throughout the state. The Authority, in a letter to the Commission Chair, proposed that the Commission partner with the Authority, Caltrans and regional/local transportation agencies to develop an integrated and mutually beneficial programming proposal consistent with this revised plan and the Administration's vision for the project. After discussion with the Authority and Administration, Commission staff has agreed to work with Caltrans and regional/local transportation agencies to review and amend the existing program, consistent with the existing guidelines and the revised 2012 Business Plan

BACKGROUND:

The Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century approved by the voters as Proposition 1A on November 4, 2008, authorized the California Transportation Commission, upon appropriation by the Legislature, to allocate funds for capital improvements to intercity rail lines, commuter rail lines and urban rail systems that provide direct connectivity to the high-speed train system or that provide capacity enhancements and safety improvements. The Commission is required to program and allocate the net proceeds received from the sale of \$950 million in bonds authorized under Proposition 1A for the High-Speed Passenger Train Bond (HSPTB) Program.

Attachment

CALIFORNIA TRANSPORTATION COMMISSION

High-Speed Passenger Train Bond Program Guidelines

General Program Policy

1. Authority and purpose of guidelines. The Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century approved by the voters as Proposition 1A on November 4, 2008, authorized the California Transportation Commission (Commission) upon appropriation by the Legislature to allocate funds for capital improvements to intercity rail lines, commuter rail lines, and urban rail systems that provide direct connectivity to the high-speed train system and its facilities, or that are part of the construction of the high-speed train system as set forth in Streets and Highways Code, Division 3, Chapter 20, Section 2704.04, subdivision (b) or that provide capacity enhancements and safety improvements. Section 2704.095 requires the Commission to program and allocate the net proceeds received from the sale of \$950 million in bonds authorized under Proposition 1A for the High-Speed Passenger Train Bond (HSPTB) Program.
2. Program of Projects. The Commission will adopt the Intercity Rail Program and the Commuter and Urban Rail Program as follows:
 - For the Intercity Rail Program, the program will consist of eligible project applications submitted by the Department of Transportation (Department) in two parts: A) (Formula) the Commission will program in each of the three intercity rail corridors a minimum of \$47.5 million in eligible projects for a combined total of \$142.5 million and B) (Competitive) the Commission, upon finding that the projects are consistent with the criteria identified under Section 12 shall program up to another \$47.5 million in projects to any of the three intercity rail corridors.
 - For the Commuter and Urban Rail Program, a total of \$760 million will be divided among eligible applicants using a formula distribution which incorporates the following factors: track miles, vehicle miles and passenger trips.
3. Program Schedule. The Commission intends to implement the program of projects on the following schedule:

Commission adoption of the Guidelines	February 24, 2010
Project applications due	March 15, 2010
Draft list of projects to the Commission	April 7, 2010
Commission adopts the initial program of projects	May 20, 2010

The Commission intends to adopt an initial three-year program of projects starting with the 2010-11 Fiscal Year. As appropriate, if programming capacity remains, the Commission will adopt an annual rolling three-year program of projects for the HSPTB Program each fiscal year.

4. Administration. The Commission will set aside up to two percent of the total amount appropriated each year for the program as a reserve for bond administrative expenses. In the absence of an enacted state budget, the Commission may make an estimate of the amount that the Legislature will appropriate to the HSPTB Bond Fund and available for allocation, subject to adjustment based on the final appropriation in the Budget Act. The Department shall administer the Program and provide semi-annual progress reports to the Commission at regularly scheduled Commission meetings.

General Intercity Rail and Commuter and Urban Rail Eligibility

5. Usable Project/Segments. The Commission expects that projects proposed for funding from either the Intercity Rail Program or the Commuter and Urban Rail Program will be usable or provide usable segments and be a reasonable expenditure, even if the high-speed train system as identified in the Streets and Highway Code, Division 3, Chapter 20, Section 2704.04, subdivision (b) is delayed, postponed or cancelled.
6. Useful Life. The useful life of a project under the HSPTB Program shall not be less than the required useful life (15 years or more) for capital assets pursuant to the State General Obligation Bond Law, specifically subdivision (a) of Section 16727 of the Government Code.
7. Programming and Full Funding. The Commission will program and allocate funding to projects rounded to the nearest thousands and will include a project only if it is fully funded from a combination of HSPTB Program and other committed funding. The Commission intends to adopt a three-year program and priority will be given to those projects with an early construction date. The Commission may program five percent of HSPTB program funds for preconstruction or right-of-way phases of work on projects that will be ready for construction within the three-year program. Eligible agencies may request the Commission to program more than five percent for preconstruction and right-of-way phases of work, but such requests cannot exceed ten percent. The Commission will review and approve each request on a case by case basis. The Commission will regard funds as committed when HSPTB Program funds are programmed by the Commission and when the agency with discretionary authority over non- HSPTB Program funds has made its commitment to the project by ordinance or resolution of its governing board to the Commission.
8. Amendments to Program of Projects. The Commission may approve an amendment of the HSPTB Program of projects. An amendment need only appear on the agenda published 10 days in advance of the Commission meeting.
9. Allocation from the HSPTB Program. The Commission will consider the allocation of funds from the HSPTB Program for a project when it receives an allocation request and recommendation from the Department. The recommendation will include determining the availability of appropriated funding from the HSPTB Program account and the availability of all identified and committed matching and supplementary funding. The Commission will approve the allocation if the funds are available, the allocation is necessary to implement the project as included in the adopted HSPTB Program, and the

project has the required environmental clearance. Expenditures made prior to the adoption of the project into the program and before an initial allocation by the Commission are not eligible for reimbursement.

10. Timely Use of Funds. Projects receiving an allocation from the HSPTB Program shall award the funds no later than six months after the Commission makes the allocation, unless the Commission approves an extension. Applicants shall submit extension requests prior to the end of the six month deadline and the Commission will consider extension requests in the same manner as for STIP projects

In instances where the allocation may result in multiple awards, the eligible agency requesting the allocation, may request to the Commission as part of the allocation to allow for the deadline to be extended beyond the six month period. If the Commission grants the requesting agency an award period greater than six months, the agency shall report quarterly to the Department on its progress in awarding the contracts.

Intercity Rail Program – Project Eligibility

11. Intercity Rail Formula. The Department, in consultation with the public agencies who own the intercity rail right-of-way and the passenger rail operators on the intercity rail lines, shall present to the Commission the list of projects for the formula portion up to the minimum allowed per corridor. The Commission will approve the list presented provided that the projects in the list meets the eligibility requirements under the General Intercity Rail and Commuter and Urban Rail Eligibility section of these Guidelines and addresses Section 17.
12. Intercity Rail Competitive. The Department, in consultation with the public agencies who own the intercity rail right-of-way and the passenger rail operators on the intercity rail lines, shall select the projects within each of the three corridors for the remaining twenty-five percent (\$47.5 million) and present them to the Commission for approval. The Commission will give priority in the following order:
 - Project that provide direct connectivity to the high-speed train system;
 - Project that is eligible for or has committed federal funds;
 - Projects that promotes increased ridership, increases On Time Performance and decreases running times.
13. Loans. Each corridor may loan up to \$47.5 million to another corridor once through the life of this program if programming capacity is available. All approved loans are expected to be repaid within 5 years. A request shall be made to the Commission and the Commission may approve such a loan, providing programming capacity is available and the following criteria are met:
 - Projects to be funded with the loaned amount must meet eligibility requirements for the Intercity Rail Program outlined in these guidelines.
 - The request must identify the amount of the loan and the repayment schedule and whether programming capacity is available in the corridor receiving the loan to repay the loan obligation.

- Request must be signed by the Director of the Department.

Commuter and Urban Rail Program – Project Eligibility

14. **Funding Share.** The target totals for each eligible agency shall be determined using the distribution factors gathered from the most current available data in the National Transit Database, Federal Transit Administration, Attachment I.
15. **Project Applications.** The Commission will accept from each eligible agency their priority list of projects up to their target amounts. Each project must meet the criteria set forth in Section 2704.095 (c) through (j) of the Streets and Highway Code. In addition, the Commission will:
 - Give priority to those projects that provide direct connectivity to the high-speed train system;
 - Require that the matching funds used by the eligible agencies shall be non-state funds. The non-state match must be matched to the phase programmed with HSPTB funds. The match for commuter and urban rail projects begins with the expenditures that date from the adoption of the program. Non-State funds shall be defined as local, private and federal funds, as well as those state funds not under the Commission's purview.

Project Application – Intercity Rail and Commuter and Urban Rail Programs

16. **Maximum Programming Allowed:** The Commission's program of projects will not exceed the maximum allowed per program. The list of projects for each of the programs shall include the appropriate signatures including: the Director of the Department, Chief Executive Officer or other officer authorized by the applicant's governing board and the signature of an authorized officer of the respective regional agency.
17. **Project Information:** The State Transportation Improvement Program (STIP) Project Programming Request (PPR) form will be used for each project application. In addition the information required in the PPR, eligible applicants shall include the following:
 - An assessment of the project's useful life.
 - A Governing Board Resolution documenting commitment of funding and all other requirements of these Guidelines, and the Streets and Highways Code Section 2704.095 that pertain to the HSPTB Program funds.

The list of projects and applications should be mailed or delivered to:
Bimla Rhinehart, Executive Director
California Transportation Commission
1120 N Street, Mail Station 52, Suite 2122
Sacramento, CA 95814

**TECHNICAL ADJUSTMENT TO THE 2012 STATE
TRANSPORTATION IMPROVEMENT PROGRAM (STIP)
RESOLUTION G-12-06, AMENDING RESOLUTION G-12-05**

A VERBAL PRESENTATION ON THIS ITEM
WILL BE MADE AT THE CALIFORNIA
TRANSPORTATION COMMISSION MEETING.

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 25-26, 2012

Reference No.: 4.15
Action

From: BIMLA G. RHINEHART
Executive Director

Subject: **CORRIDOR MOBILITY IMPROVEMENT ACCOUNT – POLICY FOR THE
PROGRAMMING OF PROJECT COST SAVINGS
RESOLUTION CMIA-P-1112-16**

ISSUE:

Should the Commission approve the policy for programming and allocating Corridor Mobility Improvement Account (CMIA) project cost savings at contract award as detailed below?

RECOMMENDATION:

Commission staff recommends that the Commission adopt a “Ready to Allocate” strategy, as detailed below, for programming and allocating CMIA project cost savings at contract award.

POLICY FOR THE PROGRAMMING OF CMIA PROJECT COST SAVINGS:

The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 was approved by the voters as Proposition 1B on November 7, 2006. Proposition 1B authorized \$4.5 billion in general obligation bond proceeds to be deposited in the CMIA. Funds in the CMIA are available for performance improvements on the state highway system, or major access routes to the state highway system on the local road system, that relieve congestion by expanding capacity, enhance operations, or otherwise improve travel times within these high-congestion travel corridors. Inclusion of a project in the CMIA program was conditioned on the commencement of construction no later than December 31, 2012.

At the time of adoption of the original CMIA program in February 2007, the Commission programmed 54 projects for \$4.5 billion, leveraging another \$4.6 billion in additional federal, state and local funds. Since, the Commission has allocated over \$2.5 billion to CMIA construction-ready projects, while the remainder is expected to be allocated by June 30, 2012. As the Commission has focused on assuring the delivery of the CMIA program within the statutory deadline, the Commission has also worked with sponsoring agencies to recapture any cost savings at construction contract award. These contract award savings were proportioned among the mix of project funding sources, and resulting CMIA dollars were recycled to program additional CMIA projects. Through the end of 2011, the Commission had committed \$600 million of CMIA savings to 27 additional projects, leveraging an addition \$900 million in other federal, state and local funds. What started as a program of 54 projects valued at \$9.1 billion in total project cost is now a program of 81 projects

valued at \$10.6 billion in total project cost, generating over 190,000 jobs and responding to the wish of the voters by furthering the performance improvements to our transportation system.

As the remaining CMIA projects are awarded, project cost savings continue to accumulate. Since the last round of CMIA project award savings reprogramming in June 2011, approximately \$300 million in additional savings capacity has accrued and is available for programming and allocation by June 30, 2012.

In order to maximize the use of the CMIA funding and the resulting transportation benefits, Commission staff recommends that the Commission adopt a "Ready to Allocate" strategy for the programming and allocation of accrued CMIA project award savings. Under this strategy, the Commission will consider programming and allocating CMIA award savings to only those projects that are Ready to List, consistent with the Department of Transportation's established criteria, that are eligible for allocation by June 30, 2012, and that can commence construction by the statutory deadline of December 31, 2012. Proposed projects must be consistent with existing Commission policies and guidelines related to the CMIA program. Eligible projects will include projects proposed but not funded in the original CMIA Program and enhancements to existing CMIA projects. Staff also recommends that the Commission considers eligible projects to include advancements, that is, projects that are Ready to List by June 30, 2012 but cannot advance to construction due to the lack of funding availability in the current year. Proposed projects will be evaluated and prioritized by Commission and Department staff to confirm CMIA eligibility, Ready to List status, Ready to Allocate by June 30, 2012, and ability to commence construction by December 31, 2012. Projects which meet these criteria will be included on the next Agenda for Commission consideration.

Staff also recommends the Commission invite project sponsors to propose projects that are consistent with the above strategy to the Commission for evaluation and consideration of placement on the upcoming May and June meeting agendas.

**ADOPTION OF AMENDMENT TO THE CORRIDOR
MOBILITY IMPROVEMENT ACCOUNT PROGRAM
RESOLUTION CMIA-P-1112-13**

A VERBAL PRESENTATION ON THIS ITEM
WILL BE MADE AT THE CALIFORNIA
TRANSPORTATION COMMISSION MEETING.

CORRIDOR MOBILITY IMPROVEMENT ACCOUNT
PROJECT BASELINE AGREEMENTS
RESOLUTION CMIA-P-1112-14B

A VERBAL PRESENTATION ON THIS ITEM
WILL BE MADE AT THE CALIFORNIA
TRANSPORTATION COMMISSION MEETING.

CORRIDOR MOBILITY IMPROVEMENT ACCOUNT
PROJECT BASELINE AGREEMENT AMENDMENTS
RESOLUTION CMIA-P-1112-15B

A VERBAL PRESENTATION ON THIS ITEM
WILL BE MADE AT THE CALIFORNIA
TRANSPORTATION COMMISSION MEETING.

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 25-26, 2012

Reference No.: 4.7
Action

From: BIMLA G. RHINEHART
Executive Director

Subject: **TRADE CORRIDORS IMPROVEMENT FUND – PROGRAM AMENDMENT
RESOLUTION TCIF-P-1112-028**

ISSUE:

Should the Commission approve the proposed Trade Corridors Improvement Fund (TCIF) Program Amendment to delete TCIF Project 39: *Raymond Avenue Grade Separation Project* and related funding totaling \$12.757 million from the Los Angeles/Inland Corridor element of the TCIF Program and program \$6.354 million to TCIF Project 37: *Orangethorpe Avenue Grade Separation Project*, \$3.376 million to TCIF Project 35: *State College Boulevard Grade Separation*, and \$3.027 million to TCIF Project 41: *Tustin Avenue/Rose Drive Overcrossing*; delete TCIF Project 78: *San Juan Road Interchange Project* and related funding totaling \$28.325 million from the Other Corridors element of the TCIF Program; delete TCIF Project 11: *San Francisco Bay to Stockton Ship Channel Deepening Project* and related funding totaling \$7.2 million from the Northern California Trade Corridors element of the TCIF Program and reprogram the project and related funding totaling \$7.2 million in the Other Corridors element of the TCIF Program; and delete TCIF Project 14: *Sacramento River Deep Water Channel Project* and related funding totaling \$10 million from the Northern California Trade Corridors element of the TCIF Program and reprogram the project and related funding totaling \$10 million in the Other Corridors element of the TCIF Program?

RECOMMENDATION:

Commission staff recommends that the Commission approve the proposed Trade Corridors Improvement Fund (TCIF) Program Amendment to delete TCIF Project 39: *Raymond Avenue Grade Separation Project* and related funding totaling \$12.757 million from the Los Angeles/Inland Corridor element of the TCIF Program and program \$6.354 million to TCIF Project 37: *Orangethorpe Avenue Grade Separation Project*, \$3.376 million to TCIF Project 35: *State College Boulevard Grade Separation*, and \$3.027 million to TCIF Project 41: *Tustin Avenue/Rose Drive Overcrossing*; delete TCIF Project 78: *San Juan Road Interchange Project* and related funding totaling \$28.325 million from the Other Corridors element of the TCIF Program; delete TCIF Project 11: *San Francisco Bay to Stockton Ship Channel Deepening Project* and related funding totaling \$7.2 million from the Northern California Trade Corridors element of the TCIF Program and reprogram the project and related funding totaling \$7.2 million in the Other Corridors element of the TCIF Program; and delete TCIF Project 14: *Sacramento River Deep Water Channel Project* and

related funding totaling \$10 million from the Northern California Trade Corridors element of the TCIF Program and reprogram the project and related funding totaling \$10 million in the Other Corridors element of the TCIF Program.

BACKGROUND:

The Southern California Consensus Group (SCCG) and the Orange County Transportation Authority (OCTA) propose to amend the TCIF Program by deleting TCIF Project 39: *Raymond Avenue Grade Separation Project* and related funding totaling \$12.757 million from the Los Angeles/Inland Corridor element of the TCIF Program and program \$6.354 million to TCIF Project 37: *Orangethorpe Avenue Grade Separation Project*, \$3.376 million to TCIF Project 35: *State College Boulevard Grade Separation*, and \$3.027 million to TCIF Project 41: *Tustin Avenue/Rose Drive Overcrossing*. The proposed amendment will allow OCTA to maximize the use of available resources by funding the *Raymond Avenue Grade Separation Project* with local and formula funds. The SCCG supports the proposed amendment to the TCIF Program and requests the Commission's concurrence (see attached letter dated February 15, 2012).

TCIF Project 78: *San Juan Road Interchange Project* is currently ready to list and eligible for an allocation \$28.325 million, however, the Other Corridors element of the TCIF Program has only \$17.5 million available for allocation. In order to address this funding shortfall, the sponsoring agency, the Transportation Agency of Monterey County (TAMC), has requested alternative funding for this project.

The Northern California Trade Corridors Coalition (NCTCC) proposes to amend the TCIF Program by delete TCIF Project 11: *San Francisco Bay to Stockton Ship Channel Deepening Project* and related funding totaling \$7.2 million from the Northern California Trade Corridors element of the TCIF Program and reprogram the project and related funding totaling \$7.2 million in the Other Corridors element of the TCIF Program; and delete TCIF Project 14: *Sacramento River Deep Water Channel Project* and related funding totaling \$10 million from the Northern California Trade Corridors element of the TCIF Program and reprogram the project and related funding totaling \$10 million in the Other Corridors element of the TCIF Program. The NCCTC requests the Commission's concurrence (see attached letter dated March 22, 2012).



Metro

February 15, 2012

Ms. Bimla G. Rhinehart
Executive Director
California Transportation Commission
1120 "N" Street, Mail Stop: 52
Sacramento, CA 94273-0001

Dear Ms. Rhinehart:

The Southern California Consensus Group has discussed and approved the changes requested by our partner agency, the Orange County Transportation Authority (OCTA). It is our understanding that OCTA is requesting approval to amend six TCIF grade separation projects:

- Raymond Avenue
- State College Boulevard
- Placentia Avenue
- Orangethorpe Avenue
- Tustin Avenue/Rose Drive
- Lakeview Avenue

Please see the attached letter from OCTA detailing the requested changes. Please direct any questions or comments regarding this issue to me at (213) 922-3061. We appreciate the ongoing support and guidance provided by you and your staff.

Sincerely,

Shahrzad Amiri
Deputy Executive Director

cc: Southern California Consensus Group
Maura Twomey



METROPOLITAN
TRANSPORTATION
COMMISSION

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
TEL. 510.817.5700
TTY/TDD 510.817.5769
FAX 510.817.5848
E-MAIL info@mtc.ca.gov
WEB www.mtc.ca.gov

Adrienne J. Tustler, Chair
San Mateo County

March 22, 2012

Amy Rein Worth, Vice Chair
Cities of Contra Costa County

Ms. Bimla Rhinehart, Executive Director
California Transportation Commission
1120 N Street, MS-52
Sacramento, CA 95814

Tom Azumbrado
U.S. Department of Housing
and Urban Development

Tom Bates
Cities of Alameda County

David Campos
City and County of San Francisco

Dear Ms. Rhinehart:

Dave Cortese
Santa Clara County

The Northern California Trade Corridors Coalition (Coalition) met on March 1, 2012 and agreed to an overall plan to reduce overprogramming and facilitate the delivery of the Coalition's important trade corridor projects. Currently, the Coalition's 13 projects totals about \$680 million in Proposition 1B Trade Corridors Investment Fund (TCIF) monies, representing an over-programming amount of about \$40 million.

Bill Dodd
Napa County and Cities

Dorene M. Giacopini
U.S. Department of Transportation

The Coalition requests the California Transportation Commission take action on a strategy to reduce the over-programming while addressing project delivery challenges and priorities. In summary, the strategy proposes the following:

Federal D. Glover
Contra Costa County

Mark Green
Association of Bay Area Governments

Scott Haggerty
Alameda County

Anne W. Halsted
San Francisco Bay Conservation
and Development Commission

Steve Kinsey
Marin County and Cities

Sam Licardo
Cities of Santa Clara County

Jake Mackenzie
Sonoma County and Cities

Kevin Mullin
Cities of San Mateo County

Bijan Sartipi
State Business, Transportation
and Housing Agency

James P. Spering
Solano County and Cities

Scott Wiener
San Francisco Mayor's Appointee

Steve Heminger
Executive Director

Ann Flemer
Deputy Executive Director, Policy

Andrew B. Fremier
Deputy Executive Director, Operations

- Re-program \$110 million TCIF from the Port of Oakland's 7th Street Grade Separation project to the Port of Oakland's Outer Harbor Intermodal Terminal (OHIT);
- Reduce the amount of TCIF funds for the Port of Stockton's Ship Channel Deepening Project from \$17.5 million to \$7.2 million;
- Re-program the \$10 million TCIF funded Port of West Sacramento's Deep Water Channel Project and the \$7.2 million TCIF funded Port of Stockton's Ship Channel Deepening Project from the Northern California Coalition's program to the Other Corridor element of the TCIF program; and
- Program the Solano I-80/680/12 Interchange Connector Project in the Northern California Coalition's program for \$24 million.

Both the Port of Oakland and the Port of Stockton will submit project baseline amendments in coming months to reflect the proposed funding changes. The Port of Oakland's 7th Street project has a funding gap expected to be filled with future funding, and the Coalition recommends the Commission transfer the \$110 million TCIF funds to the OHIT project for increased scope. The Port of Stockton's project faces delays due to unavailability of federal funding, so the Coalition recommends the Commission reduce the TCIF funds on the project from \$17.5 million to \$7.2 million to reflect a smaller, deliverable segment.

While the Coalition will still have an over-programming amount of \$36 million, realized and expected award savings will eliminate the over-programming within the next year.

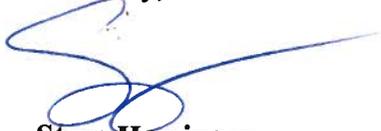
The Coalition also supports the Capitol Corridor Joint Power Authority's Donner Pass Phase 2 project as the highest priority Tier 2 project, should additional TCIF funds become available after meeting existing project commitments. If any Tier 1 project does not have a fully executed and current baseline agreement in place by September 2012 for their TCIF allocation, the Coalition will support the Commission considering the Donner Pass project for allocation using the delinquent project's TCIF funding at that time if the Donner project has in place a signed MOU and baseline agreement.

In the coming months, the Coalition may also recommend the Commission consider additional project delivery deadlines for Tier 1 projects to ensure the timely delivery of the program. As part of this effort, additional Tier 2 projects may be identified for Commission funding consideration if projects on the Tier 1 list are unable to meet the project delivery deadlines established.

The Coalition thanks the Commission and your staff for your continued support of the Coalition's trade program, and look forward to working with you to deliver the remaining TCIF projects.

Should you have any questions or comments, please contact Kenneth Kao of MTC staff at (510) 817-5768 or kkao@mtc.ca.gov.

Sincerely,



Steve Heminger
Executive Director,
MTC



Andrew Chesley
Executive Director,
San Joaquin COG



Mike McKeever
Executive Director,
Sacramento Area COG

cc: Northern California Coalition agencies
Maura Twomey, CTC
Dawn Cheser, Caltrans HQ

SH/AC/MM:KK

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 25-26, 2012

Reference No.: 4.8
Action

From: BIMLA G. RHINEHART
Executive Director

Subject: **TRADE CORRIDORS IMPROVEMENT FUND – PROJECT BASELINE AGREEMENTS
RESOLUTION TCIF-P-1112-029B**

ISSUE:

Should the Commission approve the Trade Corridors Improvement Fund (TCIF) Project Baseline Agreements for the *Baldwin Avenue Grade Separation Project* and the *Solano I-80/680/12 Connectors Project* submitted in accordance with the Commission's TCIF Guidelines and establish these agreements as the baseline for project delivery monitoring?

RECOMMENDATION:

Commission staff recommends that the Commission approve the TCIF Project Baseline Agreements for the *Baldwin Avenue Grade Separation Project* and the *Solano I-80/680/12 Connectors Project* in accordance with the Commission's TCIF Guidelines and establish these agreements as the baseline for project delivery monitoring.

BACKGROUND:

In accordance with Commission's TCIF Guidelines, the Alameda Corridor East Construction Authority, the sponsoring agency for the *Baldwin Avenue Grade Separation Project*, and the Solano Transportation Authority, the sponsoring agency for the *Solano I-80/680/12 Connectors Project*, have provided executed Project Baseline Agreements to the Commission. Commission staff has reviewed these Project Baseline Agreements and have determined that they set forth the proposed project scope, measurable expected performance benefits, delivery schedule, and project budget and funding plan; are consistent with the Commission's TCIF Guidelines; and include the required signatures.

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 25-26, 2012

Reference No.: 2.2c.(4)
Action

From: BIMLA G. RHINEHART
Executive Director

Subject: **APPROVAL OF PROJECT FOR FUTURE CONSIDERATION OF FUNDING
FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE WATT
AVENUE/ US 50 INTERCHANGE PROJECT (RESOLUTION E-12-15)**

ISSUE:

Should the Commission, as a Responsible Agency, accept the Final Supplemental Environmental Impact Report (FSEIR), Findings of Fact and Statement of Overriding Considerations for the Watt Avenue/US 50 Interchange Project in Sacramento County and approve the project for future consideration of funding?

RECOMMENDATION:

Staff recommends that the Commission accept the FSEIR, Findings of Fact and Statement of Overriding Considerations and approve the Watt Avenue/US 50 Interchange Project for future consideration of funding.

BACKGROUND:

Sacramento County (County) is the CEQA lead agency for the project. The project will construct multi-modal improvements at the US Highway 50 (US 50) and Watt Avenue interchange and on Watt Avenue between Kiefer Boulevard and La Riviera Drive. Improvements will include modification of the US 50 and Watt Avenue interchange to a partial cloverleaf configuration, construction of a dedicated transit-way and related facilities to support the initial working segment of Bus Rapid Transit (BRT), and construction of a dedicated bicycle and pedestrian pathway through the interchange to separate these modes from vehicular traffic.

The project for which the FSEIR covers will result in significant unavoidable impacts to climate change. Specifically, the project would result in incremental contributions to cumulative climate change impacts. Mitigation measures and/or alternatives to the proposed project that would substantially reduce or avoid these significant unavoidable impacts are infeasible.

The County adopted the FSEIR, Findings of Fact and a Statement of Overriding Considerations for the project on August 9, 2011. The County found that there were several benefits that outweigh the unavoidable adverse environmental effects of the project. These benefits include, but are not limited to, improving traffic levels of service; improving public safety; accommodating alternate modes of travel including transit, bicycling, and walking; decrease existing noise levels; and decreased commute times. The County established a Mitigation Monitoring Program to ensure that the mitigation measures specified for the project are implemented.

On March 6, 2012 the County provided written confirmation that the preferred alternative set forth in the final environmental document is consistent with the project programmed by the Commission. The County also provided written confirmation of its commitment to all of the mitigation measures stipulated in the FSEIR and Mitigation Monitoring Program.

The project is estimated to cost \$50,376,000. The project is funded with State (\$32,458,000) funds, Federal (\$4,380,000) funds, and Local (\$13,538,000) funds. The project is proposed by sponsor for consideration of CMIA Savings. Construction is estimated to begin in fiscal year 2012/13.

Attachment

- Resolution E-12-15
- Findings of Fact & Statement of Overriding Considerations
- Project Location

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of Funding 03 – Sacramento County Resolution E-12-15

- 1.1.1 **WHEREAS**, Sacramento County (County) has completed a Final Supplemental Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
 - Watt Avenue/US 50 Interchange Project
- 1.2 **WHEREAS**, the County has certified that the Final Supplemental Environmental Impact Report has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3 **WHEREAS**, the project will construct multi-modal improvements at the US Highway 50 and Watt Avenue interchange and on Watt Avenue in Sacramento County; and
- 1.4 **WHEREAS**, the California Transportation Commission, as a Responsible Agency, has considered the information contained in the Final Supplemental Environmental Impact Report; and
- 1.5 **WHEREAS**, Findings of Fact made pursuant to CEQA guidelines indicate that specific unavoidable significant impacts related to adverse effects upon climate change make it infeasible to avoid or fully mitigate to a less than significant level the effects associated with the project; and
- 1.6 **WHEREAS**, the County adopted a Statement of Overriding Considerations for the project; and
- 1.7 **WHEREAS**, the County adopted a Mitigation Monitoring Program for the project; and
- 1.8 **WHEREAS**, the above significant effects are acceptable when balanced against the facts as set forth in the Statement of Overriding Considerations.
- 2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby accept the Final Supplemental Environmental Impact Report, Findings of Fact and Statement of Overriding Considerations and approve the above referenced project to allow for future consideration of funding.

BEFORE THE SACRAMENTO COUNTY BOARD OF SUPERVISORS

RE: Revised Watt Avenue/US-50 Interchange Project
Keifer Boulevard to
La Riviera Drive
(02-PWE-0163)

Findings of Fact and Statement
of Overriding Considerations

I. PROJECT DESCRIPTION AND GENERAL INFORMATION

A. Project Description :

The County of Sacramento Department of Transportation (Sac DOT) proposes to modify the existing full cloverleaf interchange on US Route 50 (US-50) at Watt Avenue in order to reduce congestion, increase safety, and accommodate alternate modes of travel including bus rapid transit (BRT), bicyclists, wheel chairs, and pedestrians.

A full cloverleaf is a four quadrant interchange that employs loop ramps to accommodate left-turning movements. The proposed project will reconfigure the interchange into a partial cloverleaf. Two loop ramps will be removed in order to eliminate the short weaving sections in the right lanes of north bound and south bound Watt Avenue. Two signalized intersections are proposed to allow left and right turns from US-50 onto Watt Avenue. A new center structure will connect the existing north bound and south bound overpasses and provide a dedicated lane in the median for BRT over US-50, and the overcrossing would be widened from four to six through lanes, with an auxiliary lane in each direction and one dedicated (reversible) travel lane for a bus rapid transit (BRT) line. A safe route for pedestrians, bicycles and wheel chairs with undercrossings and a curb separated path is proposed for the east side of Watt Avenue to accommodate users walking or riding north and south across the Watt Avenue Interchange and the La Riviera Drive ramp.

B. Project Objectives (FEIR page 3-13)

The project objectives as submitted by the County Department of Transportation are:

1. Reduce Congestion
2. Improve Safety
3. Improve Access for Bicycles and Pedestrians

4. Correct Incompatibilities with the Americans with Disabilities Act
5. Accommodate Transit

C. General Information

The Sacramento County Department of Environmental Review and Assessment (DERA) prepared the appropriate environmental document, pursuant to the requirements of the California Environmental Quality Act (CEQA), for the *Watt Avenue/US-50 Interchange Project Keifer Boulevard to La Riviera Drive*.

On February 25, 2003 a Notice of Preparation of a Draft Environmental Impact Report (DEIR) for this project was issued to interested parties, potentially affected agencies and organizations. A Revised Notice of Preparation was issued on January 13, 2006 because the project limits were extended from Folsom Boulevard to Keifer Boulevard to accommodate updated project designs that included a lane taper along the roadway segment in that location.

On March 10, 2009 the DEIR for the subject project was distributed to interested parties, and potentially affected individuals, agencies and organizations, and a public notice was published in the Sacramento Bee. The required 45 review period ended on April 24, 2009; however, the review period was extended until the public hearing on the DEIR, which was held before the Planning Commission on May 11, 2009, and the public comment period was closed. The Commission directed staff to respond to comments received on the DEIR and to prepare the Final EIR (FEIR).

The FEIR was prepared, in compliance with CEQA, which includes comments upon, and responses to input received during the public review period. The FEIR was distributed on September 11, 2009. The Sacramento County Board of Supervisors considered the FEIR for the *Watt Avenue/US-50 Interchange Project* at a noticed public hearing held September 22, 2009. Public testimony was given, and the Sacramento County Board of Supervisors took the following actions:

Certified the FEIR as adequate and complete, adopted the mitigation monitoring and reporting program, recognizing significant and unavoidable project impacts associated with climate change. The project was tentatively approved pending adoption of CEQA findings for the significant and unavoidable impact. Final approval was continued to the Board hearing scheduled for October 6, 2009 to allow for the preparation of written findings.

The project received final approval on October 20, 2009.

Subsequent to the certification of the FEIR, it was determined that some of the

sound barriers described on Plates NS-1 through NS-4 in the Noise Chapter of this EIR could not be built to reduce noise to acceptable levels. The construction of the walls to comply with County standards was determined to be infeasible due to cost and height restrictions associated with the Caltrans protocol for noise barriers, reductions in locally available funds, and construction impacts to the community.

DERA determined a Supplemental EIR was the appropriate document to address the changes in the project and mitigation measures.

The Supplemental EIR also describes other changes in the project including the elimination of the western separated bikeway, which will reduce the amount of tree removal in that quadrant. The eastern separated bikeway can be used by cyclists and pedestrians to safely travel north or south on Watt Avenue across the interchange.

The Supplemental EIR evaluated the noise impacts without the previously recommended mitigation and determined that increases in noise levels at eight locations were not significant, and the exceedences of County standards were not attributable to the proposed project. The project's incremental contribution to the overall cumulative impact is not "cumulatively considerable." (CEQA Guidelines, §§ 15064, subd. (h); 15130, subd. (a).) (See SEIR, p. 3-8 [Table NS-5].)

The Supplemental EIR also describes other changes in the project including the elimination of the western separated bikeway, which will reduce the amount of tree removal in the southeast quadrant of the interchange. The eastern separated bikeway can be used by cyclists and pedestrians to safely travel north or south on Watt Avenue across the interchange.

The Notice of Preparation for the Draft Supplemental EIR was released on July 26, 2010. The Draft Supplemental EIR was released on October 19, 2010. A public hearing on the Draft Supplemental EIR was held before the Sacramento County Planning Commission on December 13, 2010 at the County Administration Center, 700 H Street, Room 1450, Sacramento, CA 95814. During the 45-day review period, a total of two comment letters were received in response to publication of the Draft Supplemental EIR. The Final Supplemental EIR was prepared and distributed to the Board of Supervisors on April 25, 2011.

II. DEFINITIONS

"Applicant" means Sacramento County, Transportation Division.

"Board" means the Board of Supervisors of the County of Sacramento.

"CEQA" means the California Environmental Quality Act (Pub. Resources Code, § 21000 *et seq.*)

"County" means County of Sacramento.

"DEIR" or "Draft EIR" means the Draft Environmental Impact Report for the Proposed Project.

"DERA" means the Sacramento County Department of Environmental Review and Assessment.

"EIR" means Environmental Impact Report.

"FEIR" or "Final EIR" means the Final Environmental Impact Report for this project.

"MMRP" means Mitigation Monitoring and Reporting Program.

"NOP" means Notice of Preparation.

III. RECORD

For the purpose of compliance with the letter and intent of CEQA, and its requirements for Findings, the record of the proceedings for the project is comprised as follows:

- A. The proposal package consisting of a written description of the project by the Sacramento Municipal Services Agency, Department of Transportation, maps, documents, reports, and other supporting information;
- B. All environmental documents, public review comments, and supporting reports that were received or were prepared for the Proposed Project;
- C. The proceedings at the Draft EIR Public Hearings and proceedings before the Board of Supervisors that relate to the subject project including testimony and documentary evidence introduced at public hearings;
- D. All staff reports, memoranda, maps, letters, meeting minutes, or other documents, that were prepared for, or received by, the Sacramento County Board of Supervisors;
- E. Matters of common knowledge to the Board of Supervisors including, but not limited to:
 - 1. The 1993 Sacramento County General Plan, including the Land Use Map and elements thereof;
 - 2. The Zoning Code of Sacramento County;
 - 3. The Sacramento County Code;
 - 4. All adopted Ordinances and Policies of Sacramento County.
- F. Other formally adopted policies and ordinances.

Items A and B are in the custody of the Sacramento County Department of Environmental Review and Assessment, located at 827 7th Street, Room 220, Sacramento, California 95814.

Items C and D are in the custody of the Sacramento County Board of Supervisors Office, located at 700 H Street, Suite 2450, Sacramento, California 95814.

Items E, 1, 2 and 3 are in the custody of the Sacramento County Planning and Community Development Department, located at 827 7th Street, Room 230, Sacramento, CA 95814.

Item E, 4 and F are in the custody of the Sacramento County Counsel Office, located at 700 H Street, Suite 2650, and Sacramento, California 95814.

IV. FINDINGS REQUIRED UNDER CEQA

To the extent that a project is subject to CEQA, a public agency may not approve the project as proposed if feasible mitigation measures or feasible alternatives are available that would substantially lessen the projects' significant environmental effects. (Pub. Resources Code Section 21002.) Based on section 21002, both the California Resources Agency and the State's courts have recognized that, in approving projects with significant environmental effects, public agencies have an obligation to modify projects, to the extent *feasible*, to substantially lessen or avoid such effects. (CEQA Guidelines, Sections 15002, subd. (a)(3), 15021, subd. (a)(2); Sierra Club v. Gilroy City Council (1990) 222 Cal.App.3d 30, 41.)

Public Resources Code Section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." CEQA Guidelines Section 15364 adds another factor: "Legal" consideration. (See also Citizens of Goleta Valley v. Board of Supervisors ("Goleta II") (1990) 52 Cal.3d 553, 565.) An agency may reject mitigation measures or environmentally superior alternatives as being infeasible if they frustrate an agency's ability to meet the objectives of a Proposed Project. (See City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 410, 416-417; Sequoiah Hills Homeowners Association v. City of Oakland (1993) 23 Cal.App.4th 704, 715.)

The obligation to substantially lessen or avoid significant effects, where feasible, is implemented, in part, through the adoption of "CEQA" findings, as mandated by Public Resources Code Section 21081. The parallel section in the CEQA Guidelines is Section 15091, which provides that, before an agency can approve a project for which an EIR has identified significant environmental effects, the agency must first adopt "one or more findings for each [such] ... significant effect." For each effect, the agency's findings must reach one or more of three

permissible conclusions.

The first possible finding is that "[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines Section 15091, subd. (a)(1).)

The second permissible finding is that "[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (CEQA Guidelines Section 15091, subd. (a)(2).)

As to the third permissible conclusion, CEQA Guidelines Section 15091 no longer exactly tracks the statutory language of Public Resources Code Section 21081, Subdivision (a)(3), which was amended in 1993 and again in 1994. The amended statute provides that the third permissible conclusion is that "[s]pecific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR." (Pub. Resources Code Section 21081, subd. (a)(3); see also CEQA Guidelines Section 15091, subd. (a)(3).)

The CEQA Guidelines do not define the difference between "avoiding" a significant environmental effect and merely "substantially lessening" such an effect. The County must therefore glean the meaning of these terms from the other contexts in which the terms are used. Public Resources Code Section 21081, on which CEQA Guidelines Section 15091 is based, uses the term "mitigate" rather than "substantially lessen." The CEQA Guidelines therefore equate "mitigating" with "substantially lessening." Such an understanding of the statutory term is consistent with Public Resources Code Section 21002, which, as noted earlier, uses the terms "substantially lessen" and "avoid", but does not use the word "mitigate."

For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a *less-than-significant level*. In contrast, the term "substantially lessen" refers to the effectiveness of such a measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less-than-significant level.

Although CEQA Guidelines Section 15091 requires only that approving agencies specify that a particular significant effect is "avoid[ed] or substantially lessen[ed]", these findings, for purposes of clarity, in each case will specify whether the effect in question has been avoided (i.e., reduced to a less-than-significant level), or has simply been substantially lessened but remains significant.

In seeking to effectuate the substantive policy of CEQA to substantially lessen or avoid significant environmental effects to the extent feasible, an agency, in adopting findings, need not necessarily address the feasibility of *both* mitigation measures and environmentally superior alternatives when contemplating approval of a Proposed Project with significant impacts. Where a significant impact can be mitigated to an "acceptable" level solely by the adoption of feasible mitigation measures, the agency, in drafting its findings, has no obligation even to consider the feasibility of any environmentally superior alternative that could also substantially lessen or avoid that same impact—even if the alternative would render the impact less severe than would the Proposed Project as mitigated. (Laurel Hills Homeowners Association v. City Council (1978) 83 Cal.App.3d 515, 521; see also Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 730-731; and Laurel Heights Improvement Association v. Regents of the University of California ("Laurel Heights I") (1988) 47 Cal.3d 376, 400-403.)

In these Findings, the County first addresses the extent to which each significant environmental effect can be substantially lessened or avoided through the adoption of feasible mitigation measures. Only after determining that, even with the adoption of all feasible mitigation measures, an effect is significant and unavoidable does the County address the extent to which alternatives described in the EIR are (i) environmentally superior with respect to that effect and (ii) "feasible" within the meaning of CEQA.

In cases in which a project's significant effects cannot be mitigated or avoided, an agency, after adopting proper findings, may nevertheless approve the project if it first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the "benefits of the project outweigh the significant effects on the environment." (Pub. Resources Code Section 21081, subd. (b); see also CEQA Guidelines Sections 15093, 15043, subd. (b). The Board herein identifies the specific economic, social, and other considerations that, in its judgment, outweigh the significant environmental effects that the Proposed Project will cause.

The California Supreme Court has stated that "[t]he wisdom of approving any development project, a delicate task which requires a balancing of interest, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed and therefore balanced." (Goleta II, supra, 52 Cal.3d at 576.)

V. LEGAL EFFECT OF FINDINGS

To the extent that these Findings conclude that proposed mitigation measures outlined in the Final Supplemental EIR are feasible and have not been modified, superseded or withdrawn, the County hereby binds the Applicant and any other responsible parties to implement those measures. These Findings, in other

words, are not merely informational or hortatory, but constitute a binding set of obligations that will come into effect upon the Board's approval of the Proposed Revised Watt Avenue/US-50 Interchange Project. At the time of approval, the Board will adopt a Mitigation Monitoring and Reporting Program as required by Public Resources Code Section 21081.6, subdivision (a)(1). The Board will also require, as applicable, implementation of the mitigation measures by imposing them as conditions of approval.

VI. MITIGATION MONITORING AND REPORTING PROGRAM

Public Resources Code section 21081.6 subdivision (a) (1) requires adoption of a Mitigation Monitoring and Reporting Program ("MMRP"). The MMRP is designed to ensure that, during Project implementation, the County and any other responsible parties comply with feasible project mitigation measures.

VII. SIGNIFICANT ADVERSE IMPACTS

The Final Supplemental EIR Certified by the Sacramento County Board of Supervisors did not identify any significant unavoidable impacts associated with the Proposed Revised Project that were not previously identified in the Final EIR (October 20, 2010):

VIII. SIGNIFICANT IMPACTS WHICH HAVE BEEN REDUCED TO A LESS THAN SIGNIFICANT LEVEL

A. Noise

A noise study was prepared to evaluate the traffic noise levels under the revised project conditions and without the higher noise barriers, which were determined to be infeasible. The analysis concluded that the revised project would result in significant impacts according to County and/or Caltrans noise standards (NAC) at various locations along the project area. Specifically, noise receivers R5, R6, R7, R19, R20, R21, R22 and R24 would be subject to a significant noise impact. Sound barrier construction mitigation that is considered feasible will reduce this impact to less than significant levels.

Mitigation Measure

NS-1: Traffic Noise

Install sound barrier 2 on the northeast quadrant and sound barrier 3 on the southwest quadrant as indicated on Plate NS-1 and Plate NS-3 in the Final Supplemental EIR. Installation of the sound barrier at NE2 will reduce the noise impact at receivers R5, R6, R7 and R24 to a less than significant level. Installation of the sound barrier at SW3 will reduce the

noise impact at receivers R19, R20, R21 and R22 to a less than significant level.

Finding

The Board concurs with the reasoning stated in the Final Supplemental EIR and in the Record and finds the above referenced significant impact can be reduced to a less than significant level of impact upon implementation of the identified noise mitigation measure NS-1.

B. Biological Resources

The changes in tree mitigation since the Final EIR are due to revisions and refinements in project design. In some cases trees that were to be removed with the original design will be preserved, and some trees that were to be preserved will be removed. Implementation of these identified biological mitigation measures below would reduce the revised project impacts to a less than significant level

Mitigation Measures

BR-1: Native Tree Removal Compensation

The removal of native trees shall be mitigated by planting the compensatory number of native tree inches dbh (i.e., **1,017 inches dbh** valley oak/*Quercus lobata* and/or interior live oak/*Quercus wislizenii*; **25 inches dbh** western sycamore/*Plantanus racemosa*; and **55 inches dbh** California black walnut/*Juglans*) based on the ratios listed below, at locations that are authorized by the Department of Environmental Review and Assessment. If the existing on-site protected trees are successfully transplanted or if design changes occur, the number of compensation inches shall be adjusted to correspond to the actual number of inches removed.

Equivalent compensation based on the following ratio is required:

- one D-pot seedling (40 cubic inches or larger) = 1 inch dbh
- one 15-gallon tree = 1 inch dbh
- one 24-inch box tree = 2 inches dbh
- one 36-inch box tree = 3 inches dbh
- one transplant 1-5 inches dbh = 1-5 inches dbh

Prior to the approval of Improvement Plans or building permits, a Replacement Oak Tree Planting Plan shall be prepared by a certified arborist or licensed landscape architect and shall be submitted to the

Environmental Coordinator for approval. The Replacement Oak Tree Planting Plan(s) shall include the following minimum elements:

1. Species, size and locations of all replacement plantings;
2. Method of irrigation;
3. The Sacramento County Standard Tree Planting Detail L-1, including the 10-foot deep boring hole to provide for adequate drainage;
4. Planting, irrigation, and maintenance schedules;
5. Identification of the maintenance entity and a written agreement with that entity to provide care and irrigation of the trees for a 3-year establishment period, and to replace any of the replacement oak trees which do not survive during that period.

No replacement tree shall be planted within 15 feet of the driplines of existing oak trees or landmark size trees that are retained on-site, or within 15 feet of a building foundation or swimming pool excavation. The minimum spacing for replacement oak trees shall be 20 feet on-center. Examples of acceptable planting locations are publicly owned lands, common areas, and landscaped frontages (with adequate spacing). Generally unacceptable locations are utility easements (PUE, sewer, storm drains), under overhead utility lines, private yards of single-family lots (including front yards), and roadway medians.

If oak tree replacement plantings are demonstrated to the satisfaction of the Sacramento County Environmental Coordinator to be infeasible for any or all trees removed, then compensation shall be through payment into the County Tree Preservation Fund. Payment shall be made at a rate of \$325.00 per dbh inch removed but not otherwise compensated, or at the prevailing rate at the time payment into the fund is made.

BR-2: Native Tree Protection

With the exception of the trees removed and compensated for through Mitigation Measure BR-1, all oak trees that are 6 inches dbh or larger on the project site, all portions of adjacent off-site, 6-inch dbh or larger oak trees which have driplines that extend onto the project site, and all off-site, 6-inch dbh or larger oak trees which may be impacted by utility installation and/or improvements associated with this project, shall be preserved and protected as follows:

1. A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of each tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root

zone and defines the minimum protected area of each tree. Removing limbs that make up the dripline does not change the protected area.

2. Any protected trees on the site that require pruning shall be pruned by a certified arborist prior to the start of construction work. All pruning shall be in accordance with the American National Standards Institute (ANSI) A300 pruning standards and the International Society of Arboriculture (ISA) "Tree Pruning Guidelines."
3. Prior to initiating construction, temporary protective fencing shall be installed at least one foot outside the driplines of the protected trees within 100-feet of construction related activities, in order to avoid damage to the tree canopies and root systems. Fencing may be placed at the limit of road construction where such construction occurs within the dripline.
4. Any removal of paving or structures (i.e. demolition) that occurs within the dripline of a protected oak tree shall be done under the direct supervision of a certified arborist. To the maximum extent feasible, demolition work within the dripline protection area of the oak tree shall be performed by hand. If the certified arborist determines that it is not feasible to perform some portion(s) of this work by hand, then the smallest/lightest weight equipment that will adequately perform the demolition work shall be used.
5. No signs, ropes, cables (except those which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the protected trees. Small metallic numbering tags for the purpose of preparing tree reports and inventories shall be allowed.
6. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the driplines of protected trees.
7. No grading (grade cuts or fills) shall be allowed within the driplines of protected trees. All grading shall take place outside the area described by the protective fencing imposed in Mitigation Measure B.3.
8. Drainage patterns on the site shall not be modified so that water collects or stands within, or is diverted across, the dripline of any protected tree.
9. No trenching shall be allowed within the driplines of protected trees. If it is absolutely necessary to install underground utilities within the

dripline of a protected tree, the utility line shall be bored and jacked under the supervision of a certified arborist.

10. The construction of impervious surfaces within the driplines of protected trees shall be stringently minimized. When it is absolutely necessary, a piped aeration system per County standard detail shall be installed under the supervision of a certified arborist.
11. No sprinkler or irrigation system shall be installed in such a manner that sprays water or requires trenching within the driplines of protected trees. An above ground drip irrigation system is recommended.
12. Landscaping beneath oak trees may include non-plant materials such as bark mulch, wood chips, boulders, etc. The only plant species which shall be planted within the drip-lines of oak trees are those which are tolerant of the natural semi-arid environs of the trees. A list of such drought-tolerant plant species is available at the Department of Environmental Review and Assessment. Limited drip irrigation approximately twice per summer is recommended for the understory plants.

Finding

The Board concurs with the reasoning stated in the Final Supplemental EIR and in the Record and finds significant impact to native trees can be reduced to a less than significant level of impact upon implementation of the identified mitigation measures BR-1 and BR-2.

IX. CEQA PROJECT ALTERNATIVES

There were no changes in the CEQA alternatives between the Final EIR and the Final Supplemental EIR.

X. STATEMENT OF OVERRIDING CONSIDERATIONS

There are no additional significant unavoidable impacts identified in the Supplemental EIR that were not identified in the previously certified Final EIR (October 20, 2010). The statements of overriding consideration for the previously documented findings are still valid and no additional statements of considerations were documented.

The Sacramento County Board of Supervisors hereby also recognizes and adopts the Findings of Fact and Statement of Overriding Considerations for the Proposed Project.

Dated: 9/8/11

By: Roberta MacGlashan

Chairperson of the Sacramento
County Board of Supervisors

Attest: Cyndi Lee

Clerk, Sacramento County
Board of Supervisors

Date: 9/8/11

P:\2002\02-0163 Watt-US50 Interchange\revised project\May 2011 02-0163 Watt-50 Findings of Fact .doc

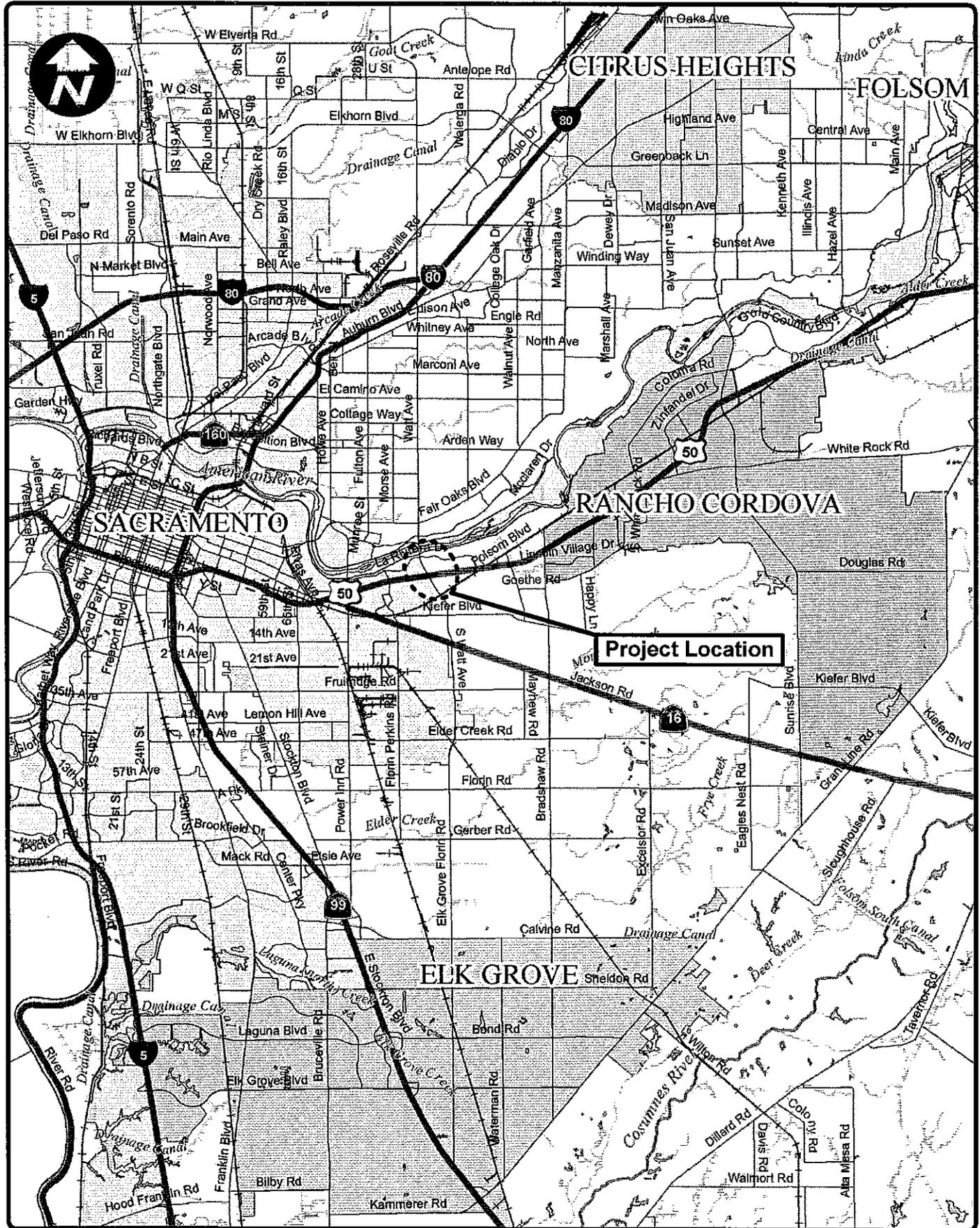


Figure 1. Vicinity Map

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5f.
Information Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **INFORMATIONAL REPORTS – DELEGATED ALLOCATIONS**
EMERGENCY G-11, SHOPP G-03-10 SAFETY, AND MINOR G-05-05

SUMMARY:

Since the period reported at the last California Transportation Commission (Commission) meeting, the California Department of Transportation (Department) allocated or sub-allocated:

- \$900,000 for one emergency construction project, pursuant to the authority granted under Resolution G-11 (2.5f.(1)).
- \$1,217,000 for one safety project, pursuant to the authority granted under Resolution G-03-10(2.5f.(3)).
- \$10,915,000 for 14 State Highway Operation and Protection Program (SHOPP) Minor A projects, pursuant to the authority granted under Resolution G-05-05 (2.5f.(4)).

As of March 21, 2012, the Department has allocated or sub-allocated the following for Fiscal Year (FY) 2011-12:

- \$75,412,000 for 51 emergency construction projects.
- \$27,095,000 for 11 safety delegated projects.
- \$33,016,000 for 49 SHOPP Minor A projects.

BACKGROUND:

The Commission, by Resolution G-11, as amended by Resolution G-00-11, delegated to the Department authority to allocate funds to correct certain situations caused by floods, slides, earthquakes, material failures, slip outs, unusual accidents or other similar events.

This authority is operative whenever such an event:

1. Places people or property in jeopardy.
2. Causes or threatens to cause closure of transportation access necessary for:
 - a. Emergency assistance efforts.
 - b. The effective functioning of an area's services, commerce, manufacture or agriculture.
 - c. Persons in the area to reach their homes or employment.

3. Causes either an excessive increase in transportation congestion or delay, or an excessive increase in the necessary distances traveled.

Resolution G-11 authorizes the Department to allocate funds for follow-up restoration projects associated with, and that immediately follow an emergency condition response project. Resolution G-11 also requires the Department to notify the Commission, at their next meeting, whenever such an emergency allocation has been made.

On March 30, 1994, the Commission delegated to the Department authority to allocate funds under Resolution G-11, as amended by Resolution G-00-11, for seismic retrofit projects. This authority allows the Department to begin work without waiting for the next Commission meeting to receive an allocation.

On March 28, 2001, the Commission approved Resolution G-01-10, as amended by Resolution G-03-10, delegating to the Department authority to allocate funds for SHOPP safety and pavement rehabilitation projects. This authority allows the Department to begin work without waiting for the next Commission meeting to receive an allocation.

Resolution G-05-05 authorizes the Department to sub-allocate funds for Minor projects. At the June 2011 meeting, the funding and project listing for the FY 2011-12 Lump Sum Minor Construction Program was approved by the Commission under Resolution FM-10-05.

The SHOPP, as approved by the Commission, is a four-year program of projects with the total annual proposed expenditures limited to the biennial Commission-approved Fund Estimate. The Commission, subject to monthly reporting and briefings, has delegated to the Department the authority to amend programmed projects, the authority to allocate funds for safety projects, and the authority to allocate funds to emergency projects. The Department uses prudent business practices to manage the combination of individual project cost increases and savings to meet Commission policies.

In all cases, the delegated authority allows the Department to begin work without waiting for the next Commission meeting to receive an allocation.

The Department has complied with the National Environmental Policy Act and the California Environmental Quality Act requirements in preparing these projects.

Attachment

2.5 Highway Financial Matters

Project# Amount County Dist-Co-Rte Postmile	Location Project Description Allocation History	PPNO Program/Year Project ID Adv. Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5f. Informational Report – Emergency G-11 Allocations (2.5f.(1))				
1 \$900,000 Los Angeles 07-LA-110 23.3/23.6	In the city of Los Angeles, from First Street to Temple Avenue. Heavy rain in late 2011 and early 2012 washed out the roadway support slope at this location. This project is to reconstruct the roadway embankment and replace damaged pavement, drainage system, guardrail, and right of way fencing. Additional berms will be added behind the guardrail to prevent recurrence of similar damage. Initial G-11 Allocation 02/15/12: \$ 900,000 (Additional \$30,000 was allocated for right of way purposes).	07-4514 SHOPP/11-12 0712000291 4 3X7404 Emergency	2010-11 302-0042 SHA 20.20.201.130	\$900,000

Project # Amount County Dist-Co-Rte Postmile	Location Project Description Allocation History	PPNO Program/Year Prgm'd Amount Project ID Adv. Phase EA	Budget Year Item # Fund Type Program Codes	Amount by Fund Type
Informational Report – SHOPP Safety-Resolution G-03-10 Delegated Allocations (2.5f.(3))				
1 \$1,217,000 Kings 06-Kin-43 24.2/24.7	Near Hanford, from 0.78 mile north of Elder Avenue to 0.77 mile south of Dover Avenue. <u>Outcome/Outputs:</u> Signalize intersection and lengthen left turn lane at one location to reduce the number and severity of collisions. Allocation date: 03/01/2012	06-6367 SHOPP/11-12 \$1,900,000 0600000157 4 0J0504	2010-11 302-0042 SHA 302-0890 FTF 20.20.201.010	\$24,000 \$1,193,000

#	Dist	County	Route	Postmiles	Location/Description	EA	Program Code	Original Est. FM-09-06	Allocation
2.5f. Informational Report – Minor Construction Program – Resolution G-05-05 Delegated Allocations (2.5f.(4))									
1	03	Pla	L5727	8.9	Replace sand storage building, install new double walled brine tank and repair existing pavement at the Tahoe City Maintenance Station.	2F2804	201.352	\$550,000	\$650,000
2	04	Ala/SCI	Var	Var	Replace damaged overhead signs and metal beam guardrails at various locations.	2G5904	201.170	\$1,000,000	\$998,000
3	06	Fre	5	44.9	Asphalt concrete pavement, replace existing bridge approach slabs and upgrade bridge approach guardrails and crash cushions to current standards.	0N0104	201.120	\$750,000	\$883,000
4	06	Kin	43	17.9/18.6	Install traffic signals at three intersections and left-turn lanes and pedestrian crosswalks at one intersection.	0M9004	201.310	\$935,000	\$970,000
5	08	Riv	10	71.8/72.3	Upgrade waste water treatment system in Cactus City Safety Roadside Rest Area by installing one septic tank, replacing all existing sewage lines and valves and installing a new lift station.	0L9004	201.250	\$850,000	\$967,000
6	08	Riv	10	Var.	Install changeable message signs and highway advisory radio and environmental sensor at various locations.	0N9804	201.315	\$950,000	\$787,000
7	08	SBd	18	T7.8/T8.1	Upgrade sidewalk, remove metal beam guardrail and reconstruct curb ramp and driveways to comply with American With Disabilities Act.	0M8304	201.378	\$835,000	\$311,000
8	09	Mno	6	4.0/5.5	Widen shoulder from 4 feet to 8 feet and install rumble strips.	352604	201.310	\$935,000	\$1,000,000

2.5 Highway Financial Matters

#	Dist	County	Route	Postmiles	Location/Description	EA	Program Code	Original Est. FM-09-06	Allocation
2.5f. Informational Report – Minor Construction Program – Resolution G-05-05 Delegated Allocations (2.5f.(4))									
9	09	Mno	203	7.1	Install changeable message sign to provide real time information.	352704	201.315	\$350,000	\$324,000
10	10	SJ	99	Var	Install one changeable message sign and four traffic management system elements at various locations.	0S7604	201.315	\$990,000	\$539,000
11	10	Tuo	120	8.1/8.5	Construct acceleration lane with shoulder.	0P1604	201.310	\$780,000	\$831,000
12	11	SD	8	Var	Overlay and cold plane connector ramps at various locations.	407304	201.120	\$1,000,000	\$964,000
13	11	SD	94	Var	Overlay and cold plane ramps and replace dikes, metal beam guardrail and loop detectors at various locations.	407204	201.120	\$1,000,000	\$741,000
14	12	Ora	405	6.4/7.4	Install irrigation system and plant new vegetation to prevent soil erosion. The City of Irvine is contributing \$100,000 to this project.	0F5504	201.210	\$950,000	\$950,000

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 3.1
Information Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: **MONTHLY REPORT ON PROJECTS AMENDED INTO THE SHOPP BY DEPARTMENT ACTION**

SUMMARY:

Since the March 2012 report to the California Transportation Commission (Commission), the California Department of Transportation (Department) has amended two new capital projects into the 2010 State Highway Operation and Protection Program (SHOPP), as summarized in the attachment. The Department maintains annual reservations to fund anticipated safety, emergency, and other high priority projects that need to be amended into the 2010 SHOPP. The amendments noted below will be funded from the Major Damage Restoration and Safety Improvements Reservation.

2010 SHOPP Summary of New Projects by Category	No.	FY 2011/12 (\$1,000)	FY 2012/13 (\$1,000)	FY 2013/14 (\$1,000)
Emergency Response	1	\$930		
Collision Reduction	1			\$505
Total Amendments	2	\$930		\$505

BACKGROUND:

In each even numbered year, the Department prepares four-year SHOPP defining major capital improvements necessary to preserve and protect the State Highway System. Periodically, the Department amends the SHOPP to address newly identified needs prior to the next programming cycle. This report identifies two new capital projects amended into the 2010 SHOPP.

The "List of New 2010 SHOPP Capital Project Amendments" provides specific project information.

Attachment

List of New 2010 SHOPP Capital Project Amendments

This list provides an overview of projects the Department has amended into the 2010 SHOPP since the March 2012 report. Copies of the actual amendments have been provided to Commission staff.

Amend # PPNO	Dist-Co-Rte PM EA Project ID	Project Location and Description of Work	R/W Cost Const. Cost (\$1,000)	FY	Support Costs (\$1,000)	Program Code Leg. /Congr. Dists. Perf. Meas.	
Emergency Response							
10H-535 4514	7-LA-110 23.3/23.6 3X740 07 1200 0291	In the city of Los Angeles, between First Street undercrossing and Temple Avenue undercrossing. Repair roadway and support slopes.	\$30 (R/W) \$900 (C)	11/12	PA & ED PS & E RW Sup Con Sup Total	\$0 \$0 \$20 \$270 \$290	201.130 Assembly: 45, 46 Senate: 22 Congress: 30, 33 1 Location
Collision Reduction							
10H-533 3496	2-Las-395 T5.4/R61.1 4E820 02 1200 0040	Near Chilcoat, from 0.8 mile north of Route 70 to Route 36. Install centerline rumble strips.	\$5 (R/W) \$500 (C)	13/14	PA & ED PS & E RW Sup Con Sup Total	\$150 \$200 \$30 \$300 \$680	201.010 Assembly: 3 Senate: 1 Congress: 2 63 Collisions reduced

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 3.2a.
Information Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: **STATUS OF CONSTRUCTION CONTRACT AWARD FOR STATE HIGHWAY PROJECTS**

SUMMARY:

The California Department of Transportation (Department) is presenting this item to provide the status of construction contract award for projects on the State Highway System allocated in Fiscal Year (FY) 2010-11 and FY 2011-12.

In FY 2010-11, the California Transportation Commission (Commission) voted 322 state-administered State Transportation Improvement Program (STIP), State Highway Operation and Protection Program (SHOPP), and Proposition 1B projects on the State Highway System. As of March 30, 2012, 316 projects totaling \$1.81 billion have been awarded. Contracts for four projects have not yet been awarded while funding for two projects have lapsed.

In FY 2011-12, the Commission has voted 185 state-administered STIP, SHOPP, and Proposition 1B projects on the State Highway System. As of March 30, 2012, 154 projects totaling \$1.61 billion have been awarded.

BACKGROUND:

Starting with July 2006 allocations, projects are subject to Resolution G-06-08 (adopted June 8, 2006), which formalizes the condition of allocation that requires projects to be ready to proceed to construction within six months of allocation. The policy also requires that projects that are not awarded within four months of allocation be reported to the Commission.

FY 2010-11 Allocations

Month Allocated	No. Projects Voted	Voted Projects \$ X 1000	No. Projects Awarded	No. Projects Funds Lapse	Awarded Projects \$ X 1000	No. Projects Pending Bid Opening/Award	No. Projects Awarded within 4 months	No. Projects Awarded within 6 months
August 2010	81	\$903,256	80	1	\$782,445	0	57	71
September 2010	10	\$20,652	10	0	\$26,245	0	4	8
November 2010	27	\$124,226	27	0	\$114,306	0	16	22
January 2011	39	\$473,732	39	0	\$480,902	0	23	34
March 2011	53	\$100,728	53	0	\$96,209	0	46	52
May 2011	54	\$67,952	54	0	\$66,244	0	40	50
June 2011	58	\$805,270	53	1	\$244,808	4	41	46
TOTAL	322	\$2,495,816	316	2	\$1,811,159	4	227	283

- Note: 1. Total awarded amount reflects total project allotment, including G-12 and supplemental funds.
2. Excludes non-construction Transportation Enhancement (TE) projects and combined locally-administered TE.
3. FY 2010-11 table includes projects with financial contribution only, Department delegated safety, and emergency projects.

FY 2011-12 Allocations

Month Allocated	No. Projects Voted	Voted Projects \$ X 1000	No. Projects Awarded	No. Projects Funds Lapse	Awarded Projects \$ X 1000	No. Projects Pending Bid Opening/Award	No. Projects Awarded within 4 months	No. Projects Awarded within 6 months
August 2011	90	\$1,864,282	87	1	\$1,321,163	2	43	80
September 2011	18	\$76,605	18	0	\$68,050	0	12	17
October 2011	18	\$166,249	14	0	\$96,588	4	9	14
December 2011	22	\$265,082	18	0	\$61,617	4	18	18
January 2012	28	\$274,056	6	0	\$29,489	22	6	6
February 2012	9	\$155,085	2	0	\$11,500	7	2	2
March 2012	33	\$228,841	9	0	\$21,570	24	9	9
TOTAL	218	\$3,030,200	154	1	\$1,609,977	63	99	146

- Note: 1. Total awarded amount reflects total project allotment, including G-12 and supplemental funds.
2. Excludes non-construction Transportation Enhancement (TE) projects and combined locally-administered TE.
3. FY 2011-12 table includes projects with financial contribution only, Department delegated safety, and emergency projects.

FY 2010-11 Project Allocation Status

Dist-PPNO	Project EA	County-Route	Description	Allocation Date	Award Deadline	Allocation Amount	Project Status
04-0104*	4A070	ALA-580	In and near the city of Livermore, construct Truck Climbing Lane,	22-Jun-11	30-Jun-12 ⁽¹⁾	\$48,959	Delay to award due to Department of Fish and Game permit.
04-0137B*	4S260	ALA-580	rehabilitate pavement and construct retaining walls.	22-Jun-11	30-Jun-12 ⁽¹⁾	\$12,920	
07-3037**	22830	LA-710	At the Port of Long Beach, at the terminus of the I-710 freeway.	22-Jun-11	30-Jun-12 ⁽¹⁾	\$299,795	Delay to award due to evaluation and approval of Alternative Technical Concepts (ATCs).
07-4425**	28860	LA-710	Replace existing bridge.	22-Jun-11	30-Jun-12 ⁽¹⁾	\$170,205	

* The two voted projects are combined for construction purposes.
 ** Same project voted with multiple funding source.
 (1) Extended deadline approved on January 25, 2012 (Waiver-12-04).

FY 2011-12 Project Allocation Status

Dist-PPNO	Project EA	County-Route	Description	Allocation Date	Award Deadline	Allocation Amount	Project Status
07-4137	20211	LA-710	Pave roadway with long life pavement and widen roadway and bridges.	10-Aug-11	31-May-12 ⁽²⁾	\$190,222	Delay to award due to bid inquires.
08-0188Y	39471	SBD-18	Landscape mitigation project.	10-Aug-11	31-Aug-12 ⁽²⁾	\$100	No bids were received. Project will be re-advertised.
03-3454	2A920	PLA-89	Rehabilitate Pavement and Drainage System.	27-Oct-11	30-Apr-12	\$40,413	Bids opened 3/14/12. Pending award.
03-4895	33382	PLA-65	Construct Southbound Lanes with Hot Mix Asphalt. (CMIA)	27-Oct-11	31-Dec-12	\$17,750	Project advertised on 2/21/12. Bid opening date 4/11/12.
04-2177A	2E230	CC-VAR	Replace approach slabs and joint seals, and treat bridge deck.	27-Oct-11	30-Apr-12	\$1,702	Bids opened 1/31/12. Pending award.
04-2140Q	4A923	SM-82	Install traffic operation system infrastructure.	27-Oct-11	30-Apr-12	\$10,200	Project advertised on 3/5/12. Bid opening date 4/3/12.

(2) Extended deadline approved on March 29, 2012 (Waiver-12-12).

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 3.2b.
Information Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Denix D. Anbiah
Division Chief
Local Assistance

Subject: **MONTHLY STATUS OF CONSTRUCTION CONTRACT AWARD FOR LOCAL ASSISTANCE STIP PROJECTS, PER RESOLUTION G-06-08**

SUMMARY:

The California Department of Transportation (Department) is presenting this item for information purposes only. The item provides the status of locally-administered State Transportation Improvement Program (STIP) projects that received a construction allocation in Fiscal Year (FY) 2010-11 and FY 2011-12.

In FY 2010-11, the California Transportation Commission (Commission) allocated \$94,213,000 to construct 71 locally-administered STIP projects. As of March 22, 2012, 58 projects totaling \$84,261,000 have been awarded and time extension requests have been approved for 11 projects. These 11 projects are on track for award by the deadlines indicated in their approved extension requests. Two projects (PPNO 01-4097P and PPNO 12-2135M) have lapsed.

In FY 2011-12, the Commission has allocated \$44,295,000 to construct 29 locally-administered STIP projects. As of March 22, 2012, five projects totaling \$3,859,000 have been awarded and time extension requests have been approved for two projects. These two projects and the remaining 22 projects are on track for award.

BACKGROUND:

Resolution G-06-08, adopted June 8, 2006, requires projects to be ready to proceed to construction within six months of allocation. The policy also requires the Department to report to the Commission on those projects that have not been awarded within four months of allocation.

FY 2010-11 Allocations

Month Allocated	No. Projects Voted	Voted Projects \$ X 1000	No. Projects Awarded	No. Projects Lapse	No. Projects Pending Award	No. Projects Awarded within 4 months	No. Projects Awarded within 6 months
July 2010	19	\$57,002	18	1	0	2	10
August 2010	0	\$0	0	0	0	0	0
September 2010	2	\$795	2	0	0	0	2
October 2010	0	\$0	0	0	0	0	0
November 2010	3	\$3,284	3	0	0	0	2
December 2010	0	\$0	0	0	0	0	0
January 2011	3	\$7,878	2	0	1	0	0
February 2011	0	\$0	0	0	0	0	0
March 2011	11	\$4,960	9	1	1	1	8
May 2011	8	\$4,994	8	0	0	2	6
June 2011	25	\$13,453	16	0	9	0	15
TOTAL	71	\$94,213	58	2	11	5	43

FY 2011-12 Allocations

Month Allocated	No. Projects Voted	Voted Projects \$ X 1000	No. Projects Awarded	No. Projects Lapse	No. Projects Pending Award	No. Projects Awarded within 4 months	No. Projects Awarded within 6 months
July 2011	0	\$0	0	0	0	0	0
August 2011	5	\$19,418	3	0	2	0	3
September 2011	2	\$1,007	2	0	0	0	2
October 2011	1	\$501	0	0	1	0	0
December 2011	7	\$4,666	0	0	7	0	0
January 2012	7	\$5,089	0	0	7	0	0
February 2012	7	\$13,614	0	0	7	0	0
TOTAL	29	\$44,295	5	0	24	0	5

Note: Excludes STIP Planning, Programming, and Monitoring allocations and locally-administered STIP Regional Rideshare Program allocations, as no contract is awarded for these programs.

Local STIP Projects, Beyond Four Months of Construction Allocation, Not Yet Awarded

Agency Name	Project Title	PPNO	Allocation Date	Award Deadline	Allocation Amount	Project Status
San Mateo City/County Association of Governments	San Mateo County Smart Corridors	04-2140F	20-Jan-11	31-Mar-13 ⁽¹⁾	\$5,270,000	The project will be awarded by the extended deadline.
City of Vallejo	Downtown Vallejo Pedestrian Enhancement	04-5152J	24-Mar-11	30-Jun-12 ⁽⁴⁾	\$412,000	The project will be awarded by the extended deadline.
Tehama County	Lake California Drive Bikeway	02-2428	23-Jun-11	30-Jun-12 ⁽²⁾	\$276,000	The project will be awarded by the extended deadline.
City of Dorris	Dorris Centennial Welcome Plaza	02-2476	23-Jun-11	30-Jun-12 ⁽²⁾	\$92,000	The project will be awarded by the extended deadline.
City of Kingsburg	Sierra Avenue Median	06-B002J	23-Jun-11	30-Jun-12 ⁽⁴⁾	\$339,000	The project will be awarded by the extended deadline.
City of Lindsay	Government Center Plaza	06-D022	23-Jun-11	31-Aug-13 ⁽³⁾	\$199,000	The project will be awarded by the extended deadline.
City of Lindsay	Tulare Road Pedestrian Safety Bollards	06-6567	23-Jun-11	31-Aug-13 ⁽³⁾	\$167,000	The project will be awarded by the extended deadline.
City of El Centro	Landscaping Beautification	11-0588C	23-Jun-11	30-Sep-12 ⁽⁴⁾	\$551,000	The project will be awarded by the extended deadline.
City of Brea	East Birch Street Median Enhancements Phase 1	12-2135O	22-Jun-11	30-Jun-12 ⁽⁴⁾	\$500,000	The project will be awarded by the extended deadline.
City of Brea	East Birch Street Median Enhancements Phase 2	12-2135P	22-Jun-11	30-Jun-12 ⁽⁴⁾	\$500,000	The project will be awarded by the extended deadline.
City of Newport Beach	Bristol Street North Landscape Improvements	12-2135R	22-Jun-11	30-Jun-12 ⁽²⁾	\$347,000	The project will be awarded by the extended deadline.
Tulare County	Road 80 Widening (Phase 3) project	06-6414A	10-Aug-11	31-May-12 ⁽⁵⁾	\$16,280,000	The project will be awarded by the extended deadline.
City of Santa Ana	Pacific Electric Bicycle Trail project	12-2135T	10-Aug-11	30-Apr-12 ⁽⁵⁾	\$286,000	The project will be awarded by the extended deadline.
City of Milpitas	Escuela Parkway Pedestrian and Bike Enhancement	04-2255F	27-Oct-11	30-Apr-12	\$501,000	The project will be awarded by the deadline.
Grand Total					\$25,720,000	

- (1) This extended deadline was approved in June 2011 (Waiver-11-42).
(2) This extended deadline was approved in December 2011 (Waiver-11-61).
(3) This extended deadline was approved in January 2012 (Waiver-12-02).
(4) This extended deadline was approved in January 2012 (Waiver-12-06).
(5) This extended deadline was approved in February 2012 (Waiver-12-07).

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 3.3
Information Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared By: Laura Quintana
Program Manager
Recovery Act

Subject: **UPDATE ON IMPLEMENTATION OF RECOVERY ACT OF 2009**

SUMMARY:

The California Department of Transportation (Department) is implementing the American Recovery and Reinvestment Act of 2009 (Recovery Act) and has committed to report to the California Transportation Commission (Commission) as to the status of the implementation. This includes reporting on the amount of Recovery Act funds certified, obligated and awarded for state and local highway and transit projects to date. Attached is the current status report for state and regional agency projects as of February 29, 2012 or noted on attachments.

BACKGROUND:

The Recovery Act is a job and economic stimulus bill intended to help restart the nation's economy and stimulate employment during the worst economic downturn in over 70 years. In drafting this bill, President Obama and Congress recognized that investment in transportation infrastructure is one of the ways to create and sustain jobs, stimulate economic development, and leave a legacy to support the financial well-being of the generations to come. Nationally, the bill provides more than \$48 billion for transportation infrastructure and the state transportation departments and stakeholders were tasked to quickly move forward with mobility projects that bring real value to the local, state, and national economy.

The Recovery Act apportions, in formula programs, approximately \$2.57 billion for highways, local streets and roads in California. These funds are segregated by federal and state law to provide approximately \$1.6 billion to the regions (including \$48 million for Transportation Enhancement) and \$964 million to the state (including \$29 million for Transportation Enhancement). As of the September 30, 2010 obligation deadline, all remaining apportionments were obligated on 982 federally eligible projects.

California has received apportionments for transit formula grants in the amount of \$1.068 billion for urban (Section 5307), non-urban (Section 5311) and fixed guideway (Section 5309) projects. As of the September 30, 2010 deadline, all apportionments have been obligated to eligible transit projects.

The Recovery Act also provides \$8 billion nationally for Capital Assistance for High Speed Rail Corridors. In late January of 2010, the Federal Railroad Administration announced that the San Diego-Los Angeles-San Luis Obispo (Surf liner), Oakland-Sacramento (Capital) corridors and the statewide upgrade of emissions control for locomotives received approximately \$165 million in funding for specific projects. The rail funds remain available until September 30, 2012. The Department has obligated approximately \$165 million for ten projects.

The Department was also awarded \$951,431, by the US Environmental Protection Agency, from the National Clean Diesel Grant Program to retrofit 55 non-road engines with emission control devices. The Department also received \$1.4 million for On the Job Training Supportive Services (OJTSS) for nine projects; the Federal Highway Administration and the Department determined five projects do not meet the requirements of the OJTSS Grant Program and as of June 30, 2011, four projects were de-obligated and the fifth is pending de-obligation. In addition, California airports have directly received approximately \$84.4 million in aviation grants for 22 projects.

The Recovery Act provides \$1.5 billion available nationally under the Transportation Investment Generating Economic Recovery (TIGER) program for competitive discretionary grants for highway, public transportation, rail, and port infrastructure projects. On February 17, 2010, California received awards for four projects that total \$130 million in TIGER funds, which leverage \$1.76 billion in total funds. These projects and TIGER awards recipients are the Doyle Drive Replacement project in the city of San Francisco, \$46 million; the State Route 905 project near Otay Mesa in San Diego County, \$20.2 million; the Alameda Corridor East – Colton Crossing project \$33.8 million; and the Green Trade Corridor Marine Highway project at the Ports of Oakland, Stockton and West Sacramento, \$30 million. As of December 2010, funds for the three TIGER projects that flow through the Department have been obligated as follows: \$33.8 million was obligated for the Alameda Corridor East project (Colton Crossing); \$46 million was obligated for the Doyle Drive Replacement Project; and of the \$20.2 million obligated for the State Route 905 project near Otay Mesa in San Diego County, approximately, \$2.3 million has been de-obligated due to a favorable bid environment.

The Department adjusted the obligation amount for 6 projects by \$1.6 million. These “upward cost adjustments” are allowed by FHWA to cover cost increases for Recovery Act funded projects. The Department is able to use up to the State’s share or ceiling amount of \$2.3 million, provided there are funds available due to de-obligations of Recovery Act funds. The majority of the funds de-obligated are savings due to projects being closed and it is anticipated that additional funds will be de-obligated as more projects are closed out.

Attachments

Recovery Act - Highways Program																	
February 29, 2012																	
Appropriation ¹		Obligations								Awards ³			Outlays ⁵		Closed	Forecast of Inactive Obligations ⁶	
Recovery Dollars	Appropriation Source	Projects ^(2A)	Recovery Dollars ² 9/30/2010	Projects Deobligated	Deobligations	Total Recovery Dollars	Obligation Adjustments ^{2B}	Adjusted Total Recovery Dollars	Projects	Recovery Dollars	Total Leveraged Dollars ⁴	Projects	Recovery Dollars	Projects	Projects	Recovery Dollars	
State⁹	\$972,275,620	State Highway System Projects															
	State	94	\$708,151,180	8	1,334,992	\$706,816,188		\$706,816,188	94	\$706,816,188	\$831,177,838	94	\$594,504,613	9			
	State (Locally Administered) ¹¹	5	\$9,577,570			\$9,577,570	\$70,181	\$9,647,751	5	\$9,647,751	\$12,741,189	5	\$6,930,654		1	\$837,457	
	State & Region (State and Region \$) ⁷	7	\$572,205,891			\$572,205,891	\$469,712	\$572,675,603	7	\$572,675,603	\$1,373,524,251	7	\$430,824,438				
	Region (State Administered, Region \$)	16	\$303,410,205	1	\$84,000	\$303,326,205		\$303,326,205	16	\$303,326,205	\$387,771,208	16	\$225,090,722				
	Region ⁸ (Region \$)	20	\$78,501,879	1		\$78,501,879		\$78,501,879	20	\$78,501,879	\$167,667,373	20	\$64,292,217	2			
	Subtotal	142	\$1,671,846,725	10	\$1,418,992	\$1,670,427,733	\$539,893	\$1,670,967,626	142	\$1,670,967,626	\$2,772,881,859	142	\$1,321,642,644	11	1	\$837,457	
Region⁹	\$1,597,292,700	Local Highway System Projects⁸															
	Region	837	\$865,277,740	250	\$10,844,659	\$854,433,081	\$1,067,178	\$855,500,259	835	\$855,499,260	\$1,091,100,569	830	\$751,225,321	533	1	\$193,074	
	State & Region (State and Region \$)	2	\$2,501,985			\$2,501,985		\$2,501,985	2	\$2,501,985	\$3,516,730	2	\$2,501,985				
	State	1	\$1,200,000			\$1,200,000		\$1,200,000	1	\$1,200,000	\$1,200,000	1	\$1,200,000				
	Subtotal	840	\$868,979,725	250	\$10,844,659	\$858,135,066	\$1,067,178	\$859,202,244	838	\$859,201,245	\$1,095,817,299	833	\$754,927,306	533	1	\$193,074	
Flex¹⁰	(\$28,741,870)																
Total	\$2,540,826,450	Total	982	\$2,540,826,450	260	\$12,263,651	\$2,528,562,799	\$1,607,071	\$2,530,169,870	980	\$2,530,168,871	\$3,868,699,158	975	\$ 2,076,569,950	544	2	\$1,030,531
		Total State Obligation		\$972,275,620													
		Total Region Obligation		\$1,568,516,813													

¹ Total funds apportioned to state by FHWA and as distributed by California law AB 3X-20 (\$2,569,568,320)

² Obligations as of September 30, 2010

^{2A} Includes number of projects obligated as of September 30, 2010 deadline to obligate funds. Two projects were withdrawn after this date

^{2B} Increase in Obligation amounts as allowed by Upward Cost Adjustments. California's ceiling is \$2.3 million provided funds are available due to deobligations

³ Construction contracts awarded-assumes obligation amount

⁴ Total Leveraged Dollars include all fund sources

⁵ Outlays are eligible project expenditures reimbursed by FHWA

⁶ Forecast of Inactive Obligations are projects at risk of deobligation if expenditures are not reimbursed by FHWA within 90 days. The at risk day is based on the obligation amount and date, last reimbursed expenditure date Projects will be removed from this summary once the reimbursement is made by the FHWA. Data as of March 28, 2012. Projects for: Chico and Anaheim

⁷ Projects administered by Caltrans, Region, or Local agency

⁸ Projects administered by Region or Local agency

⁹ Original appropriation is shown as provided by FHWA & AB 3X-20. At the request of the Regions, the appropriation is reduced by FHWA Flex Funds transferred to FTA for transit projects

¹⁰ FHWA Funds transferred by Regions from FHWA to FTA for transit projects

¹¹ Transportation Enhancement funds made available for eligible projects on the state highway system

¹² Deobligations due to project savings, project close out, or projects withdrawn (2) after September 30, 2010

Recovery Act Program - Non Highway Programs February 29, 2012

Reference No.: 3.3
April 25-26, 2012
Attachment 2

TIGER (Discretionary) - USDOT						
Nationally Available Grants		\$1,500,000,000				
Project	TIGER Awards	Total Leveraged Dollars	Obligations by CT	Outlays	Deobligations	Forecast of Inactive Obligations ⁹
Doyle Drive Replacement (US-101)	\$46,000,000	\$1,045,000,000	\$46,000,000	\$18,839,369		
Otay Mesa POE (805/905 Interchange)	\$20,200,000	\$198,300,000	\$20,200,000	\$14,198,689	\$2,293,686	
Alameda Corridor East - Colton Crossing	\$33,800,000	\$449,000,000	\$33,800,000	\$1,000,000		
CA Green Trade Corridor Marine Highway ⁸	\$30,000,000	\$69,300,000				
Total	\$130,000,000	\$1,761,600,000	\$100,000,000	\$34,038,057	\$2,293,686	

NATIONAL CLEAN DIESEL GRANT PROGRAM (Discretionary) - USEPA			
Division of Equipment Grant from US EPA for Engine Emission Retrofit			
Non-Road Engines	Awarded Amount	Encumbrances	Outlays
55	\$951,431	\$951,431	\$855,550

HIGH SPEED & INTERCITY PASSENGER RAIL (Discretionary) - FRA							
Nationally Available Grants ⁵		\$ 8,000,000,000					
Track	Applications	Requested Recovery Dollars	Projects Awarded	Awarded Amount	Projects Obligated	Obligations	Outlays
1	38	\$1,149,322,000	10	\$164,905,755	10	\$164,905,755	\$4,578,414
Total	38	\$1,149,322,000	10	\$164,905,755	10	\$164,905,755	\$4,578,414

AVIATION (Discretionary) - FAA			
Nationally Available Grants		\$1,300,000,000	
Projects	Awarded Amount ⁴	Obligations	Outlays
22	\$84,408,537	<i>Grants awarded by FAA directly to airports</i>	

ON-THE-JOB TRAINING / SUPPORTIVE SERVICES (Discretionary) - FHWA ⁷						
Projects	Awarded Amount	Obligations by CT	Projects Deobligated	Deobligations	Adjusted Obligations	Outlays
9	\$1,440,979	\$1,440,979	4	\$459,840	\$981,139	\$240,361

FEDERAL TRANSIT (Formula Distribution) - FTA				
Program	Projects	Recovery Dollars ¹	Obligations by CT ²	Outlays
5307 ³		\$968,313,640		
5307 Flex ⁶		\$26,764,736		
5309 ³		\$66,171,889		
5309 Flex ⁶		\$3,200,000		
5311	136	\$33,963,166	\$33,963,166	\$28,312,521
5311 Flex ⁶	2	\$1,977,134	\$1,977,134	\$1,977,134
Total	138	\$1,100,390,565	\$35,940,300	\$30,289,655

¹ Total funds apportioned to state by FTA.

² Commitment by FTA to reimburse eligible project expenditures

³ Grants awarded by FTA directly to transit agencies

⁴ Grants awarded by FAA directly to airports. Reflect most current award amounts

⁵ FRA allocates funds to specific projects

⁶ FHWA Funds transferred by regions from FHWA to FTA for transit projects. Amount total \$30,289,655

⁷ On-the-Job Training - Support Services Grant for training centers

⁸ Grant funding does not flow through the Department

⁹ Forecast of Inactive Obligations are projects at risk of deobligation if expenditures are not reimbursed by FHWA within 90 days. The at risk day is based on the obligation amount and date, last reimbursed expenditure date. Projects will be removed from this summary once the reimbursement is made by the FHWA - no projects at risk as of February 29, 2012

FRA Expenditures as of 12-31-11

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 4.12
Information Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Gary Cathey
Chief
Division of Aeronautics

Subject: **REVIEW OF THE RATE FOR STATE MATCHING OF FEDERAL AIRPORT
IMPROVEMENT PROGRAM (AIP) GRANTS**

SUMMARY:

The federal Airport Improvement Program (AIP) provides public use, publicly owned airports with federal grants for airport improvement and maintenance projects. As part of the recent reauthorization of the Federal Aviation Administration, the federal share was reduced from 95 percent to 90 percent, effective immediately. The California Department of Transportation (Department) assists the airport sponsors with the local match.

On May 9, 2012, the California Transportation Commission's (Commission's) Technical Advisory Committee on Aeronautics (TACA) will review the Department's proposal to change the State match rate from 2.5 percent to 5 percent, effective upon the Commission's approval. Staff will report on TACA's recommendation prior to bringing it to the Commission for final approval at the May 2012 meeting. The attached draft resolution will be presented to the Commission at the May 2012 meeting for adoption.

BACKGROUND:

Public Utilities Code Section 21683.1 (a) states that the Commission may, at its discretion, provide a portion of the local match for federal AIP grants. The Department proposes to change the State match rate to 5 percent, with support from TACA and Commission staff. By changing the State AIP match rate to 5 percent, available funds will help local governments continue to leverage federal AIP funds for needed airport projects despite the increase in required local AIP match. Without the increased State AIP match rate, local government airport sponsors will incur a tripling of the required local funding match, which could lead to inability to provide funding for the match, and potential reductions in safety and functionality of the airports.

CALIFORNIA TRANSPORTATION COMMISSION

**Adoption of the Rate for State Matching
of federal Airport Improvement Program (AIP) Grants**

Resolution G-06-___

- 1.1 WHEREAS, pursuant to Section 21683.1 (a) of the Public Utilities Code, the California Transportation Commission (Commission) may, at its discretion, provide a portion of the local match for federal Airport Improvement Program (AIP) grants; and
- 1.2 WHEREAS, a 5 percent matching rate enables the Department of Transportation to provide the State match for airports; and
- 1.3 WHEREAS, the 2011-12 Aeronautics Allocation for set-aside to match AIP grants was submitted with a State matching rate of 2.5 percent; and
- 1.4 WHEREAS, the recent Reauthorization of the Federal Aviation Administration reduced the federal share of AIP grants from 95 percent to 90 percent.
- 1.5 WHEREAS, a 5 percent State matching rate allows greater opportunity for leveraging of federal grant funds by publicly-owned, public use airports, in consideration of the increase in required local match.
- 2.1 NOW THEREFORE BE IT RESOLVED, that the Commission hereby establishes the State matching rate for federal AIP projects in the 2010 Aeronautics Program at 5 percent of an airport project federal grant.

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 25-26, 2012

Reference No.: 2.2c. (1)
Action

From: BIMLA G. RHINEHART
Executive Director

Subject: **APPROVAL OF PROJECT FOR FUTURE CONSIDERATION OF FUNDING
MITIGATED NEGATIVE DECLARATION FOR THE PLEASANT VALLEY ROAD
(SR 49)/PATTERSON DRIVE INTERSECTION SIGNALIZATION PROJECT
(RESOLUTION E-12-18)**

ISSUE:

Should the Commission, as a Responsible Agency, accept the Mitigated Negative Declaration (MND) for the Pleasant Valley Road (SR 49)/Patterson Drive Intersection Signalization Project (project) in El Dorado County and approve the project for future consideration of funding?

RECOMMENDATION:

Staff recommends that the Commission accept the MND and approve the project for future consideration of funding.

BACKGROUND:

El Dorado County (County) is the CEQA lead agency for the project. On June 30, 2009 the County adopted the MND and found that the project would not have a significant effect on the environment after mitigation.

The project is located in the community of Diamond Springs in El Dorado County. The project will signalize and improve the intersection of Pleasant Valley Road (SR 49) and Patterson Drive. Proposed improvements include widening the approaches to the intersection; addition of turn pockets; installation of traffic signals; installation of curbs, gutters, and sidewalks; grading and paving; drainage improvements; and minor landscaping.

Impacts that require mitigation measures to be reduced to a less than significant level relate to biological resources and geology and soils. Mitigation measures include, but are not limited to, using appropriate sediment and pollution control measures during construction and conducting a protocol-level survey for burrowing owls no more than 30 days before the initiation of any construction activities.

On March 12, 2012 the County confirmed that the preferred alternative set forth in the final environmental document is consistent with the project scope of work programmed by the Commission.

The project is estimated to cost \$4.05 million and is programmed with State (\$1,600,000) funds and Local (\$2,450,000) funds. Construction is estimated to begin in fiscal year 2013/14.

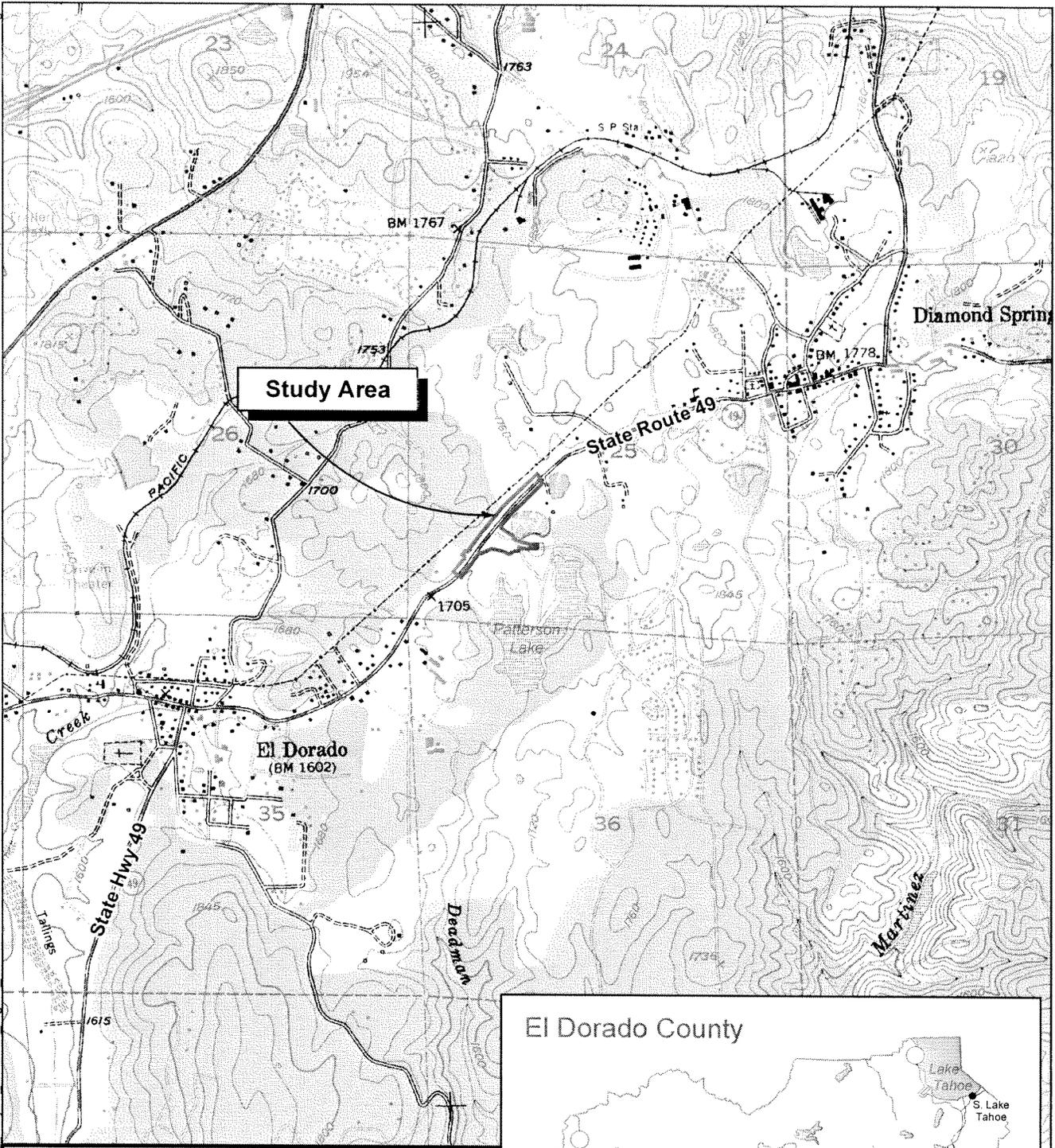
Attachment

- Resolution E-12-18
- Project Location

CALIFORNIA TRANSPORTATION COMMISSION

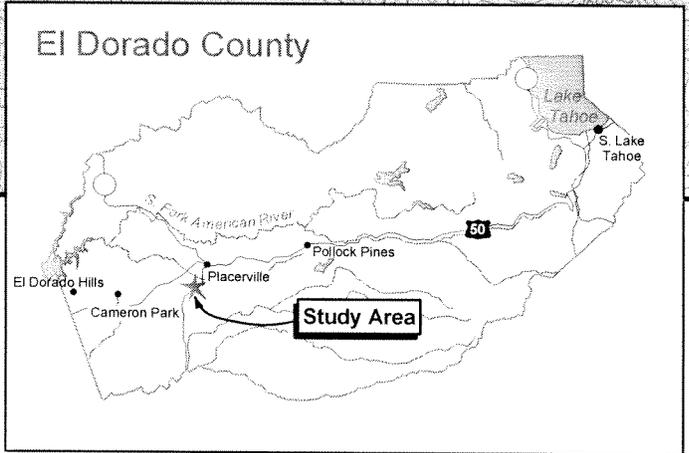
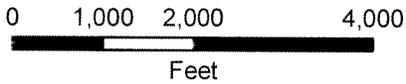
Resolution for Future Consideration of Funding 03 – El Dorado County Resolution E-12-18

- 1.1 **WHEREAS**, El Dorado County (County) has completed a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
 - Pleasant Valley Road (SR 49)/Patterson Drive Intersection Signalization Project
- 1.2 **WHEREAS**, the County has certified that the Mitigated Negative Declaration has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3 **WHEREAS**, the project will signalize and improve the intersection of Pleasant Valley Road and Patterson Drive in the community of Diamond Springs, El Dorado County; and
- 1.4 **WHEREAS**, the California Transportation Commission, as a Responsible Agency, has considered the information contained in the Mitigated Negative Declaration; and
- 1.5 **WHEREAS**, the County found that all significant or potentially significant impacts can be reduced by mitigation measures to a less than significant level; and
- 1.6 **WHEREAS**, the County adopted the Mitigated Negative Declaration; and
- 1.7 **WHEREAS**, the County adopted a Mitigation Monitoring Reporting Program for the project.
- 2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby accept the Mitigated Negative Declaration and approve the above referenced project to allow for future consideration of funding.



Public Land Survey System:
 Section 25, Township 10N, Range 10E
 MDB&M

USGS 7.5 Minute Topographic Quadrangle:
 Placerville (1973)



Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 25-26, 2012

Reference No.: 2.2c.(2)
Action

From: BIMLA G. RHINEHART
Executive Director

Subject: **APPROVAL OF PROJECT FOR FUTURE CONSIDERATION OF FUNDING
FINAL ENVIRONMENTAL IMPACT REPORT FOR THE MOULTON PARKWAY SUPER
STREET PROJECT (RESOLUTION E-12-19)**

ISSUE:

Should the Commission, as a Responsible Agency, accept the Final Environmental Impact Report (FEIR), Addendum, Findings of Fact and Statement of Overriding Considerations for the Moulton Parkway Super Street Project in Orange County and approve the Moulton Parkway Smart Street Segment 3 Phase II Project for future consideration of funding?

RECOMMENDATION:

Staff recommends that the Commission accept the FEIR, Addendum, Findings of Fact and Statement of Overriding Considerations for the Moulton Parkway Super Street Project and approve the Moulton Parkway Smart Street Segment 3 Phase II Project for future consideration of funding.

BACKGROUND:

Orange County Transportation Authority (County) is the CEQA lead agency for the Moulton Parkway Super Street Project. The project is located in the cities of Laguna Hills and Laguna Woods. The Moulton Parkway Super Street Project will improve Moulton Parkway along a 24.5 mile corridor. The Moulton Parkway Smart Street Segment 3 Phase II project will widen Moulton Parkway from 400' north of El Toro Road to 500' north of Santa Maria Avenue. The project will improve roadway traffic capacity and smooth traffic flow through traffic signal synchronization, bus turnouts, intersection improvements, additional sidewalk, including approximately 290' of sidewalk south of Via Campo Verde, and additional turn lanes.

The Moulton Parkway Smart Street Segment 3 Phase II Project programmed by the Commission in the SLPP is an element of the Moulton Parkway Super Street Project and, therefore, the scope of this project was included in the FEIR. The FEIR was approved and certified by the Board of Supervisors of Orange County on October 5, 1993.

The overall project for which the FEIR covers will result in significant unavoidable impacts to land use, traffic and circulation, biological resources, noise, and aesthetics. Specifically, the overall project would result in loss of on-street parking; restricted access associated with median closures; loss of trees; increased exterior noise levels during construction for houses fronting on Moulton Parkway within the cities of Santa Ana and Dana Point; and loss of landscaping. Mitigation measures and/or alternatives to the proposed project that would substantially reduce or avoid these significant unavoidable impacts are infeasible. However, these impacts do not apply within the limits of the Moulton Parkway Smart Street Segment 3 Phase II Project.

The County adopted the FEIR, Findings of Fact and a Statement of Overriding Considerations for the project on October 5, 1993. The County found that there were several benefits that outweigh the unavoidable adverse environmental effects of the project. These benefits include, but are not limited to, reduction of traffic congestion; improvement of the existing design of Moulton Parkway which is consistent with the Orange County Master Plan of Arterial Highways and the General Plan Circulation Elements of the cities traversed by Moulton Parkway; reduce emissions at eight intersections; and providing continuous Class II bicycle lanes along Moulton Parkway from the future extension of Newport Avenue to Pacific Coast Highway. The County established a Mitigation Monitoring Program to ensure that the mitigation measures specified for the project are implemented.

On February 22, 2012 the County provided written confirmation that the preferred alternative set forth in the final environmental document is consistent with the Moulton Parkway Smart Street Segment 3 Phase II Project programmed by the Commission in the SLPP program. The County also provided written confirmation of its commitment to all of the mitigation measures stipulated in the FEIR and Mitigation Monitoring Program.

The Moulton Parkway Smart Street Segment 3 Phase II Project is estimated to cost \$6,842,034. The project is funded with SLPP (\$3,421,017) funds and Local (\$3,421,017) funds. Construction of is estimated to begin in fiscal year 2012/13.

Attachment

- Resolution E-12-19
- Findings of Fact & Statement of Overriding Considerations
- Project Location

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of Funding 12 – Orange County Resolution E-12-19

- 1.1 **WHEREAS**, the Orange County Transportation Authority through County of Orange (County) has completed a Final Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
 - Moulton Parkway Super Street Project: Moulton Parkway Segment 3 Phase II Project
- 1.2 **WHEREAS**, the County has certified that the Final Environmental Impact Report has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3 **WHEREAS**, the project will improve Moulton Parkway along a 24.5 mile corridor; and
- 1.4 **WHEREAS**, the California Transportation Commission, as a Responsible Agency, has considered the information contained in the Final Environmental Impact Report; and
- 1.5 **WHEREAS**, Findings of Fact made pursuant to CEQA guidelines indicate that specific unavoidable significant impacts related to land use, noise, aesthetics, biological resources, and transportation/circulation make it infeasible to avoid or fully mitigate to a less than significant level the effects associated with the project; and
- 1.6 **WHEREAS**, the County adopted a Statement of Overriding Considerations for the project; and
- 1.7 **WHEREAS**, the County adopted a Mitigation Monitoring Program for the project; and
- 1.8 **WHEREAS**, the above significant effects are acceptable when balanced against the facts as set forth in the Statement of Overriding Considerations.
- 2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby accept the Final Environmental Impact Report, Findings of Fact and Statement of Overriding Considerations and approve the above referenced project to allow for future consideration of funding.

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of Funding 12 – Orange County Resolution E-12-19

- 1.1 **WHEREAS**, the Orange County Transportation Authority through County of Orange (County) has completed a Final Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
 - Moulton Parkway Super Street Project: Moulton Parkway Segment 3 Phase II Project
- 1.2 **WHEREAS**, the County has certified that the Final Environmental Impact Report has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3 **WHEREAS**, the project will improve Moulton Parkway along a 24.5 mile corridor; and
- 1.4 **WHEREAS**, the California Transportation Commission, as a Responsible Agency, has considered the information contained in the Final Environmental Impact Report; and
- 1.5 **WHEREAS**, Findings of Fact made pursuant to CEQA guidelines indicate that specific unavoidable significant impacts related to land use, noise, aesthetics, biological resources, and transportation/circulation make it infeasible to avoid or fully mitigate to a less than significant level the effects associated with the project; and
- 1.6 **WHEREAS**, the County adopted a Statement of Overriding Considerations for the project; and
- 1.7 **WHEREAS**, the County adopted a Mitigation Monitoring Program for the project; and
- 1.8 **WHEREAS**, the above significant effects are acceptable when balanced against the facts as set forth in the Statement of Overriding Considerations.
- 2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby accept the Final Environmental Impact Report, Findings of Fact and Statement of Overriding Considerations and approve the above referenced project to allow for future consideration of funding.

STATEMENT OF OVERRIDING CONSIDERATIONS

I. INTRODUCTION

The California Environmental Quality Act (CEQA) and the State CEQA Guidelines provide the following:

- a) CEQA requires that the decision maker balance benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable".
- b) Where the decision of the public agency allows the occurrence of significant effects that are identified in the Final EIR but are not mitigated, the agency must state in writing the reasons to support its action based on the Final EIR and/or other information in the record. This Statement may be necessary if the agency also makes the finding under Section 15091 (a)(2) or (a)(3).
- c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the Notice of Determination (Section 15093 of the Guidelines).

The Board of Supervisors, having reviewed and considered the information contained in Final EIR No. 542 (SCH No. 92051034) and the public record, adopts the following Statement of Overriding Considerations that have been balanced against the unavoidable adverse impacts in reaching a decision on this project.

II. SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

Although most potential project impacts have been substantially avoided or mitigated, as described in the preceding Findings, there is no complete mitigation available for project impacts in various segments of the project due to business or residence displacement, parking loss, landscaping loss, agricultural loss, restricted access, cumulative future noise levels, increased emissions of particulate matter (PM10), tree removal (Eucalyptus windrows), and construction of retaining walls (aesthetic impacts). Details of these significant unavoidable adverse impacts are discussed in the Final EIR and in Section IV of the Findings.

III. OVERRIDING CONSIDERATIONS

A. Traffic Congestion Reduction

Moulton Parkway (also called Edinger Avenue, Irvine Center Drive and Street of the Golden Lantern in certain jurisdictions along the project route) plays a key role in the regional arterial roadway system within Orange County. Designated as a major arterial in some portions and as a primary arterial in others, the 24.5-mile roadway is a major north-south route that provides access to the Costa Mesa Freeway (California State Highway 55) and Interstate Highway 405 and is the main roadway paralleling, and offering a commuter option to Interstate 5 from Santa Ana to Dana Point.

In 1982, the Orange County Transportation Authority (OCTA), formerly the Orange County Transportation Commission (OCTC), performed a "High Flow Arterial Concept Feasibility Study" which indicated that substantial improvements in reducing vehicle delay, number of stops, fuel consumption, and vehicle emissions can be achieved through the implementation of the high-flow arterial ("Super Street") concept. The Super Street concept is a method of reducing traffic congestion in Orange County by acting as a complement to the highway system. Due to the rapid development in South Orange County and the projected growth in traffic volumes, the Moulton Parkway Super Street project was recommended to relieve existing and future traffic congestion and improve air quality along the 24.5-mile route.

Moulton Parkway is a component of the Orange County Congestion Management Program (CMP) Highway System, and therefore, is subject to the CMP level of service standard. Moulton Parkway is currently experiencing increasing traffic congestion and uneven traffic flow. The projected growth of south Orange County (in accordance with City and County General Plans) will lead to increased traffic volumes and deteriorating levels of service for the AM and PM peak periods.

Table 5.5-2 of the Final EIR, 1990 AVERAGE DAILY TRIPS, indicates that four roadway segments were operating below County/City level of service standards as of 1990. Table 5.5-3, 1990 INTERSECTION CAPACITY UTILIZATION, indicates six intersections were operating below County/City level of service (LOS) standards. A primary objective of the project (L-JOS Alternative) is to reduce existing and future traffic congestion along Moulton Parkway. Due to the physical and planning constraints that limit the number of through lanes that may feasibly be added to Moulton Parkway to accommodate the General Plan buildout (post year 2010) traffic demand, the L-JOS Alternative cannot improve all segments of Moulton Parkway to County/City level of service (LOS) standards. However, the Future With Project (L-JOS) Alternative does a better overall job of improving link LOS when compared to the Future No Project (CIMP) Alternative. Therefore, the L-JOS Alternative will be better suited to accommodate future growth projections within South Orange County as compared to the No Project (CIMP) Alternative.

Table 5.5-7, L-JOS - POST 2010 INTERSECTION LOS, lists a summary of intersection capacity utilization (ICU) and corresponding LOS conditions for the L-

JOS Alternative intersection improvements. The objective of these improvements is to accommodate Cities and County General Plan Buildout peak hour traffic demand and achieve the City/County standard for intersection LOS D or better. In comparison with the No Project (CIMP) Alternative, the L-JOS Alternative does a better overall job at reducing post-2010 intersection ICU values and enhancing their LOS.

B. *Design Improvements and General Plan Implementation*

Improvements to the existing design of Moulton Parkway are proposed by the project. Provisions such as roadway widening, restriping, intersection improvements (providing turning lanes and signal synchronization), on-street parking restrictions, median closures, and bus turnouts will provide additional capacity and improve traffic flow, along with upgrading the safety and efficiency of the roadway. The roadway improvements proposed are consistent with the Orange County Master Plan of Arterial Highways (MPAH) and the General Plan Circulation Elements of the cities traversed by Moulton Parkway.

C. *Air Quality Improvement*

Although an overall increase in the number of vehicles using Moulton Parkway is projected over the next 20 years due to increased local and regional growth, daily air pollutant emissions generated along Moulton Parkway will decrease substantially when compared to existing conditions (with the exception of PM10 emissions). This decrease can be attributed to more strict motor vehicle emissions control programs which result in lower emission rates from the motor vehicles in Southern California each year. When compared to Future No Project conditions (CIMP), Future With Project (L-JOS Alternative) traffic conditions will generally result in a reduction in vehicle emissions due to improved traffic flow (improved average speed and reduced delay at key intersections). Therefore, a beneficial air quality impact will result from project implementation. However, along some segments, emissions will be the same under both Future With Project (L-JOS) and No Project (CIMP) conditions.

Carbon Monoxide (CO) levels were modeled at 10 intersections along the project route for Future With Project (L-JOS) and Future Without Project (CIMP) scenarios. The Future With Project would result in fewer emissions than the Future Without Project at eight of the intersections. The proposed project reduces the overall number and severity of potential future exceedances of the 1-hour and 8-hour CO standards. Thus, the proposed project results in beneficial air quality impacts.

D. *Bicycle Lane Improvement*

Except for the City of Santa Ana, the typical cross-sections for the L-JOS Alternative include bicycle lanes. This project alternative will provide for continuous Class II (on-street) bicycle lanes along Moulton Parkway from the future extension of Newport Avenue (east of SR-55 Freeway) to Pacific Coast Highway in the City of Dana Point in accordance with the Master Plan of County-wide Bikeways (MPCB).

F:_28261\SOC

THE FOREGOING INSTRUMENT IS A TRUE
AND CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE.

ATTEST: December 2 19 93

PHYLLIS A. HENDERSON, Clerk of the Board
of Supervisors, County of Orange

BY Mary K. Elett, DEPUTY

October 5, 1993

RESOLUTION NO. 93-1116. PUBLIC MEETING -- FINAL PROJECT REPORT AND
FINAL ENVIRONMENTAL IMPACT REPORT (EIR) NO. 542 FOR THE MOULTON PARKWAY
SUPER (SMART) STREET PROJECT:

Supervisor Riley introduced the item before the Board as a public hearing to consider Environmental Management Agency's request for approval of the Final Project Report and project implementation within the unincorporated areas for the Moulton Parkway Super (Smart) Street Project. On display in the Board Hearing Room was a depiction of the Moulton Parkway Super Street Project Area (on file in the Clerk of the Board office).

Ken Smith, Director, Environmental Management Agency/Transportation, presented a staff report on the matter. He noted that scoping meetings, workshops with affected city councils and their staff, and numerous public meetings had been conducted. A summary of two of the environmental impacts, that of approximately 25 displaced businesses and noise, was provided by Mr. Smith.

Chairman Wieder opened the public hearing and asked if anyone wished to address the Board on the matter.

Mickey Welle, Santa Ana, reported on effects of vibration from traffic to homes on Edinger Avenue, as well as the noise situation experienced by residents on Edinger.

Mr. Smith advised that the city of Santa Ana did not have immediate plans for implementation, and noted that the portion of Edinger of concern to Ms. Welle was under Santa Ana's jurisdiction. He then offered to discuss with Ms. Welle the plans which specifically related her situation.

Wayne Coll, Irvine, expressed concern about the smart street concept and the noise study.

Supervisor Stanton commented that the noise study should also specify the range.

Kirk Watilo, director of community and government relations at Leisure World in Laguna Hills, advised that the Golden Rain Foundation Board had passed a resolution approximately one year ago in support of the Moulton Parkway Smart Street and that there was support for the project to move forward. He raised concern about a horse trail which parallels Moulton Parkway, and asked that staff address that concern in the report back that was due in 90 days.

Chairman Wieder asked if anyone else wished to address the Board on the matter. Hearing no response, she declared the public hearing closed.

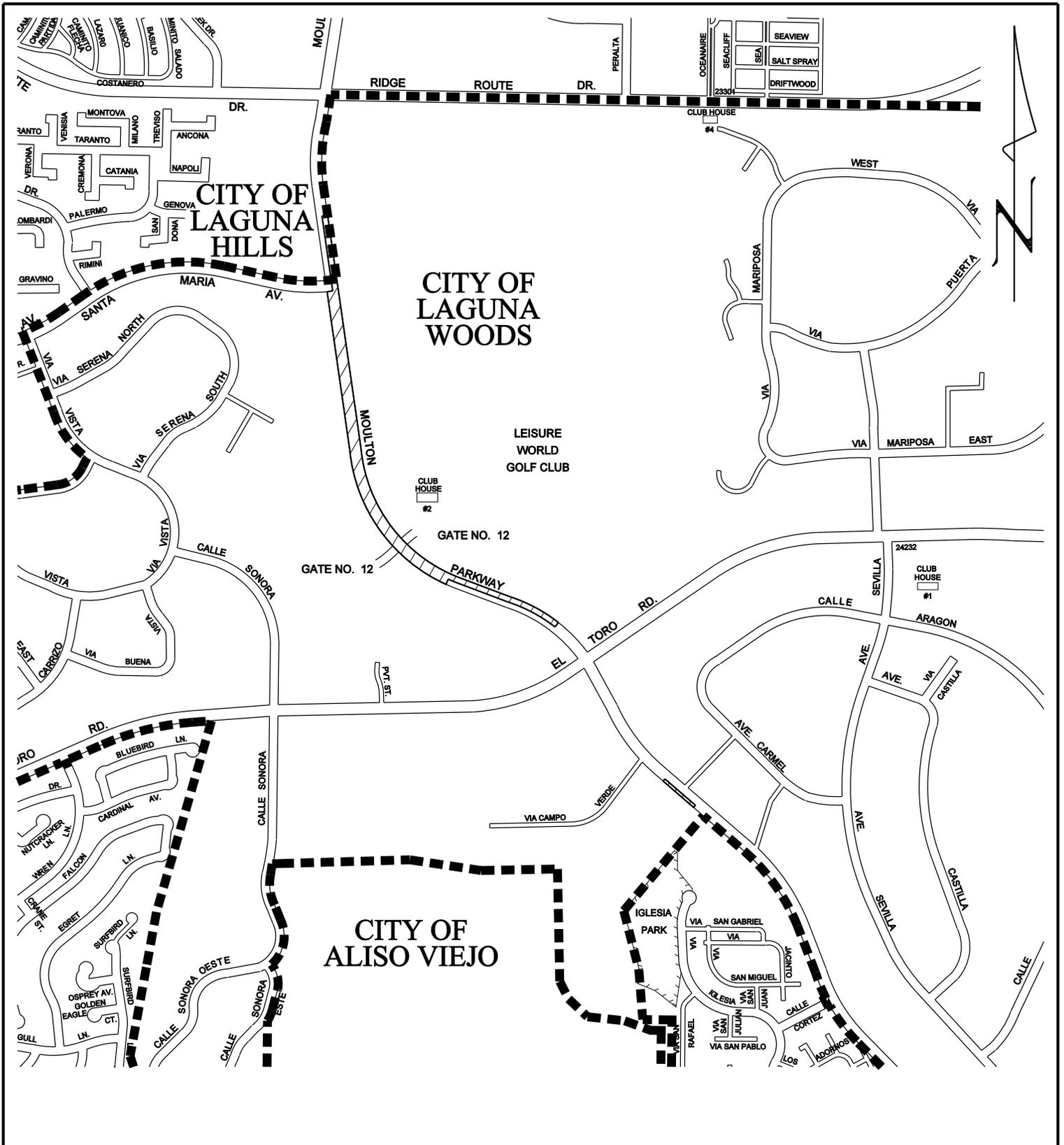
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Supervisor Riley noted that concerns about noise impacts expressed by the Leisure World community had resulted in additional recommended noise mitigations for that area to provide the necessary relief to affected residents. He noted that the revised recommended actions, pursuant to a letter from Environmental Management Agency dated September 29, 1993, would direct staff to work with residents in the unincorporated areas to develop an implementation phasing plan. As this was a long range project, he pointed out that each city and community involved would have an opportunity to participate.

Supervisor Stanton requested feedback from Mr. Smith after he had spoken with Ms. Welle about her concerns regarding Edinger Avenue.

MOTION: On motion by Supervisor Riley, seconded by Supervisor Stanton, the Board adopted Resolution No. 93-1116 to: 1. Approve the Final Project Report for the Moulton Parkway Super (Smart) Street Project. 2. Certify Final EIR No. 542 for the Moulton Parkway Super (Smart) Street Project. 3. Direct staff to work with affected residents in County territory and report back to the Board of Supervisors in 90 days with an implementation phasing plan. MOTION UNANIMOUSLY CARRIED.



LOCATION MAP

-  CITY BOUNDARY
-  AREA OF WORK

OC PUBLIC WORKS

MOULTON PARKWAY WIDENING SEGMENT 3 PHASE II

FROM 400' NORTH OF EL TORO ROAD
TO 500' NORTH OF SANTA MARIA AVENUE

WORK ORDER NO.: ER08402

THOMAS GUIDE:
891 D-6 & D-7 AND 921 E1

SCALE: NTS

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 25-26, 2012

Reference No.: 2.2c. (3)
Action

From: BIMLA G. RHINEHART
Executive Director

Subject: **APPROVAL OF PROJECT FOR FUTURE CONSIDERATION OF FUNDING
MITIGATED NEGATIVE DECLARATION FOR THE SAN JUAN BIKE TRAIL
IMPROVEMENTS PROJECT (RESOLUTION E-12-20)**

ISSUE:

Should the Commission, as a Responsible Agency, accept the Mitigated Negative Declaration (MND) for the San Juan Bike Trail Improvements Project (project) in Orange County and approve the project for future consideration of funding?

RECOMMENDATION:

Staff recommends that the Commission accept the MND and approve the project for future consideration of funding.

BACKGROUND:

Orange County Public Works (County) is the CEQA lead agency for the project. On June 24, 2008 the County adopted the MND and found that the project would not have a significant effect on the environment after mitigation.

The project is located in the City of Dana Point in Orange County. The project will replace an existing deteriorating wooden flood wall with a permanent concrete u-channel section within the San Juan Creek Bike Trail from the upstream face of Camino Las Rambles bridge to approximately 213-feet south of the south face of Pacific Coast Highway bridge.

Impacts that require mitigation measures to be reduced to a less than significant level relate to biological resources, cultural resources, hydrology/water quality, and noise. Mitigation measures include, but are not limited to, conducting all equipment maintenance within a specified area of the project site designated for such purposes; limiting construction activities hours during the weekdays; minimize idling or internal combustion engines; and constructing temporary fencing to protect riparian vegetation.

On March 5, 2012 the County confirmed that the preferred alternative set forth in the final environmental document is consistent with the project scope of work programmed by the Commission.

The project is estimated to cost \$750,000 and is programmed with State (\$442,500) funds and Local (\$307,500) funds. Construction is estimated to begin in fiscal year 2012/13.

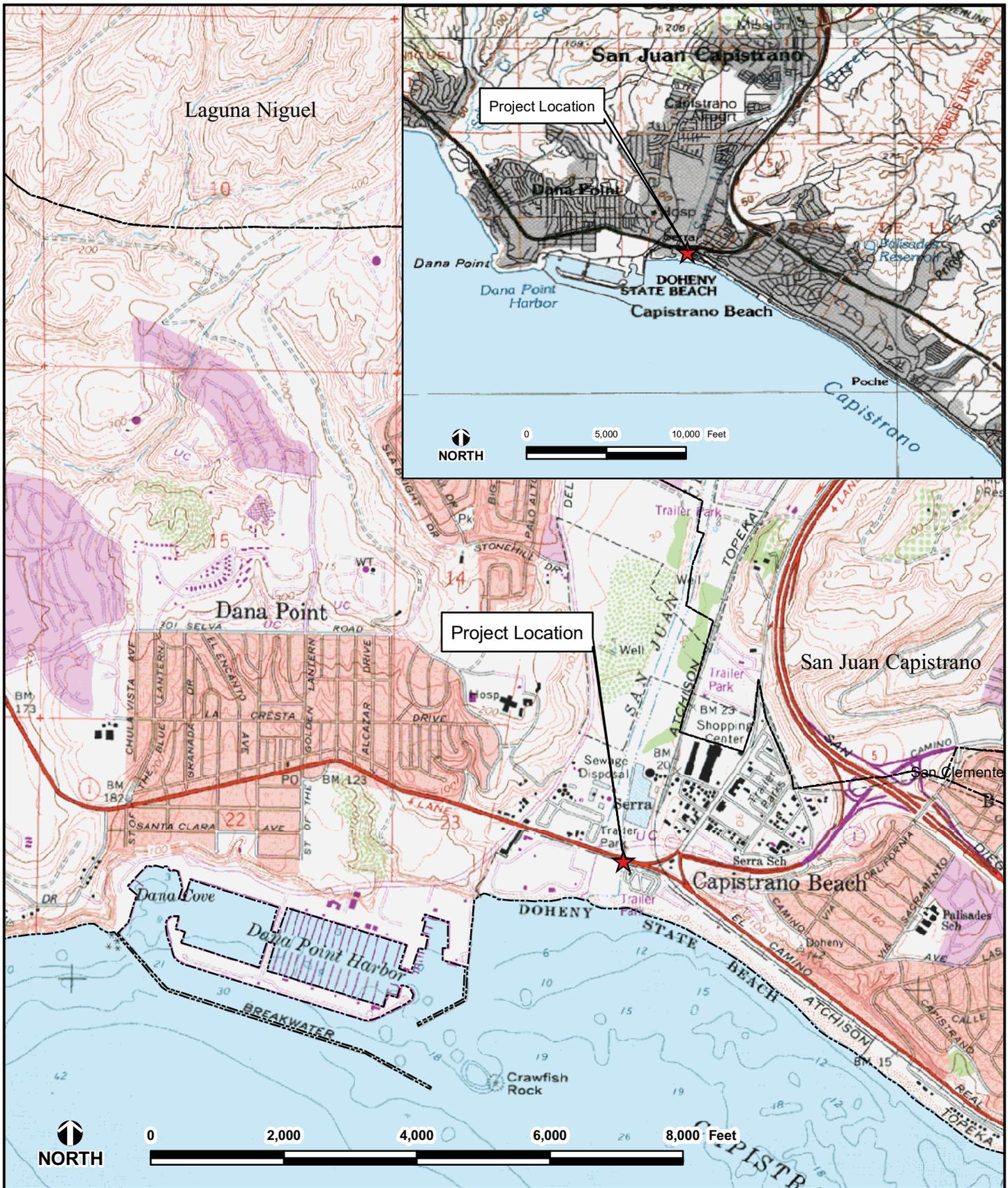
Attachment

- Resolution E-12-20
- Project Location

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of Funding 12 – Orange County Resolution E-12-20

- 1.1 **WHEREAS**, Orange County Public Works (County) has completed a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
- San Juan Creek Bike Trail Improvements Project
- 1.2 **WHEREAS**, the County has certified that the Mitigated Negative Declaration has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3 **WHEREAS**, the project will construct a u-channel section under the Pacific Coast Highway Bridge in the City of Dana Point, Orange County; and
- 1.4 **WHEREAS**, the California Transportation Commission, as a Responsible Agency, has considered the information contained in the Mitigated Negative Declaration; and
- 1.5 **WHEREAS**, the County found that all significant or potentially significant impacts can be reduced by mitigation measures to a less than significant level; and
- 1.6 **WHEREAS**, the County adopted the Mitigated Negative Declaration; and
- 1.7 **WHEREAS**, the County adopted a Mitigation Monitoring Reporting Program for the project.
- 2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby accept the Mitigated Negative Declaration and approve the above referenced project to allow for future consideration of funding.



Source: USGS (Various).

Figure 1
Project Location

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 25-26, 2012

Reference No.: 2.2c.(5)
Action

From: BIMLA G. RHINEHART
Executive Director

Subject: **APPROVAL OF PROJECT FOR FUTURE CONSIDERATION OF A NEW PUBLIC ROAD CONNECTION AND FUTURE CONSIDERATION OF FUNDING FINAL ENVIRONMENTAL IMPACT REPORT FOR THE WESTERN PLACERVILLE INTERCHANGES PROJECT (RESOLUTION E-12-16)**

ISSUE:

Should the Commission, as a Responsible Agency, accept the Final Environmental Impact Report (FEIR) and Findings of Fact for the Western Placerville Interchanges Project in El Dorado County and approve the project for future consideration of a new public road connection and future consideration of funding?

RECOMMENDATION:

Staff recommends that the Commission accept the FEIR and Findings of Fact and approve the project for future consideration of a new public road connection and future consideration of funding.

BACKGROUND:

The City of Placerville (City) is the CEQA lead agency for the project. On November 22, 2005 the City adopted the FEIR and found that the project would not have a significant effect on the environment after mitigation.

The project is located in the City of Placerville in El Dorado County. The project will widen and improve segments of Forni Road, Fair Lane, Placerville Drive, and Ray Lawyer Drive. Improvements to these roadways will be made in conjunction with modifications and improvements to eastbound and westbound U.S. Highway 50 ramps to and from Forni Road, Placerville Drive, and Ray Lawyer Drive.

Impacts that require mitigation measures to be reduced to a less than significant level relate to traffic/circulation, biological resources, aesthetics, hazardous materials, and hydrology/water quality. Mitigation measures include, but are not limited to, developing and implementing a project traffic

management plan to be used during construction; conducting an updated Environmental Site Assessment for the project area within a two year period prior to construction; obtaining required permits and purchase of wetland credits from a wetland mitigation bank, as necessary; and utilizing and maintaining designated staging areas at all times during project construction.

On March 12, 2012 the City confirmed that the preferred alternative set forth in the final environmental document is consistent with the project scope of work programmed by the Commission.

The estimated project cost is approximately \$40 million for the overall Western Placerville Interchanges Project, of which the Ray Lawyer Drive improvements are estimated to cost \$10,800,000. The project is programmed with State (\$5,542,000) funds. The project is proposed by sponsor for consideration of CMIA Savings. The remaining project costs will be programmed as available and applicable from local funds, Traffic Impact Mitigation Fees, Regional, State, and Federal transportation sources. Construction is estimated to begin in 2012.

Attachment

- Resolution E-12-16
- Findings of Fact
- Project Location

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of a New Public Road Connection and Future Consideration of Funding 03 – El Dorado County Resolution E-12-16

- 1.1 **WHEREAS**, the City of Placerville (City) has completed a Final Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
 - Western Placerville Interchanges Project
- 1.2 **WHEREAS**, the City has certified that the Final Environmental Impact Report has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3 **WHEREAS**, the project will modify and improve eastbound and westbound U.S. Highway 50 ramps at Forni Road and Placerville Drive, add ramps at Ray Lawyer Drive Overcrossing and improve Forni Road, Fair Lane, Placerville Drive, and Ray Lawyer Drive in the City of Placerville, El Dorado County; and
- 1.4 **WHEREAS**, the California Transportation Commission, as a Responsible Agency, has considered the information contained in the Final Environmental Impact Report; and
- 1.5 **WHEREAS**, the City found that all significant or potentially significant impacts can be reduced by mitigation measures to a less than significant level; and
- 1.6 **WHEREAS**, the City adopted the Final Environmental Impact Report for the project; and
- 1.7 **WHEREAS**, the City adopted a Mitigation Monitoring Program for the project; and
- 2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby accept the Final Environmental Impact Report and Findings of Fact and approve the above referenced project to allow for future consideration of funding.

RESOLUTION NO. 7343

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLACERVILLE, TO APPROVE THE FINDINGS OF FACT, CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT AND ADOPT THE MITIGATION MONITORING PLAN FOR THE WESTERN PLACERVILLE INTERCHANGE PROJECT

WHEREAS, Staff and the City's Consultant has prepared an Environment Impact Report for the above referenced project; and

WHEREAS, Four alternatives design configurations were considered in the Draft EIR; and

WHEREAS, The Draft EIR was circulated for public and agency review between September 2, 2005 and October 21, 2005; and

WHEREAS, The Planning Commission held a public hearing on September 20, 2005; and

WHEREAS, City Council directed Staff to prepare a Final EIR for the project which identifies Alternative D as the alternative preferred by the City; and

WHEREAS, The City has received written and oral comments for the project; and

WHEREAS, The Final EIR responds to each of the issues raised in these comments, and includes information necessary to clarify all aspects of the project and environmental review; and

WHEREAS, The Final EIR concludes that the project, with implementation of the Mitigation Monitoring Plan, would not result in significant and unavoidable impacts.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Placerville take the following action:

1. Adopt California Environmental Quality Act (CEQA) Findings of Fact for the Western Placerville Interchanges Project;
2. Certify the Western Placerville Interchanges Project Final Environmental Impact Report (SCH#2003122137) dated November 2005; and,
3. Adopt the November 2005 Western Placerville Interchanges Project Mitigation Monitoring Plan.
4. Select Alternative D as the preferred project design and direct staff to prepare plans, specifications and estimates for this project upon approval of the Federal Highway Administration.

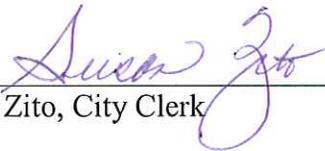
The foregoing Resolution was moved for adoption at a regular meeting of the City Council of the City of Placerville held on November 22, 2005, by Councilmember Rivas. The motion was seconded by Councilmember Washburn. A poll vote was taken which stood as follows:

AYES: Acuna, Colvin, Hagen, Rivas, Washburn
NOES: None
ABSENT: None
ABSTAIN: None



Mayor Roberta Colvin

ATTEST:



Susan Zito, City Clerk

Exhibit A

California Environmental Quality Act (CEQA) Findings of Fact Related to the Certification of the Western Placerville Interchanges Project Environmental Impact Report

CEQA Lead Agency: City of Placerville

Date: November 22, 2005

SCH # 2003122137

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Introduction

The California Environmental Quality Act, Public Resources Code sections 21000, et seq. states that if a project would result in significant environmental impacts it may be approved, if feasible mitigation measures or feasible alternatives can avoid or substantially lessen the impact or if there are specific economic, social, or other considerations which make it infeasible to substantially lessen or avoid the impacts.

Therefore, when an environmental impact report ("EIR") has been completed which identifies one or more potentially significant environmental impacts, the approving agency must make one or more of the following findings for each identified significant impact:

1. Changes or alternatives which avoid or substantially lessen the significant environmental effects as identified in the FEIR have been required or incorporated into the project; or
2. Such changes or alternatives are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency; or
3. Specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the FEIR. (Pub. Resources Code § 21081.)

As the *lead agency* for the Western Placerville Interchanges Project ("Project") under California Code of Regulations, title 14, section 15367, the City of Placerville City Council hereby adopts the following CEQA findings relating to the Western Placerville Interchanges Project Final Environmental Impact Report, SCH #2003122137, certified by the Council on November 22, 2005.

Purpose and Background

Project Overview

The Project would improve the Forni Road/Placerville Drive Interchange, install a roundabout at the westbound U.S. Highway 50 (US-50) off- and on-ramps intersection with Placerville Drive and Fair Lane, and install a full interchange at the Ray Lawyer Drive Overcrossing by constructing highway on- and off-ramps to and from both eastbound and westbound US-50. The Project would also widen and improve eastbound and westbound US-50 ramps to and from Forni Road and Placerville Drive and would widen and improve segments of Forni Road, Placerville Drive, Fair Lane, and Ray Lawyer Drive. The Project would provide improved bicycle and pedestrian facilities throughout the project area and would provide opportunities for future development of park-&-ride facilities.

Purpose of the Project

The purpose of the Project is to improve traffic operations and to accommodate projected 20-year increases in traffic volumes at Forni Road/Placerville Drive/US-50 interchange

and provide new on- and off-ramps to US-50 at the Ray Lawyer Drive overcrossing. The Project will provide improvements where needed between the Forni Road/ Placerville Drive/US-50 interchange and the Ray Lawyer Drive overcrossing, to better serve the needs of local and regional traffic (including bicycle and pedestrian traffic).

Project Need

The Project is needed to respond to current and projected regional and local traffic demand on the state and local roadway systems at the Forni Road/Placerville Drive/US-50 interchange. The study area's non-standard roadway geometrics and lack of alternative routes cause congestion and reduce traffic safety for vehicle, bicycle and pedestrian travel.

Purpose of the EIR

Pursuant to the California Environmental Quality Act, Public Resources Code sections 21000 et seq. and the CEQA Guidelines, California Code of Regulations, title 14, section 15000 et seq. (collectively, "CEQA"), an EIR was prepared for the Project to analyze the environmental effects of the Project. The Draft Environmental Impact Report ("DEIR") was circulated from September 2, 2005, through October 21, 2005, for public review and comment in accordance with CEQA. Responses to comments, together with other information, were prepared and contained in the Final Environmental Impact Report ("FEIR"). The City of Placerville is the CEQA Lead Agency for the Project, and was assisted in the preparation of the EIR by its project design consultant, Dokken Engineering, and its environmental consultant, Environmental Stewardship & Planning, Inc. ("ESP").

Procedural Background

A Notice of Preparation ("NOP") for the EIR was published and distributed in December, 2003 for a 30-day public review and comment period. During the NOP comment period, the City hosted an EIR scoping meeting to receive oral comments on the scope of the EIR. The City considered all comments received during the NOP comment period and addressed issues as appropriate in the DEIR.

The DEIR was published on September 2, 2005. A formal Notice of Availability ("NOA") of the DEIR was prepared and circulated beginning on September 2, 2005, as required by CEQA. The NOA was circulated to responsible agencies, adjacent property owners and interested parties, including any person who filed a written request for such a notice.

Approximately 80 copies of the DEIR were available and circulated for public review. In addition, the DEIR was made available on disk or hard copy upon request to the City and on the City's Internet site. The public was invited to submit written comments on the DEIR. In addition, the City held a public hearing on September 20, 2005, to solicit public and agency input concerning the information, environmental analyses and conclusions contained within the DEIR.

The comment period for the DEIR was from September 2, 2005, to October 21, 2005. During that time, ten written comment sets were received; three from agencies, two from

organizations, and five from individuals. Three individuals provided oral comments during the September 20, 2005 Public Hearing and four individuals provided oral comments during the comment period at an October 11, 2005 City Council meeting.

In response to the comments received concerning the DEIR, the FEIR was prepared and issued in November, 2005. The FEIR contains copies of all comments received on the DEIR and responses to those comments. The FEIR also contains errata revisions to the DEIR and supplemental information deemed necessary in response to comments on the DEIR.

Pursuant to Public Resources Code section 21092.5 the City provided a written response in the form of the FEIR with specific responses contained therein to all public agencies commenting on the DEIR, a minimum of 10 days prior to certifying the FEIR.

Copies of the FEIR were sent to responsible agencies and all other agencies and individuals who provided comments on the DEIR. A Notice of Availability of the FEIR was also advertised and distributed and the FEIR was made available on the City's website.

Description of the Record

For purposes of CEQA and these findings, the record before the City includes, without limitation, the following:

- a) The Project Study Report and Preliminary Environmental Assessment Report;
- b) The Draft Project Report, DEIR and all appendices to the DEIR;
- c) The FEIR and all appendices to the FEIR;
- d) All Notices of Availability, Notices of Completion, the Notice of Determination, staff reports and presentation materials related to the Project;
- e) All studies conducted for the Project and contained in, or referenced by, staff reports, the DEIR, or the FEIR;
- f) All public reports and documents related to the Project prepared for the City and other agencies;
- g) All documentary and oral evidence received and reviewed at public hearings and workshops and all transcripts and minutes of those hearings related to the Project and the EIR;
- h) For documentary and informational purposes, all locally-adopted land use plans and ordinances, including, without limitation, general plans, specific plans and ordinances, master plans together with environmental review documents, findings, mitigation monitoring programs and other documentation relevant to planned growth in the area; and
- i) Any additional items not included above if they are required by law.

Discretionary Actions

The discretionary actions for the Project include the City's selection and implementation of the Project, acquisition of temporary construction easements, acquisition of permanent rights-of-way, acquisition of and compliance with all permits necessary for construction and operation of the Project, and disposition of rights-of-way to the California Department of Transportation.

These findings are made by the City Council pursuant to Section 15091 of the CEQA Guidelines.

General Findings

Terminology of Findings

Section 15091 of the CEQA Guidelines requires that, for each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three allowable conclusions. The first is that "[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR." The second potential finding is that "[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." The third permissible conclusion is that "[s]pecific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR."

For purposes of these findings, the term "mitigation measure" shall constitute a "change or alteration" as discussed above. The term "avoid or substantially lessen" refers to the effectiveness of one or more of the mitigation measures or alternatives to reduce an otherwise significant environmental effect to a less than significant level. Although section 15091, read literally, does not require findings to address environmental effects that an EIR identifies as merely "potentially significant," these findings nevertheless fully account for all such effects identified in the EIR for the Project. In the event that impacts were to remain significant or potentially significant even with implementation of mitigation, the City, within these findings, would identify such impacts as significant and unavoidable. However, no significant and unavoidable impacts have been identified, as all significant and potentially significant impacts will be mitigated to less-than-significant levels through implementation of the mitigation measures identified in the Mitigation Monitoring Plan to be adopted by the City upon certification of the FEIR.

Certification of FEIR

In accordance with CEQA, in adopting these findings, the City has considered the environmental effects as shown in the FEIR prior to approving the Project. These findings represent the independent judgment and analysis of the City.

In the course of responding to comments received during the public review and comment period on the DEIR, certain portions of the DEIR have been modified and some new

information has been added (as specified in the errata defined in Chapter 3 of the FEIR). The changes made to the DEIR do not reveal the existence of:

1. A significant new environmental impact that would result from the Project or an adopted Mitigation Measure;
2. A substantial increase in the severity of an environmental impact that is not reduced to a level less than significant by adopted Mitigation Measures;
3. A feasible project alternative or Mitigation Measure not adopted that is considerably different from others analyzed in the DEIR that would clearly lessen the significant environmental impacts of the Project; or
4. Information that indicates that the public was deprived of a meaningful opportunity to review and comment on the DEIR.

The City finds that the amplifications and clarifications made to the DEIR do not collectively or individually constitute significant new information within the meaning of Public Resources Code section 21092.1 and CEQA Guidelines section 15088.5.

Evidentiary Basis for Findings

These findings are based upon substantial evidence in the entire record before the Commission as described in Section III.

The references to the DEIR and to the FEIR set forth in the findings are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

Findings Regarding Mitigation Measures

Except as otherwise stated in these findings, in accordance with CEQA Guidelines sections 15091, 15092, and 15093, the City finds that the environmental effects of the Project:

1. Will not be significant; or
2. Will be mitigated to a less than significant level by the Mitigation Measures adopted by the City; or
3. Can and should be mitigated to a less than significant level by the Mitigation Measures within the jurisdiction of another public agency.

No impacts have been identified which would remain significant after the mitigation measures identified in the FEIR and Mitigation Monitoring Plan are implemented.

Location and Custodian of Records

Pursuant to Public Resources Code section 21081.6 and California Code of Regulations, title 14, section 15091, the City of Placerville is the custodian of the documents and other material that constitute the record of proceedings upon which the City's decision is based, and such documents and other material are located at City Hall, 487 Main Street, Placerville, California.

Findings Regarding Monitoring and Reporting of CEQA Mitigation Measures

As required in Section 21081.6 of the California Public Resources Code the Commission adopts a monitoring and reporting program regarding changes in the Project or Mitigation Measures imposed to mitigate or avoid significant effects on the environment.

The Mitigation Monitoring Plan, in the form presented as **Appendix A** to the FEIR, is adopted because it effectively fulfills the CEQA mitigation monitoring requirement:

- a) The measures are specific and, as appropriate, define performance standards to measure compliance under the Mitigation Monitoring Plan.
- b) The Mitigation Monitoring Plan has been designed with detailed descriptions of conditions, implementation, verification, a compliance schedule and reporting requirements to ensure their fulfillment.
- c) The Mitigation Monitoring Plan ensures that the Mitigation Measures are in place, as appropriate, throughout the life of the Project.

Findings Regarding Alternatives

CEQA Guidelines Section 15126.6 requires a discussion of a reasonable range of alternatives to the Project or to the location of the Project. However, an EIR need not consider an alternative whose implementation is remote or speculative. In determining the preferred alternative and for the purposes of the CEQA assessment, the City considered a range of alternatives, as well as a "No Project/No Build Alternative". Each of the alternatives considered are discussed in the DEIR, and the FEIR discusses the City's selection of Alternative D as the preferred alternative (i.e., "Project") for the purposes of CEQA review.

The City finds that the No Project/No Build Alternative does not meet the project objectives of improving traffic operations and accommodating projected 20-year increases in traffic volumes at Forni Road/Placerville Drive/US-50 interchange, and providing new on- and off-ramps to US-50 at the Ray Lawyer Drive overcrossing.

The City finds that the Project (Alternative D of the DEIR) most effectively achieves the project objectives and that none of the project build alternatives would reduce or minimize potential environmental impacts as compared to the Project. Based on a comparison of the relative merits of each alternative compared to the Project, each of the alternatives was found to be less desirable from operational, safety and environmental perspectives.

Findings Regarding Less than Significant Environmental Impacts

The EIR identifies the thresholds of significance utilized to determine the impacts in the various resource categories discussed below. The EIR also identifies the following environmental impacts that are less than significant, and therefore do not require mitigation. These impacts are:

Less than Significant Impact 3.2-1. The project would result in the removal of on-street parking which could be considered inconsistent with Goal D and Policy D-1 of the City General Plan.

Less than Significant Impact 3.5-1. Construction activities associated with the project build alternatives would result in temporary increases in ambient noise levels along the project corridor.

Less than Significant Impact 3.5-2. Project modifications and future traffic operations could result in increased noise levels at sensitive receptors within the project area.

Less than Significant Impact 3.5-3. Vibration levels could increase within the project corridor as a result of vehicle passages on U.S. Highway 50 and its arterials.

Less than Significant Impact 3.6-1. The use of hazardous materials would create the potential to pose a risk to workers and nearby residences during construction of the project.

Less than Significant Impact 3.9-1. Construction of the project would require relocation of linear utilities, which would create a potential for temporary disruptions in service while relocations occur.

Less than Significant Impact 3.10-3. Project construction activities could impact special-status plant species.

Less than Significant Impact 3.10-4. Project construction activities could result in habitat disturbance of the northwestern pond turtle and the valley elderberry longhorn beetle (VELB).

Less than Significant Impact 3.10-5. Construction activities could result in habitat disturbance of the California red-legged frog and the foothill yellow-legged frog.

Less than Significant Impact 3.13-1. Proposed roadway improvements could have the potential to divide and/or disrupt community cohesion.

Less than Significant Impact 3.13-3. Construction activities and traffic would result in short-term disruptions to local residences.

Findings Regarding Significant and Potentially Significant Impacts

The DEIR and FEIR set forth environmental effects of the Project that would be significant or potentially significant in the absence of mitigation measures. A summary of these Project effects are listed below, along with a summary of the mitigation measures included within the Mitigation Monitoring Plan to be adopted by the City with certification of the FEIR. These mitigation measures will avoid or substantially lessen the potentially significant or significant effects of the Project, and any residual project impacts will be reduced to less-than-significant levels. The City's findings with regard to each of the impacts and the effectiveness of each mitigation measure are presented below.

Findings Concerning Transportation and Circulation Impacts

Potentially Significant Impact 3.3-1. Project construction would result in temporary lane closures and traffic delays, potential disruptions to transit services and increased difficulties of bicycle and pedestrian movement.

Mitigation Measure 3.3-1. A project traffic management plan shall be developed and implemented which includes measures to minimize vehicle, transit and bicycle and pedestrian activities during the duration of construction activities.

The City finds that Mitigation Measure 3.3-1 as fully described in the Mitigation Monitoring Plan would reduce Impact 3.3-1 to less-than-significant levels and that this mitigation measure shall be implemented as a required element of the Project.

Findings Concerning Air Quality Impacts

Potentially Significant Impact 3.4-1. Construction activities would result in short-term construction vehicle, reactive organic gas, and fugitive dust emissions that could affect local air quality.

Mitigation Measure 3.4-1. The City's contractors will implement dust control measures and construction vehicle emission reduction strategies during construction.

The City finds that Mitigation Measure 3.4-1 as fully described in the Mitigation Monitoring Plan would reduce Impact 3.4-1 to less-than-significant levels and that this mitigation measure shall be implemented as a required element of the Project.

Findings Concerning Hazards and Hazardous Materials Impacts

Potentially Significant Impact 3.6-2. Construction activities would create a potential for disturbance of unknown areas of soils contaminated with hazardous materials or other substances which may contain hazardous materials, and would create the potential to pose a risk to workers and the public from exposure to such materials.

Mitigation Measure 3.6-2. The City shall conduct an updated Environmental Site Assessment, including a hazardous materials occurrence database search, for the project area within a two year period prior to construction. The City shall also implement a limited soil sampling program for soils to be disturbed during project construction.

The City finds that Mitigation Measure 3.6-2 as fully described in the Mitigation Monitoring Plan would reduce Impact 3.6-2 to less-than-significant levels and that this mitigation measure shall be implemented as a required element of the Project.

Findings Concerning Water Quality and Hydrology Impacts

Potentially Significant Impact 3.7-1. Ground disturbance and the use of hazardous or toxic materials during construction would potentially result in increased amounts of sediment or other pollutants in stormwater runoff from construction areas.

Mitigation Measure 3.7-1. The City shall develop and implement a SWPPP for the project which identifies specific Best Management Practices for controlling stormwater runoff to be implemented during construction.

The City finds that Mitigation Measure 3.7-1 as fully described in the Mitigation Monitoring Plan would reduce Impact 3.7-1 to less-than-significant levels and that this mitigation measure shall be implemented as a required element of the Project.

Potentially Significant Impact 3.7-2. The project would increase the amounts of impermeable surfaces (10.05 acres) within the project area that would potentially increase stormwater runoff.

Mitigation Measure 3.7-2. The City shall develop and implement a Stormwater Data Report which identifies permanent stormwater runoff treatment BMPs to be implemented for the project.

The City finds that Mitigation Measure 3.7-2 as fully described in the Mitigation Monitoring Plan would reduce Impact 3.7-2 to less-than-significant levels and that this mitigation measure shall be implemented as a required element of the Project.

Findings Concerning Soils and Geology Impacts

Potentially Significant Impact 3.8-1. Soils disturbance during construction activities would create the potential to increase soils erosion and sedimentation.

The City finds that Mitigation Measure 3.7-1 as fully described in the Mitigation Monitoring Plan (and as summarized in these Findings under the heading *Findings Concerning Water Quality and Hydrology Impacts*) would reduce Impact 3.8-1 to less-than-significant levels and that this mitigation measure shall be implemented as a required element of the Project.

Findings Concerning Public Health and Safety Impacts

Potentially Significant Impact 3.9-2. Construction activities and lane closures within the project area would create a potential for delays in emergency response times during construction.

Mitigation Measure 3.9-2. The City and its contractors shall coordinate construction planning and scheduling with local emergency response and service providers and shall incorporate emergency services vehicle routing consideration into the construction-period traffic management plan.

The City finds that Mitigation Measure 3.9-2 as fully described in the Mitigation Monitoring Plan would reduce Impact 3.9-2 to a less-than-significant level and that this mitigation measure shall be implemented as a required element of the Project.

Findings Concerning Biological Resources Impacts

Significant Impact 3.10-1. The project could result in the loss of wetlands or waters regulated by the Corps under Section 404 of the Clean Water Act and the CDFG under Section 1600 of the California Fish and Game Code.

Mitigation Measure 3.10-1. The City will obtain required permits, and purchase wetlands credits from an approved wetland mitigation bank, as necessary.

The City finds that Mitigation Measure 3.10-1 as fully described in the Mitigation Monitoring Plan would reduce Impact 3.10-1 to a less-than-significant level and that this mitigation measure shall be implemented as a required element of the project.

Significant Impact 3.10-2. Construction activities would require the removal of interior live oak habitat protected by the City of Placerville.

Mitigation Measure 3.10-2. The City shall avoid construction activities in the vicinity of interior live oak habitat, where feasible; however, where infeasible, the City shall replace oak trees at a 3:1 replacement-to-loss ratio.

The City finds that Mitigation Measure 3.10-2 as fully described in the Mitigation Monitoring Plan would reduce Impact 3.10-2 to a less-than-significant level and that this mitigation measure shall be implemented as a required element of the project.

Potentially Significant Impact 3.10-6. The project would result in the loss of habitat for non-special status protected bird species.

Mitigation Measure 3.10-6. The City shall avoid construction activities in the vicinity of potential avian habitat where feasible and shall replace trees and shrubs which provide habitat to protected bird species at a 3:1 replacement-to-loss ratio.

The City finds that Mitigation Measure 3.10-6 as fully described in the Mitigation Monitoring Plan, would reduce Impact 3.10-6 to a less-than-significant level and that this mitigation measure shall be implemented as a required element of the project.

Potentially Significant Impact 3.10-7. Construction of the project would create the potential for the introduction or proliferation of invasive species within the project area.

Mitigation Measure 3.10-7. The City and its contractor(s) shall avoid introduction of invasive species into the project area through implementation of specific invasive species control measures.

The City finds that Mitigation Measure 3.10-7 as fully described in the Mitigation Monitoring Plan would reduce Impact 3.10-7 to a less-than-significant level and that this mitigation measure shall be implemented as a required element of the project.

Findings Concerning Cultural Resources Impacts

Potentially Significant Impact 3.11-1. Ground disturbance from activities associated with construction of the project would create the potential to disturb or destroy unknown archaeological resources within the APE.

Mitigation Measure 3.11-1. Any and all potential archaeological resources discovered during construction shall be examined by a qualified archaeologist, who shall examine the findings, assess their significance, and offer recommendations for appropriate handling procedures.

The City finds that Mitigation Measure 3.11-1 as fully described in the Mitigation Monitoring Plan would reduce Impact 3.11-1 to a less-than-significant level and that this mitigation measure shall be implemented as a required element of the project.

Findings Concerning Visual Resources Impacts

Potentially Significant Impact 3.12-1. Project construction activities would be visible to motorists on U.S. 50 and other locations within the project area and would result in temporary adverse detraction from the visual quality.

Mitigation Measure 3.12-1. The City shall require construction contractors to utilize and maintain designated staging areas at all times during project construction. Project landscaping and revegetation shall commence immediately upon the completion of facilities construction.

The City finds that Mitigation Measure 3.12-1 as fully described in the Mitigation Monitoring Plan would reduce Impact 3.12-1 to a less-than-significant level and that this mitigation measure shall be implemented as a required element of the project.

Potentially Significant Impact 3.12-2. Each of the build alternatives would introduce both modified and new roadway and related facilities, including retaining walls and other necessary design structures, to the project area that would create the potential to detract from the visual quality of the project area.

Mitigation Measure 3.12-2. The City shall, with public input, prepare and implement a project landscape plan which specifies design for plantings, retaining walls, signage and other project features to ensure consistency with the region and project area visual attributes and quality.

The City finds that Mitigation Measure 3.12-2 as fully described in the Mitigation Monitoring Plan would reduce Impact 3.12-2 to a less-than-significant level and that this mitigation measure shall be implemented as a required element of the project.

Potentially Significant Impact 3.12-3. Lighting to be installed under each of the project build alternatives would create increased light and glare within the project area that would detract from nighttime sky views.

Mitigation Measure 3.12-3. A lighting plan shall be developed for the project that requires all project lighting to be appropriately shielded and that project lighting design is consistent with all City lighting guidelines and standards.

The City finds that Mitigation Measure 3.12-3 as fully described in the Mitigation Monitoring Plan would reduce Impact 3.12-3 to a less-than-significant level and that this mitigation measure shall be implemented as a required element of the project.

Findings Concerning Community Impacts

Potentially Significant Impact 3.13-2. Construction activities would reduce access and parking at commercial properties, and right-of-way requirements would permanently reduce the size of commercial properties.

Mitigation Measure 3.13-2. The City shall coordinate construction timing, parking space closures, and adjacent business parking space sharing as practicable.

The City finds that Mitigation Measure 3.13-2 as fully described in the Mitigation Monitoring Plan would reduce Impact 3.13-2 to a less-than-significant level and that this mitigation measure shall be implemented as a required element of the project.

Potentially Significant Impact 3.13-3. Construction activities would require adjustment in school bus routes and student pick-up and drop-off locations.

Mitigation Measure 3.13-3. The City shall coordinate with the El Dorado Unified School District prior to and during construction to facilitate bus rerouting and the identification of alternative stop locations.

The City finds that Mitigation Measure 3.13-3 as fully described in the Mitigation Monitoring Plan would reduce Impact 3.13-3 to a less-than-significant level and that this mitigation measure shall be implemented as a required element of the project.

Findings Concerning Cumulative Impacts

The City finds that the project-specific impacts which are either less-than-significant or would be mitigated to less-than-significant levels with implementation of mitigation measures identified in the Mitigation Monitoring Plan, would not result in significant adverse cumulative impacts when considered in association with other past, present or reasonably foreseeable future projects.

Findings Concerning Growth Inducement

The City finds that development within the project area is not currently considered to be limited by the existing roadway infrastructure and Project improvements to existing roadways are not projected to have a substantive effect on the type or rate of future growth within the project area.

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.2c.(6)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Jay Norvell
Division Chief
Environmental Analysis

Subject: **APPROVAL OF PROJECTS FOR FUTURE CONSIDERATION OF FUNDING**

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission), as a responsible agency, approve the attached Resolutions E-12-21, E-12-22, and E-12-23.

ISSUE:

06-KER-14, PM 45.9/62.3 **RESOLUTION E-12-21**

The attached resolution proposes to approve for future consideration of funding the following project for which a Mitigated Negative Declaration (MND) has been completed:

- Route 14 in Kern County. Convert existing two-lane highway to a four-lane divided expressway along a portion of SR 14 near the town of Freeman. (PPNO 8042)

This project in Kern County will convert the existing two-lane conventional highway into a four-lane divided controlled-access expressway on State Route 14 from 0.8 mile north of Redrock Inyokern Road to 2.2 miles south of the junction with U.S. Highway 395. The project will be phased into three segments. Segment 1 is programmed in the 2012 State Transportation Improvement Program (STIP) and is fully funded, at a cost of \$44,888,000. Segment 2 is partially programmed in the 2012 STIP; the cost for this segment is \$47,687,000, of which \$10,860,000 is programmed. Segment 3 is not currently programmed nor funded; the cost for this segment is \$31,544,000. The total estimated project cost for all three phases is \$124,119,000 for capital and support. Construction for Segment 1 is estimated to begin in Fiscal Year 2016-17. The scope, as described for the preferred alternative, is consistent with the project scope programmed by the Commission in the STIP.

A copy of the MND has been provided to Commission staff. The project will result in no significant impacts to the environment. Potential effects to visual, cultural, paleontological, and biological resources would be reduced by proposed avoidance and mitigation measures. As a result, an MND was completed for this project.

Attachment 1

ISSUE:

08-RIV-60, PM 17.9/19.8
RESOLUTION E-12-22

The attached resolution proposes to approve for future consideration of funding the following project for which a Mitigated Negative Declaration (MND) has been completed:

- Route 60 in Riverside County. Roadway improvements including interchange and overcrossing replacements on a portion of SR 60 in the city of Moreno Valley. (PPNO 1143)

This project in Riverside County will replace the existing two-lane bridge overcrossing at Nason Street/SR 60 with a new five-lane overcrossing; including median, shoulders that accommodate bicycles, and 6.5 foot-wide sidewalk. The project will also widen Nason Street to four through lanes, including landscaping and soundwall. The project is programmed in the State-Local Partnership Program (SLPP). The total estimated project cost is \$17,130,000 for capital and support. Construction is estimated to begin in Fiscal Year 2012-13. The scope, as described for the preferred alternative, is consistent with the project scope programmed by the Commission in the SLPP.

A copy of the MND has been provided to Commission staff. An Initial Study was conducted for the project and determined that the project will result in no significant impacts to the environment. As a result, an MND was completed for this project.

Attachment 2

ISSUE:

10-SJ-26, PM 18.5/19.0
RESOLUTION E-12-23

The attached resolution proposes to approve for future consideration of funding the following project for which a Mitigated Negative Declaration (MND) has been completed:

- Route 26 in San Joaquin County. Construct roadway improvements on Route 26 near the town of Linden. (PPNO 0264)

This project in San Joaquin County will realign two existing curves and replace the Sandstone Creek Bridge with a triple box culvert. The project is programmed in the 2012 State Highway Operation and Protection Program (SHOPP). The total estimated project cost is \$6,049,000 for capital and support. Construction is estimated to begin in Fiscal Year 2012-13. The scope, as described for the preferred alternative, is consistent with the project scope programmed by the Commission in the 2012 SHOPP.

A copy of the MND has been provided to Commission staff. The project will result in no significant impacts to the environment. Potential effects to paleontological and biological resources would be reduced by proposed avoidance and mitigation measures. As a result, an MND was completed for this project.

Attachment 3

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of Funding

06-KER-14, PM 45.9/62.3

Resolution E-12-21

- 1.1** **WHEREAS**, the California Department of Transportation (Department) has completed a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
- Route 14 in Kern County. Convert existing two-lane highway to a four-lane divided expressway along a portion of SR 14 near the town of Freeman. (PPNO 8042)
- 1.2** **WHEREAS**, the Department has certified that the Mitigated Negative Declaration has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3** **WHEREAS**, the California Transportation Commission, as a responsible agency, has considered the information contained in the Mitigated Negative Declaration; and
- 1.4** **WHEREAS**, the project will not have a significant effect on the environment.
- 2.1** **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby approve the above referenced project to allow for future consideration of funding.

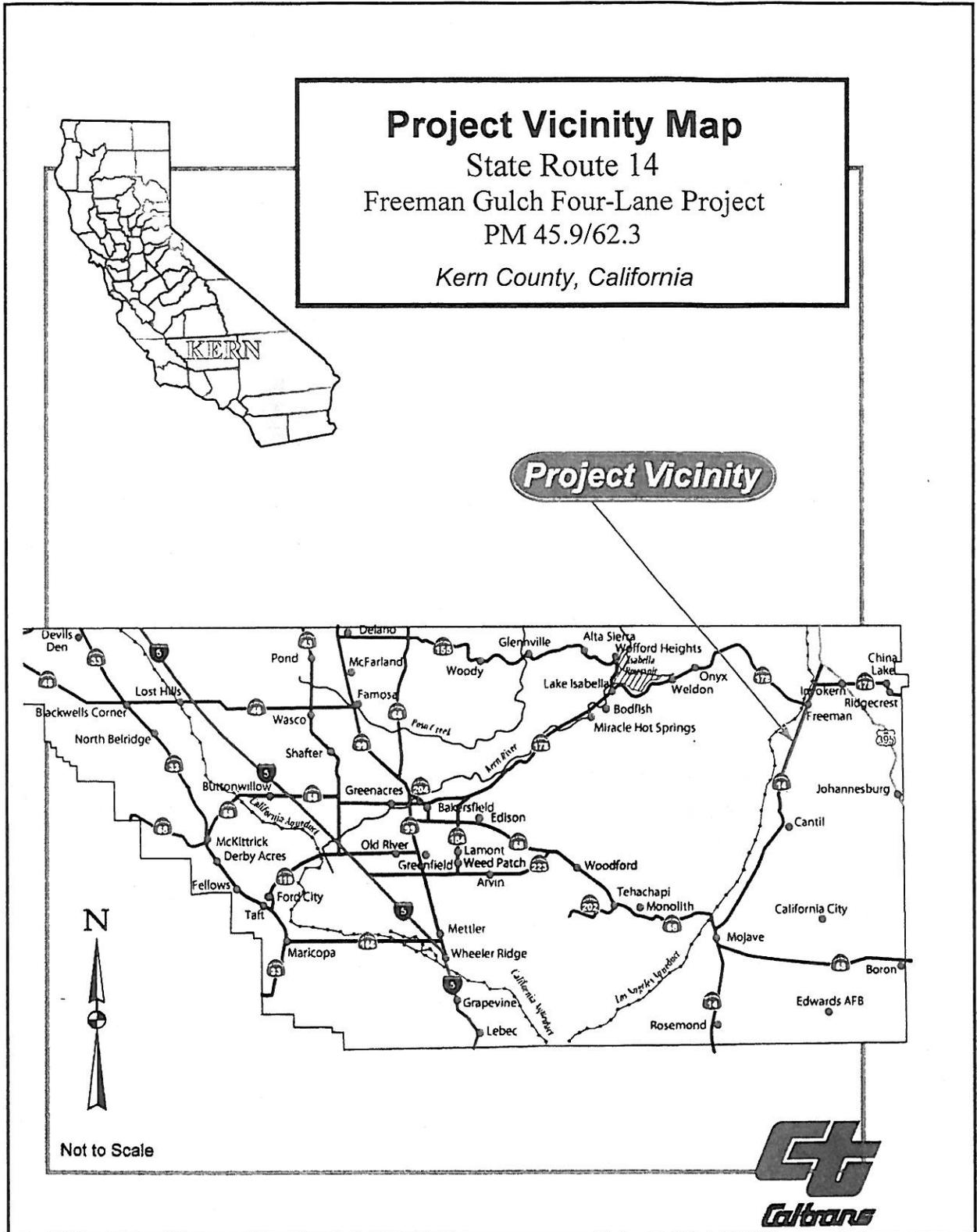


Figure 1-1 Project Vicinity Map

CALIFORNIA TRANSPORTATION COMMISSION

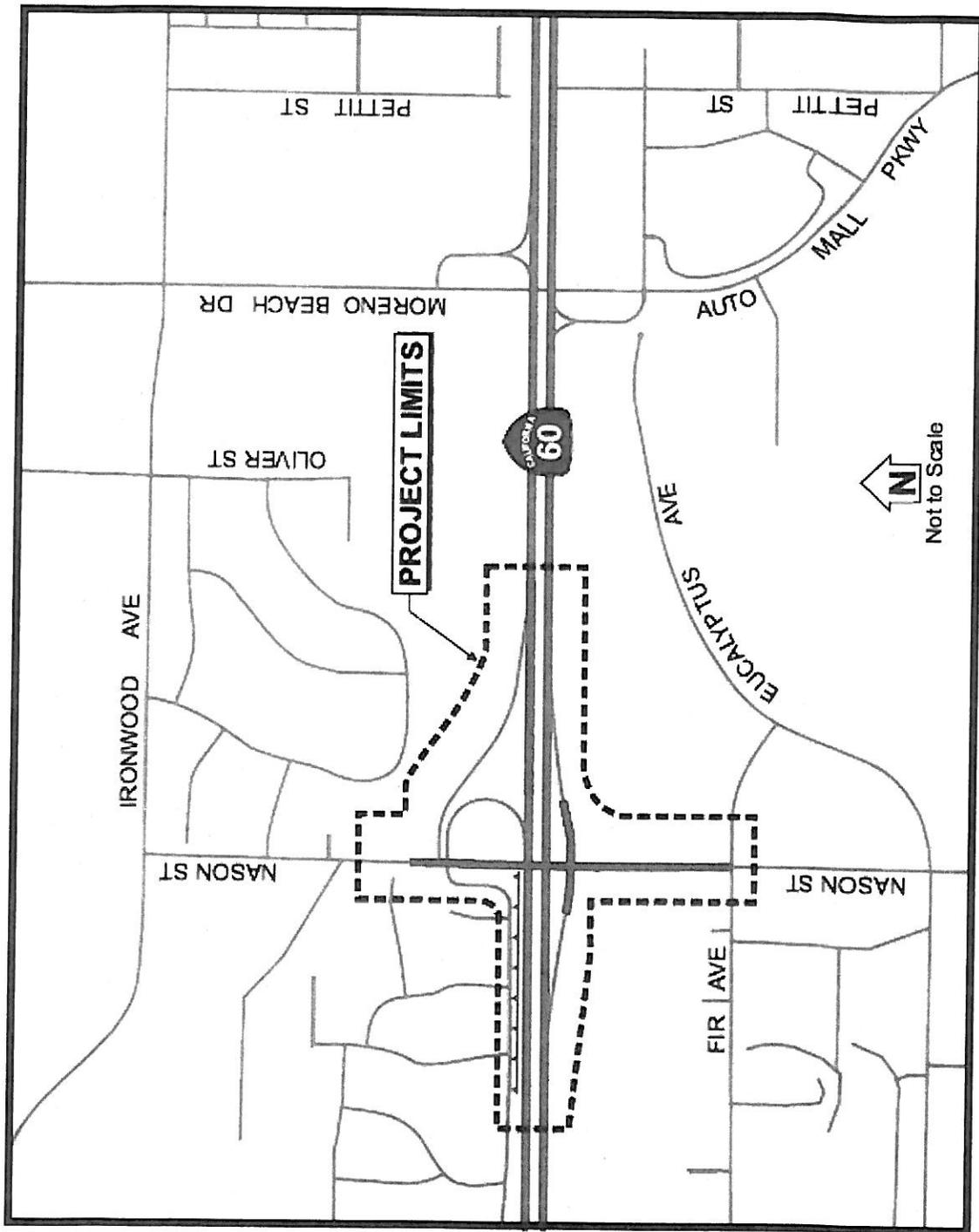
Resolution for Future Consideration of Funding

08-RIV-60, PM 17.9/19.8

Resolution E-12-22

- 1.1** **WHEREAS**, the California Department of Transportation (Department) has completed a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
- Route 60 in Riverside County. Roadway improvements including interchange and overcrossing replacements on a portion of SR 60 in the city of Moreno Valley. (PPNO 1143)
- 1.2** **WHEREAS**, the Department has certified that the Mitigated Negative Declaration has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3** **WHEREAS**, the California Transportation Commission, as a responsible agency, has considered the information contained in the Mitigated Negative Declaration; and
- 1.4** **WHEREAS**, the project will not have a significant effect on the environment.
- 2.1** **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby approve the above referenced project to allow for future consideration of funding.

ATTACHMENT 2



VICINITY MAP
STATE ROUTE 60 / NASON STREET OVERCROSSING IMPROVEMENTS PROJECT (EA 32302)

CALIFORNIA TRANSPORTATION COMMISSION

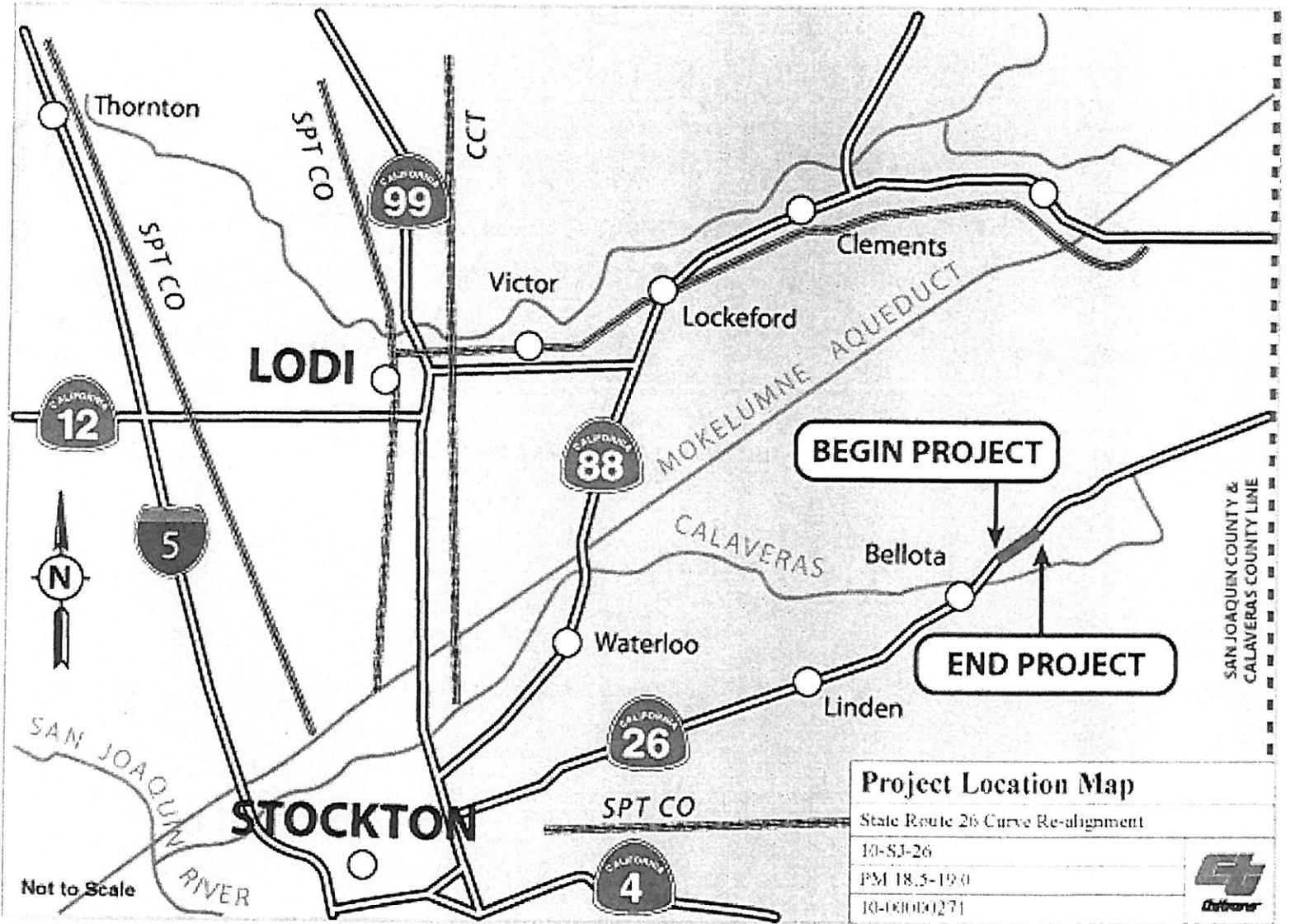
Resolution for Future Consideration of Funding

10-SJ-26, PM 18.5/19.0

Resolution E-12-23

- 1.1** **WHEREAS**, the California Department of Transportation (Department) has completed a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
- Route 26 in San Joaquin County. Construct roadway improvements on Route 26 near the town of Linden. (PPNO 0264)
- 1.2** **WHEREAS**, the Department has certified that the Mitigated Negative Declaration has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3** **WHEREAS**, the California Transportation Commission, as a responsible agency, has considered the information contained in the Mitigated Negative Declaration; and
- 1.4** **WHEREAS**, the project will not have a significant effect on the environment.
- 2.1** **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby approve the above referenced project to allow for future consideration of funding.

ATTACHMENT 3



Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.2c.(7)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Jay Norvell
Division Chief
Environmental Analysis

Subject: **APPROVAL OF PROJECT FOR FUTURE CONSIDERATION OF FUNDING
11-SD-76, PM 12.1/17.7, 11-SD-15, PM 46.1/47.3
RESOLUTION E-12-17**

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission), as a responsible agency, approve the attached Resolution E-12-17.

ISSUE:

The attached resolution proposes to approve for consideration of funding the following project for which a Final Environmental Impact Report (FEIR) has been completed:

- Routes 76 and 15 in San Diego County. Roadway improvements including lane additions and interchange improvements on a portion of SR 76 and SR 15 in and near the city of Fallbrook. (PPNO 25711)

This project in San Diego County will widen and realign State Route 76 from two to four lanes, from South Mission Road in Bonsall to just east of the Interstate 15 interchange, including interchange improvements. The project is fully funded with federal and local funds. The total estimated project cost is \$201,000,000 for capital and support. Construction is estimated to begin in Fiscal Year 2012-13.

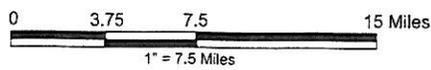
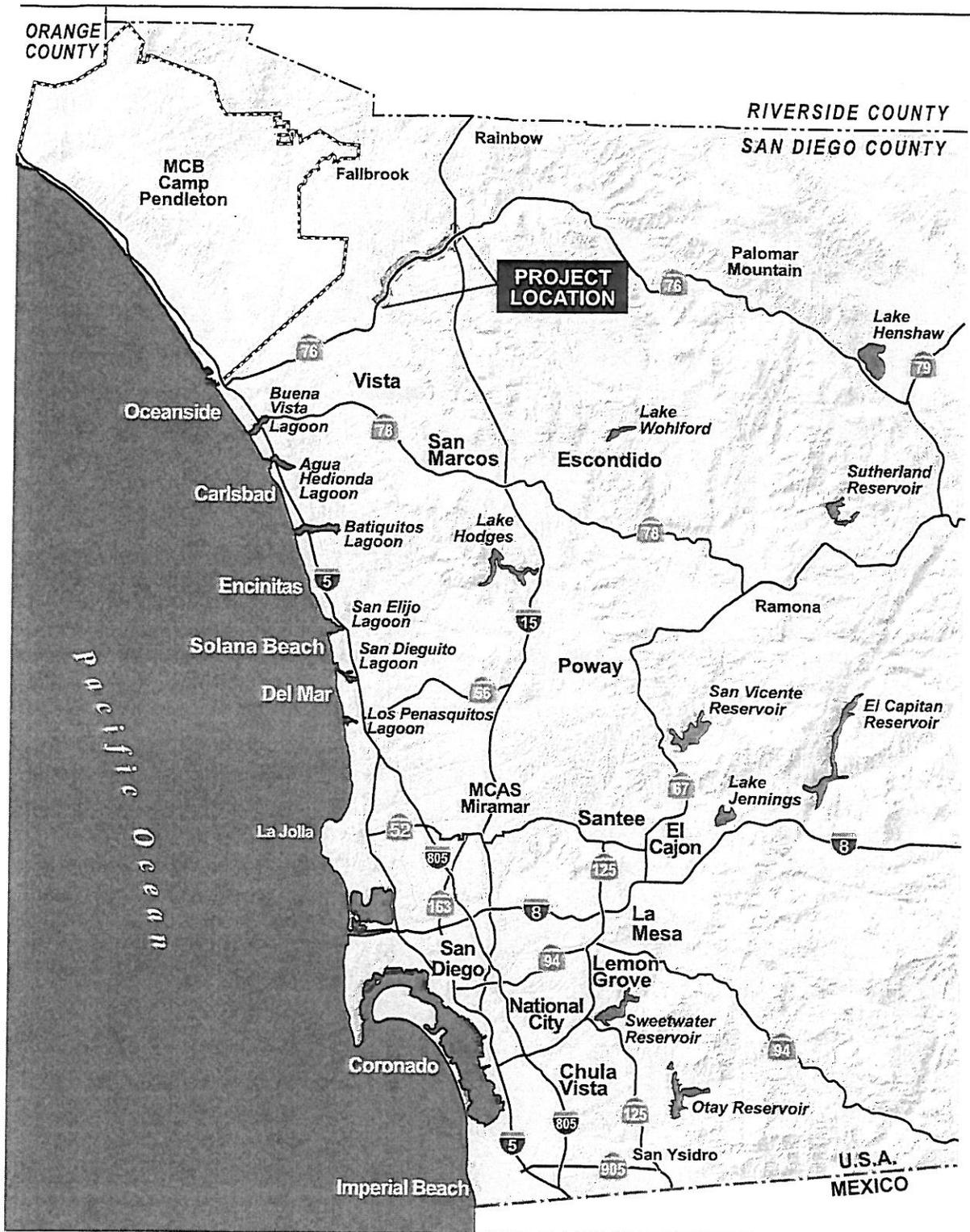
A copy of the FEIR has been provided to Commission staff. Resources that may be impacted by the project include; land use, growth, noise, biological, socio-economics, farmlands, cultural, paleontological, and wetlands. Potential impacts associated with the project that cannot be mitigated to below significance through proposed mitigation measures include land use, community character and cohesion, growth, and visual. As a result, a Final Environmental Impact Report including a Statement of Overriding Considerations was prepared for the project.

Attachments

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of Funding 11-SD-76, PM 12.1/17.7, 11-SD-15, PM 46.1/47.3 Resolution E-12-17

- 1.1** **WHEREAS**, the California Department of Transportation (Department) has completed an Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
- Routes 76 and 15 in San Diego County. Roadway improvements including lane additions and interchange improvements on a portion of SR 76 and SR 15 in and near the city of Fallbrook. (PPNO 25711)
- 1.2** **WHEREAS**, the Department has certified that the Environmental Impact Report has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3** **WHEREAS**, the California Transportation Commission, as a responsible agency, has considered the information contained in the Environmental Impact Report; and
- 1.4** **WHEREAS**, Findings were made pursuant to the State CEQA Guidelines.
- 2.1** **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby support approval of the above referenced project to allow for consideration of funding.



**Figure 1.1-1
Project Location Map**

FINDINGS
CALIFORNIA DEPARTMENT OF TRANSPORTATION
FINDINGS FOR WIDENING AND REALIGNING
STATE ROUTE 76 FROM SOUTH MISSION ROAD TO INTERSTATE 15
IN SAN DIEGO COUNTY, CALIFORNIA

The following information is presented to comply with State of California Environmental Quality Act (CEQA) Guidelines (Title 14 California Code of Regulations, Chapter 3, Section 15901) and the California Department of Transportation (Caltrans) and California Transportation Commission Environmental Regulations (Title 21, California Code of Regulations, Chapter 11, Section 1501). Reference is made to the Final Environmental Impact Report (EIR) for the project, which is the basic source for the information.

The following effects have been identified in the EIR as resulting from the project. Effects found not to be significant have not been included.

Community Character and Cohesion

Adverse Environmental Effects:

The Existing Alignment Alternative (Preferred Alternative) will moderately affect the existing visual landscape through landform modification to the steep hillsides along the north side of State Route 76 (SR-76) between Gird Road and Old Highway 395, and the additional paving and construction of intersections and other segments of the Preferred Alternative into areas immediately south of the current SR-76 corridor, which moves it closer to the river. The Preferred Alternative also requires removal of a variety of vegetation types, including mature trees and substantial masses of plant material, particularly where it incurs into steep slopes and the river basin due to modifications in roadway geometry and alignment. The proposed future Park and Ride facility will be constructed in an undeveloped area south of SR-76 and will moderately change the visual landscape. The Visual Impact Assessment (VIA) prepared for the project concluded that the Preferred Alternative will have moderate to moderately high-level impacts to the existing landscape viewshed.

Findings:

Changes or alterations have been required in, or incorporated into, the project, that avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts

Mitigation efforts overlap with those for visual impacts, including more natural slope contouring (2:1), and minimal project lighting. Mitigation proposed for visual impacts is discussed below and in the Final EIR.

Use of the visual measures, such as the proposed plant palette, colored median barrier, wall/bridge treatments, and light fixtures, will ensure that the rural community character is maintained. The plant palette will consist of native trees, shrubs, and ground covers that are similar in composition to the adjacent vegetation communities. These will be developed with the Caltrans District -11 landscape architect and biologist. The plant palette will be consistent with native vegetation on the hillsides, and will include vegetation such as California sagebrush, (*Artemisia californica*) coyote bush (*Baccharis pilularis*), bush sunflower (*Encelia californica*), toyon (*Heteromeles arbutifolia*), and lemonadeberry (*Rhus integrifolia*). Vegetation such as California sycamore (*Platanus racemosa*), western cottonwood (*Populus fremontii*), and willow species (*Salix* spp.) will be planted along the riverbed. Small spaces within developed, urbanized areas will be landscaped with noninvasive ornamental plant materials. The size of the material selected will be large enough to visually reduce the scale of the highway improvements.

Mitigation for both temporary and permanent impacts will have management and monitoring plans to further ensure that all the vegetation types are self-sustaining over the long-term. Additional measures to further reduce impacts include the use of sustainable landscape treatments, replacement plantings, and sufficient maintenance and irrigation for landscaping. These additional measures are described in the Final EIR.

Visual/Aesthetics

Adverse Environmental Effects:

The Preferred Alternative will result in moderate visual impacts, primarily due to the extent of landform modification to the steep hillsides along the north side of SR-76 between Gird Road and Old Highway 395. Major grading operations and resulting landform alterations will contrast with the existing visual environment. In addition, paving and construction of road segments into areas south of the current SR-76 corridor will introduce a new portion of the transportation corridor. Construction will also result in removal of a variety of vegetation types, including mature trees and substantial masses of plant material. These impacts to the existing visual environment are considered significant before mitigation.

Findings:

Changes or alterations have been required in, or incorporated into, the project, that avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Caltrans will mitigate for impacts to the existing visual environment with the following measures:

- Existing scenic and visual resources will be preserved to the maximum extent possible, which includes preservation of existing mature trees, shrubs, and groundcover along the north side of SR-76.
- Sustainable landscape treatment will be designed to help reinforce and maintain the rural and riparian character of the project area, minimize the adverse visual impacts resulting from construction, provide visual cohesion, and control erosion. Landscape design will reflect existing natural tree and shrub massing while softening and enhancing the project area. Large tree and shrub masses will be used for maximum visual effect. Straight lines associated with formal street landscape planting design will be avoided.
- Replacement plantings of the same species will occur in areas where mature trees and shrubs will be removed during construction.
- Sustainable plant material that can be readily established with an extended plant establishment period and limited irrigation will be used. The plant palette will consist of native trees, shrubs, and ground covers that are similar in composition to the adjacent habitats and that reinforce the landscape concept. This plant palette will be consistent with native vegetation on the steep hillsides and along the riverbed. Small spaces within developed, urbanized areas may be landscaped with noninvasive ornamental plant materials. The size of the material selected will be large enough to visually reduce the scale of the widened highway improvements.
- Caltrans will use sensitive design of landform alteration to achieve natural-appearing slopes, to soften long or high slope banks, and to reduce visual scarring of the existing terrain.
- While standard highway grading techniques are designed to meet engineering requirements, contour grading shall be used to create a finished grade that blends the construction into the surrounding landscape. Contour grading shall be employed to construct subtly undulating landforms while minimizing the usual straight cut and fill manufactured slopes typical of much highway construction.
- Grading will result in land surfaces that reflect the naturally occurring contours prior to the alteration or that suggest natural terrain that is rounded and nonplanar. Slopes will have variable gradients and undulate to simulate a natural slope. For instance, slopes may range from 2:1 to 4:1 in some areas, while

slopes steeper than 2:1 may be considered in others. Tops of cut slopes and where constructed slopes join natural grades will be rounded to make a more naturally appearing transition. Rounding will also be employed at the toe of fill slopes to help blend the slope with the existing terrain.

- Blasting and cutting through granite and other rock will be sculpted in a way to achieve a rough, irregular, naturally appearing surface. Smooth, uniform cutting will be avoided in favor of blasting. Planting pockets and irregular stepped slopes will be created to provide opportunities for successful natural-appearing revegetation. Any existing rock outcroppings will remain in place when possible. Slope molding and rock cut sculpting will be integral to the clearing and grading construction operations. Large rocks will be left in place and graded around with varying slopes. Rock surfaces exposed after blasting or cutting will be coated with a desert varnish (rock staining) to create an aged effect.

Additional mitigation measures have been identified in the Final EIR/EIS prepared for the project that will further reduce impacts to the existing visual environment. These include measures to address specific roadway elements such as the future Park and Ride facility, exposed rock, rock slope protection, walls, bridges, fences, pavement, barriers and guardrails, and lighting.

Hydrology and Floodplain

Adverse Environmental Effects:

The Preferred Alternative will result in five longitudinal floodplain encroachments into the San Luis Rey River floodplain, totaling 55.9 acres. The Preferred Alternative will have an impact to the water surface elevation (WSE) of the 100-year floodplain equal to a maximum increase of 3 inches. According to the Federal Emergency Management Agency (FEMA), any increase in the WSE of less than 1 foot is considered “low risk,” and the Preferred Alternative will not result in a substantial encroachment on the floodplain or have any substantial surface water elevation risks associated with its implementation.

Findings:

Changes or alterations have been required in, or incorporated into, the project, to avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

The Preferred Alternative was designed to avoid encroachments into the floodplain to the maximum extent practicable, and it includes cross culverts under the highway to convey flow from the creeks north of the project to the San Luis Rey River. The culverts will be designed without headwaters rising above an elevation that will cause undesirable backwater depths or outlet velocities. The cross culverts will be used along the roadway to facilitate drainage and wildlife movement. The 40 proposed cross

culverts will be constructed using pipe materials per recommendations from Caltrans District 11 Materials Lab. These features will vary in width from approximately 2 to 32 feet, and will range in height from 2 to 10 feet.

Paleontology

Adverse Environmental Effects:

The Preferred Alternative has the potential to impact paleontological resources during earthwork activities, such as mass grading and/or trenching operations, that could cut into the geological deposits (formations) within which fossils are buried. These direct impacts have the potential of physical destruction of fossil remains. Since fossils are the remains of prehistoric animal and plant life, they are considered nonrenewable. The Preferred Alternative crosses geologic deposits assigned as zero, minor, and major paleontological resource sensitivity. Deposits of zero sensitivity occur along the slopes of the mountains adjacent to the existing SR-76 alignment. Deposits of minor sensitivity occur across the entire floor of the San Luis Rey River Valley. Deposits of major sensitivity occur in the vicinity of Flowerwood Lane; at the intersection of Gird Road and SR-76; and in the vicinity of Pala Mesa at the SR-76/Interstate 15 (I-15) interchange. Impacts to paleontological resources are considered significant before mitigation.

Findings:

Changes or alterations have been required in, or incorporated into, the project, that avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Caltrans will mitigate for impacts to paleontological resources by developing and implementing a Paleontological Mitigation Plan (PMP). Once specific design layouts for project elements are available, details of the areas where mitigation is specifically required will be called out in a final PMP. Elements of the PMP will include the following:

- A qualified paleontologist will be at the preconstruction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues. (A qualified paleontologist is defined as an individual with an M.S. or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques, who is knowledgeable in the geology and paleontology of San Diego County, and who has worked as a paleontological mitigation project supervisor in the region for at least one (1) year.)
- A paleontological monitor will be on-site on a full-time basis during the original cutting of previously undisturbed deposits of moderate sensitivity paleontological resources (Pleistocene older alluvial deposits) to inspect exposures for contained

fossils. (A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials. The paleontological monitor will work under the direction of a qualified paleontologist). As grading progresses, the qualified paleontologist and paleontological monitor will have the authority to reduce the scope of the monitoring program to an appropriate level if it is determined that the potential for impacts to paleontological resources are lower than anticipated.

- When fossils are discovered, the paleontologist (or paleontological monitor) will recover them. In most cases this fossil salvage can be completed in a short period of time. However, some fossil specimens (such as a complete large mammal skeleton) may require an extended salvage period. In these instances, the paleontologist (or paleontological monitor) will make a request to the Resident Engineer to temporarily divert, or halt grading to allow recovery of fossil remains in a timely manner. Because of the potential for the recovery of small fossil remains, such as isolated mammal teeth, it may be necessary to set up a screen washing operation on the site.
- During the monitoring and recovery phases of the PMP, the qualified paleontologist and/or paleontological monitor will routinely collect stratigraphic data (e.g., lithology, vertical thickness, lateral extent of strata, nature of upper and lower contacts, and taphonomic character of exposed strata). Collection of such data is critical for providing a stratigraphic context for any recovered fossils.
- Fossil remains collected during monitoring and salvage will be cleaned (removal of extraneous enclosing sedimentary rock material), repaired (consolidation of fragile fossils and gluing together broken pieces), sorted (separating fossils of the different species), and cataloged (scientific identification of species, assignment of inventory tracking numbers, and recordation of these numbers in a computerized collection database) as part of the mitigation program.
- A curation agreement will be prepared as part of the mitigation program and the recovered materials along with copies of all pertinent field notes, photos, and maps, will be deposited in an approved repository for curation.
- A final summary report will be completed that outlines the results of the mitigation program. This report will include discussions of the methods used, stratigraphic section(s) exposed and documented, fossils collected, and significance of recovered fossils.

Hazardous Waste/Materials

Adverse Environmental Effects:

Construction of the Preferred Alternative is likely to encounter petroleum hydrocarbons and MTBE in groundwater and possibly soil contamination at a depth of at least 6 feet near the existing ExxonMobil service station located on the northeast corner of Old Highway 395 and SR-76. Due to underground storage tanks, contaminated groundwater is migrating from the existing station to the southeast in the direction of the

project site. The lateral and vertical extent of the contamination southeast of the station has not been determined to date. Contamination may have migrated across the existing SR-76 highway onto the property that has been proposed for construction of a future Park and Ride facility. Portions of the proposed highway construction include traffic signals, which require signal pole placement and footings for the signal poles will encounter groundwater.

The Preferred Alternative will include demolition of portions of the existing SR-76 bridge structure overcrossing I-15, which may contain asbestos and lead-based paint. It will also involve disturbance of traffic striping and thermoplastic pavement markings and striping within the boundaries of the project site that may contain hazardous materials.

The Preferred Alternative will be constructed passing through parcels associated with agricultural uses that possibly have involved the application of pesticides to surface soils.

Findings:

Changes or alterations have been required in, or incorporated into, the project, that avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Caltrans will mitigate for possible impacts associated hazardous waste/materials with the following:

- A limited hazardous waste study will be performed for potentially elevated levels of petroleum hydrocarbon and MTBE contamination within the limits of proposed construction, and/or right-of-way acquisition, adjacent to the existing ExxonMobil gas station. If contaminated soils and/or groundwater are encountered within the areas proposed for construction, the soils and/or groundwater will require chemical characterization and subsequent disposal at an appropriate landfill or reuse as fill material prior to/during construction in accordance with federal, state, and local regulations. If dewatering is performed in this area, an NPDES permit will be required for discharge of water (Order No. R9-2008-0002, NPDES No. CAG919002).
- Asbestos surveys and lead-based paint surveys will be conducted by a certified consultant prior to any modification to, or demolition of, the existing SR-76 bridge structure overcrossing I-15. If asbestos and/or lead-based paint are encountered on any bridge components, such materials will be properly handled and removed by a qualified abatement company and contained, labeled, and disposed of off-site at a solid waste disposal facility designated to accept lead and asbestos waste.
- To avoid impacts from pavement striping during construction testing of paint striping and/or markings for the presence of lead and other heavy metals will be

performed prior to construction. Any paint stripings and/or markings found to contain heavy metals will be removed and disposed of in accordance with Caltrans Standard Special Provisions.

- A preliminary investigation and screening will be performed for potentially elevated levels of pesticides and/or herbicides within the areas of right-of-way acquisition on Assessor Parcel Numbers (APNs) 125-080-18-00, 125-080-19-00, and 125-090-36-00 to the full depth of planned construction activities prior to demolition/improvement activities involving soil disturbance. If potentially elevated levels of pesticides and/or herbicides are found within the areas of right-of-way acquisition, chemical characterization of the soils will be performed and the soils will be disposed of at an appropriate landfill or reused as fill material prior to/during construction in accordance with federal, state, and local regulations.
- The potential exists for unknown hazardous contamination to be revealed during project construction. For any previously unknown hazardous waste/material encountered during construction, the procedures outlined in *Caltrans Hazards Procedures for Construction* will be followed.

Development and implementation of a site-specific Health and Safety Plan and Excavation/Remediation Plan will be implemented for these and other hazardous waste issues, including gas utilities, treated wood, leaks from electrical transformers, and any other hazardous wastes or materials encountered during construction.

Natural Communities

Natural Communities include wetland and riparian habitat, upland vegetation communities, and wildlife corridors.

Adverse Environmental Effects:

Wetland and Riparian Vegetation

The Preferred Alternative will impact wetland and riparian vegetation including disturbed wetlands, coastal and valley freshwater marsh, mule fat scrub, southern cottonwood willow riparian forest, southern willow scrub and open water.

Upland Vegetation Communities

The Preferred Alternative will impact upland vegetation communities including coast live oak woodland, Diegan coastal sage scrub; disturbed Diegan coastal sage scrub and nonnative grassland.

Wildlife Corridors

The Preferred Alternative will impact the San Luis Rey River regional wildlife corridor and local wildlife corridors. The impacts will result from the loss of habitats that

contribute to the corridors, reduction or fragmentation of habitat connectivity, reduction of corridor width, and increased edge effects. The majority of the Preferred Alternative will continue to be located within the transitional area between upland and riparian habitat and will widen the existing barrier to local wildlife movement. Impacts to wildlife corridors are considered significant before mitigation.

Findings:

Changes or alterations have been required in, or incorporated into, the project, that avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Wetland and Riparian Vegetation

Caltrans has identified three mitigation sites for impacts to riparian and wetland communities, and has agreed upon mitigation ratios with the resource agencies. These ratios are reflected on Table 1. Compensation for impacts to wetland and riparian vegetation will occur on portions of the total acreage available for mitigation at these three sites, as discussed below.

- The 33.75-acre Tabata property is located adjacent to the SR-76 Melrose to South Mission Highway Improvement Project footprint, south of SR-76 and east of Camino Del Rey. The majority of the parcel is southern cottonwood-willow riparian forest habitat. Additional areas include disturbed habitat and an abandoned agricultural field. The riparian area is degraded by arundo and tamarisk. Of the 33.75-acre parcel, approximately 7.3 acres of riparian forest will be created and 15.4 acres of riparian forest will be restored. The remaining 11.1 acres of the parcel will be used to build a portion of the SR-76 Melrose to South Mission Highway Improvement Project.
- The 162-acre Vessels Ranch Biological Mitigation Site has approximately 87.7 acres available for riparian creation, and 22.9 acres available for riparian restoration and enhancement.
- The Jeffries Ranch property is located adjacent to the SR-76 Melrose to South Mission Highway Improvement Project footprint south of SR-76 and west of East Vista Way. The parcel has been identified for off-site mitigation for impacts to riparian and wetland habitat. This property has approximately 2 acres of riparian forest and scrub, 56 acres of coastal sage scrub, 9 acres of coast live oak woodland, and 41 acres of nonnative grassland. These habitats will be restored or preserved.

Table 1
Impacts to Wetland and Riparian Vegetation

Vegetation Communities and Cover Type	Total Area within the BSA (acres)	Project Impacts (acres)					Total Indirect Impacts (mitigated at 1:1)
		Permanent Impacts	Mitigation Ratios and Acres for Permanent Impacts	Temporary Impacts (mitigated on-site at 1:1)	Indirect Impacts (300-foot buffer) ^a	Noise ≥ 60 dBA (beyond 300-foot buffer)	
<i>Riparian and Wetlands</i>							
Disturbed Wetland (Arundo Scrub)	8.52	0.63	1:1 = 0.63 restoration	0.31	0.18	0.25	0.43
Coastal and Valley Freshwater Marsh	2.86	0.06	3:1 = 0.18 creation	0.05	0.01	0	0.01
Elderberry Scrub	6.93	0.0	0	0.0	0.21	0.15	0.36
Mulefat Scrub	23.88	5.36	3:1 = 16.08 5.36 creation; 10.72 restoration	0.93	0	0	0
Southern Cottonwood-Willow Riparian Forest	507.08	22.58	3:1 = 67.8 22.6 creation; 45.2 restoration	7.73	7.33	20.30	27.63
Southern Willow Scrub	73.86	3.99	3:1 = 11.97 3.99 creation; 7.98 restoration	1.49	4.15	3.11	7.26
Tamarisk Scrub	1.21	0.0	0	0.0	0	0	0
Open Water (San Luis Rey River)	10.29	0.01	3:1 = 0.03 0.01 creation; 0.02 restoration	0.09	0.08	1.20	1.28
<i>Riparian and Wetlands Total</i>	634.63	32.65	96.69 = 32.14 creation; 64.55 restoration	10.6	11.96	25.01	36.97

^a Impacts to wetland and riparian vegetation are considered significant before mitigation.

BSA=biological study area; dBA=A-weighted decibels

Additional mitigation measures have been identified in the Final EIR/EIS that will further reduce impacts to sensitive resources. These mitigation measures will be incorporated into project implementation via preconstruction meetings, contractor awareness programs, and temporary fencing and signage for all sensitive resource areas immediately adjacent to the project footprint. Biological monitors will be present during construction activities adjacent to wetlands and all construction activities will adhere to standard best management practices (BMPs) that will be implemented during construction activities.

Upland Vegetation Communities

Caltrans has acquired properties along SR-76 and within the San Luis Rey watershed as potential mitigation sites for impacts resulting from proposed projects. The mitigation sites have been identified in regional planning efforts as important to the conservation of sensitive species and to the buildout of the preserve identified in the Draft North County Multiple Species Conservation Plan (NCMSCP) and City of Oceanside Subarea Plan within the Multiple Habitat Conservation Plan (MHCP) area. Mitigation ratios for impacts to upland vegetation communities are listed on Table 2 below, and have been agreed upon by the resource agencies. Impacts will be mitigated both onsite (typically at a 1:1 ratio for temporary impacts) and offsite at various ratios.

- The Groves property is located at the southwest corner of SR-76 and Olive Hill Road in the community of Bonsall. This site is entirely composed of upland vegetation types. A majority of the area contains designated critical habitat for the threatened coastal California gnatcatcher. Approximately 55.87 acres of coastal sage scrub occurs on-site. This property also consists of about 9.67 acres of coast live oak woodland and 12.69 acres of nonnative grassland. The site will be preserved in perpetuity and will have controlled access. The Groves property also has 2.51 acres of land available for preservation of coast live oak woodland, 55.89 acres available for mitigation of impacts to coastal sage scrub, and 12.69 acres available for mitigation of impacts to nonnative grassland.
- The 162-acre Vessels mitigation site has approximately 3.03 acres available for creation of coast live oak woodland and 46.37 acres for mitigation of impacts to nonnative grassland.

Wildlife Corridors

The Preferred Alternative was designed to minimize road mortality and adverse effects to wildlife movement. Wildlife crossings beneath the roadway will permit movement between habitats. Their design will provide suitable environmental conditions (soil, vegetation, lighting, and height/width) to encourage use. The project includes two large crossings, five medium crossing, six small crossings, and seven wildlife escapes. Such crossings will include directional fencing and be located where natural landscape and habitat connectivity indicate probable directional wildlife movement. Drainage structures will be used as undercrossings and suitably designed. Additionally, movement of wildlife across roadways will be discouraged where suitable habitat does not exist on the other side. Wildlife will be directed to areas identified in the Draft NCMSCP as Pre-Approved Mitigation Areas (PAMAs). Wildlife will not be directed into developed areas. A complete list of all avoidance, minimization, and/or mitigation measures that will be implemented for impacts to wildlife corridors are detailed in the United States Fish and Wildlife Service (USFWS) Biological Opinion for this project.

Table 2
Impacts to Upland Vegetation Communities

Vegetation Communities and Cover Type	Total Area within the BSA (acres)	Project Impacts (acres)					Total Indirect Impacts (mitigated at 1:1)
		Permanent Impacts	Mitigation Ratios and Acres for Permanent Impacts	Temporary Impacts (mitigated on-site at 1:1)	Indirect Impacts (300-foot buffer) ^a	Noise ≥ 60 dBA (beyond 300 foot buffer)	
Coast Live Oak Woodland	20.76	2.09	2:1 = 4.18	0	1.36	0	1.36
Diegan Coastal Sage Scrub	138.91	0.54	2:1 = 1.08	1.83	0	1.93	1.93
Diegan Coastal Sage Scrub (Disturbed)	68.67	6.35	2:1 = 12.7	1.66	0.13	2.63	2.76
Nonnative Grassland	396.43	27.14	Total = 26.88 1:1 toad habitat = 26.61; 0.5:1 other = 0.27	20.72	27.18	40.30	67.48
Valley Needlegrass Grassland (native)	3.46	0.0	0	0.0	0.0	0	0
Uplands Total	628.23	36.12	44.84	24.21	28.67	44.86	73.53

^a Impacts to upland vegetation communities are considered significant before mitigation. BSA=biological study area; dBA=A-weighted decibels

Wetlands and Other Waters

Adverse Environmental Effects:

The Preferred Alternative will permanently impact 32.52 acres of US Army Corp of Engineers (USACE) and California Department of Fish and Game (CDFG) jurisdictional waters. These impacts are summarized on the table below. Permanent impacts to jurisdictional waters of the State are considered significant before mitigation.

Table 3
Impacts to Jurisdictional Waters

	Permanent Impacts	Temporary Impacts	Indirect Impacts
<i>USACE and CDFG Jurisdictional Waters</i>	4.61	3.99	11.75
<i>CDFG Jurisdictional Waters</i>	27.91	6.22	0.21
Total	32.52	10.21	11.96

Findings:

Changes or alterations have been required in, or incorporated into, the project, that avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Statement of Facts:

Unavoidable impacts to USACE and CDFG wetlands require compensatory mitigation. Temporary impacts to USACE and CDFG jurisdictional waters will be compensated at a 1:1 ratio with on-site restoration of the same habitat type that was temporarily disturbed. Indirect impacts will be compensated at a 1:1 ratio with off-site restoration of the same habitat that was indirectly disturbed. Permanent impacts to USACE and CDFG jurisdictional wetlands will be mitigated at off-site mitigation sites through a combination of creation, restoration, and enhancement. Mitigation for impacts to wetlands will occur at the Tabata and Vessels properties, which are described above.

All impacts to wetlands will be compensated at a 1:1 ratio, except permanent impacts to vegetated wetlands will be compensated at a 3:1 mitigation ratio with no net loss.

Additional measures to further avoid and reduce impacts to these resources are described in the Final EIR.

Animal Species

Adverse Environmental Effects:

The Preferred Alternative will result in direct, indirect, permanent, and temporary impacts to suitable riparian and upland habitat that supports special-status wildlife species. The Preferred Alternative will result in direct and indirect impacts to special-status species from the permanent loss of individuals during construction activities; temporary increase in erosion, sedimentation, and pollution runoff; and the temporary or permanent loss of habitat necessary to support these species, during construction activities and after the expansion and realignment of the highway. Indirect impacts will also occur from an increase in noise levels and artificial night lighting during construction activities.

Riparian vegetation in the biological study area is known to support sensitive species such as the western spadefoot toad, two-striped garter snake, Cooper's hawk, yellow warbler, yellow breasted chat, white-faced ibis, and mountain lion. Upland vegetation is known to support sensitive species such as the silvery legless lizard, San Diego coast horned lizard, orange-throated whiptail, Coronado skink, northern red-diamond rattlesnake, northern harrier, white-tailed kite, California horned lark, loggerhead shrike, grasshopper sparrow, southern California rufous-crowned sparrow, American badger, southern mule deer, and San Diego pocket mouse. There were an additional four species detected in the BSA during migration or wintering, but they are not likely to breed within the BSA. These are Swainson's hawk, ferruginous hawk, sharp-shinned hawk, and vermilion flycatcher. Consequences on the fishery resources, will include permanent, temporary and indirect impacts to instream habitat, freshwater marsh, disturbed wetlands and associated riparian areas. These potential impacts to animal species are considered significant before mitigation.

Findings:

Changes or alterations have been required in, or incorporated into, the project, that avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Mitigation for impacts to species habitats will be met through the proposed mitigation measures for Diegan coastal sage scrub, riparian habitat, and wetland vegetation.

All vegetation within the construction limits will be cleared outside the breeding season to avoid impacts to the following species:

- coastal California gnatcatcher: February 15 through August 31
- least Bell's vireo: March 15 through September 15
- southwestern willow flycatcher: May 1 through September 15
- arroyo toad: March 15 through July 31

If activities must occur during those timeframes, a mandatory preconstruction survey by a qualified biologist will be conducted to ensure that no nesting birds are present within the proposed work area. Should nest sites be located, appropriate measures may include designation of the location as an ESA and delaying/restricting project activities until nesting/fledging is completed.

Permanent noise effects from operations will be mitigated through compensatory mitigation as determined through consultation and discussions with state and federal wildlife agencies. Pile driving and blasting associated with construction will be conducted September 16 through February 14, which is outside of the bird breeding season. When construction activities occur during the breeding season, temporary noise walls will be installed and maintained around the perimeter of the construction limits, as determined necessary by the project biologist, to minimize effects to nesting animal species.

During any nighttime construction, all project lighting will be directed at the roadway or the construction site and away from sensitive habitats. Light glare shields may also be used to reduce the extent of illumination onto adjoining areas.

Additional mitigation measures for impacts to wildlife species are detailed in the Biological Opinion (BO) prepared for the project.

Threatened and Endangered Species

Threatened and endangered species and their critical habitat impacted by the project include California coastal gnatcatcher, least Bell's vireo, southwestern willow flycatcher, arroyo toad, and San Diego ambrosia.

Adverse Environmental Effects:

Coastal California Gnatcatcher and Critical Habitat

The Preferred Alternative will impact up to four individual (two pairs) coastal California gnatcatchers. Additionally, the proposed project is located within and adjacent to Designated Critical Habitat Unit 5 for coastal California gnatcatcher. The Preferred Alternative will impact gnatcatcher critical habitat as follows: permanent direct impacts to 41.79 acres, temporary direct impacts to 30.19 acres, and indirect impacts to 31.92 acres.

Least Bell's Vireo and Critical Habitat

The Preferred Alternative will result in permanent direct impacts to up to six individual (three pairs) least Bell's vireos and indirect impacts to 11 individual (approximately six territories) least Bell's vireos. Additionally, the project is located within the San Luis Rey area of designated critical habitat for least Bell's vireo. The Preferred Alternative will result in impacts to least Bell's vireo critical habitat as follows: permanent direct impacts to 63.15 acres, temporary direct impacts to 32.6 acres, and indirect impacts to 73.72 acres.

Southwestern Willow Flycatcher and Critical Habitat

The Preferred Alternative will result in indirect impacts to four individual (two pairs) southwestern willow flycatchers. Additionally, the project is located within the San Diego Management Unit of the Coastal California Recovery Unit of southwestern willow flycatcher critical habitat. The Preferred Alternative will result in impacts to southwestern willow flycatcher critical habitat as follows: permanent direct impacts to 37.13 acres, temporary direct impacts to 10.93 acres, and indirect impacts to 56.36 acres.

Arroyo Toad and Critical Habitat

The Preferred Alternative will result in permanent direct impacts to up to four individual arroyo toads, temporary impacts to two individual arroyo toads, and indirect impacts to eight individual arroyo toads. Additionally, the project is located within designated arroyo toad Critical Habitat Unit 14. The Preferred Alternative will result in impacts to arroyo toad critical habitat as follows: permanent direct impacts to 77.98 acres, temporary direct impacts to 64.27 acres, and indirect impacts to 102.07 acres.

San Diego Ambrosia and Critical Habitat

The Preferred Alternative will result in less than 0.01 acre of permanent direct impacts to occupied ambrosia habitat. The Preferred Alternative will not result in any temporary direct impacts or indirect impacts to occupied ambrosia habitat. Additionally, the project is located in and adjacent to designated ambrosia Critical Habitat Unit 4, Subunits 4A and 4D. The Preferred Alternative will result in impacts to San Diego ambrosia critical

habitat as follows: 1.5 acres of permanent direct impacts, temporary direct impacts to 0.60 acre, and indirect impacts to 2.06 acres.

Findings:

Changes or alterations have been required in, or incorporated into, the project, that avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statement of Facts:

Coastal California Gnatcatcher and Critical Habitat

Caltrans will mitigate for impacts to the coastal California gnatcatcher and its critical habitat by preserving 90.79 acres of gnatcatcher critical habitat on the Groves and Tabata properties, which are located almost entirely within Unit 5 of designated gnatcatcher critical habitat. In addition, although it is currently highly disturbed and was not included within the critical habitat designation, Caltrans has proposed to conserve and restore the 162-acre Vessels property. This preservation will occur directly adjacent to gnatcatcher critical habitat along the San Luis Rey River, helping to maintain gnatcatcher dispersal through Unit 5. Further, Caltrans has agreed to restore all of the project's temporary impact areas with native species, with the exception of small areas adjacent to landscaped or developed areas where planting native species will provide little or no biological value. This will include extensive areas that are currently vegetated with non-native species, including the SR-76/I-15 interchange, which is located at a pinch point within the critical habitat linkage. The proposed conservation and restoration will help maintain the functions of Unit 5 to support core gnatcatcher populations and provide connectivity between gnatcatchers in San Diego and Riverside counties.

Additional mitigation measures for impacts to the coastal California gnatcatcher and their critical habitat are provided in the Final EIR and also provided in the BO prepared for the project.

Least Bell's Vireo and Critical Habitat

Caltrans will mitigate for impacts to the least Bell's vireo and its critical habitat through the creation of 95 acres of riparian vegetation and the restoration of 38.3 acres on the Tabata and Vessels properties, resulting in a net increase in riparian vegetation in the San Luis Rey River area. In addition, the conservation of 184.7 acres of least Bell's vireo critical habitat, including all restored and created riparian habitat, will help maintain the long-term viability of vireo critical habitat in the San Luis Rey River area and the ability of this critical habitat unit to support a core population of least Bell's vireo.

Additional mitigation measures for impacts to the least Bell's vireo and their critical habitat are provided in the Final EIR and in the BO prepared for the project.

Southwestern Willow Flycatcher and Critical Habitat

Caltrans will mitigate for impacts to the southwestern willow flycatcher and its critical habitat through the conservation of 102.1 acres of southwestern willow flycatcher critical habitat. Caltrans will mitigate for impacts through the creation of 95 acres of riparian vegetation and the restoration of 38.3 acres on the Tabata and Vessels properties. Some of the proposed riparian restoration and creation is within the critical habitat unit, and some is outside, but contiguous with, the critical habitat boundaries. All of the conservation, restoration, and creation on the Tabata and Vessels properties will contribute to the goals of maintaining a large population of southwestern willow flycatchers and providing population connectivity within the San Diego Management Unit of southwestern willow flycatcher critical habitat.

Southwestern willow flycatcher and least Bell's vireo require similar habitat. Therefore, mitigation measures described for least Bell's vireo will be applicable to the southwestern willow flycatcher as well.

Arroyo Toad and Critical Habitat

Caltrans will mitigate for impacts to arroyo toad by conserving and restoring a total of 220.27 acres of arroyo toad critical habitat on the Groves, Tabata, and Vessels properties, which are located within the same critical habitat unit that is being affected by the project. Proposed restoration on the Vessels property, in particular, is anticipated to restore aquatic habitat for breeding and non-breeding activities and upland habitat for foraging and dispersal. Although the Vessels property contains upland habitat, recent surveys have been negative for the arroyo toad, likely because the San Luis Rey River channel is deeply incised as it passes the Vessels property, and the property is dominated by non-native grassland. The proposed restoration is anticipated to restore the identified primary constituent elements for arroyo toad critical habitat to this property by recontouring the channel to restore hydrology to the property and increase accessibility to arroyo toads.

An arroyo toad translocation monitoring program will be developed and implemented. Additional details on the arroyo toad translocation monitoring program are provided in the BO prepared for the project.

San Diego Ambrosia and Critical Habitat

Caltrans will mitigate for impacts to San Diego ambrosia by conserving and restoring approximately 20.89 acres of ambrosia critical habitat, as well as salvage and translocation of the species within the direct impact area. Within this acreage, there is approximately 0.28 acre on the Groves property occupied by the species, within the same critical habitat unit that is being affected by the project. The project will result in the conservation of 20 percent of Unit 4, consisting of 80 percent of Subunit 4B. In addition, Caltrans has agreed to restore all of the project's temporary impact areas with native species, with the exception of small areas adjacent to landscaped or developed

areas where planting native species will provide little or no biological value. This restoration is anticipated to improve the function of this critical habitat unit.

ESA fencing will be installed around the known population of San Diego ambrosia immediately north of the project to avoid impacts during construction.

Prior to construction, all ambrosia within the direct impact area (approximately 2,633 ramets on less than 0.01 acre) will be salvaged and translocated to the Morrison mitigation property, which is near the salvage location. The translocation will be implemented by a biologist with a history of translocating sensitive plant species. The locations where the ambrosia ramets will be transplanted have been approved following field review by the Carlsbad office of the USFWS. The translocated ambrosia population will be monitored for a minimum of 5 years to document success or failure of the translocation effort.

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 25-26, 2012

Reference No.: 2.2c. (8)
Action

From: BIMLA G. RHINEHART
Executive Director

Subject: **APPROVAL OF PROJECT FOR FUTURE CONSIDERATION OF FUNDING
MITIGATED NEGATIVE DECLARATION FOR THE DESCHUTES ROAD-FACTORY
OUTLETS DRIVE/INTERSTATE 5 INTERCHANGE MODIFICATIONS PROJECT
(RESOLUTION E-12-24)**

ISSUE:

Should the Commission, as a Responsible Agency, accept the Mitigated Negative Declaration (MND) for the Deschutes Road-Factory Outlets Drive/Interstate 5 Interchange Modifications Project (project) in Shasta County and approve the project for future consideration of funding?

RECOMMENDATION:

Staff recommends that the Commission accept the MND and approve the project for future consideration of funding.

BACKGROUND:

The City of Anderson (City) is the CEQA lead agency for the project. On January 5, 2010 the City adopted the MND and found that the project would not have a significant effect on the environment after mitigation.

The project is located in the city of Anderson in Shasta County. The project will construct a new northbound off-ramp from Interstate 5 (I-5) to Deschutes Road. The ramp will terminate in a modern roundabout intersection. The project will also construct a new retaining wall and mixed use path for pedestrians and bicyclists. Lighting and landscaping will be installed at the roundabout intersections.

Impacts that require mitigation measures to be reduced to a less than significant level relate to traffic, cultural resources, water quality and storm water run-off, soils, paleontology, air quality, and hazardous materials. Mitigation measures include, but are not limited to, spacing lane closures no closer than three miles in the same direction of travel to avoid traffic control conflicts; installing silt fencing or straw bale siltation barriers between the construction area and all Water of the United

States; fueling construction vehicles at fixed fueling stations; and watering all active unpaved construction areas to control fugitive dusts.

On March 30, 2012 the County confirmed that the preferred alternative set forth in the final environmental document is consistent with the project scope of work programmed by the Commission.

The project is estimated to cost \$7,275,000 and is programmed with State (\$5,000,000) funds and Local (\$2,275,000) funds. The project is proposed by sponsor for consideration of CMIA Savings. Construction is estimated to begin in fiscal year 2011/12.

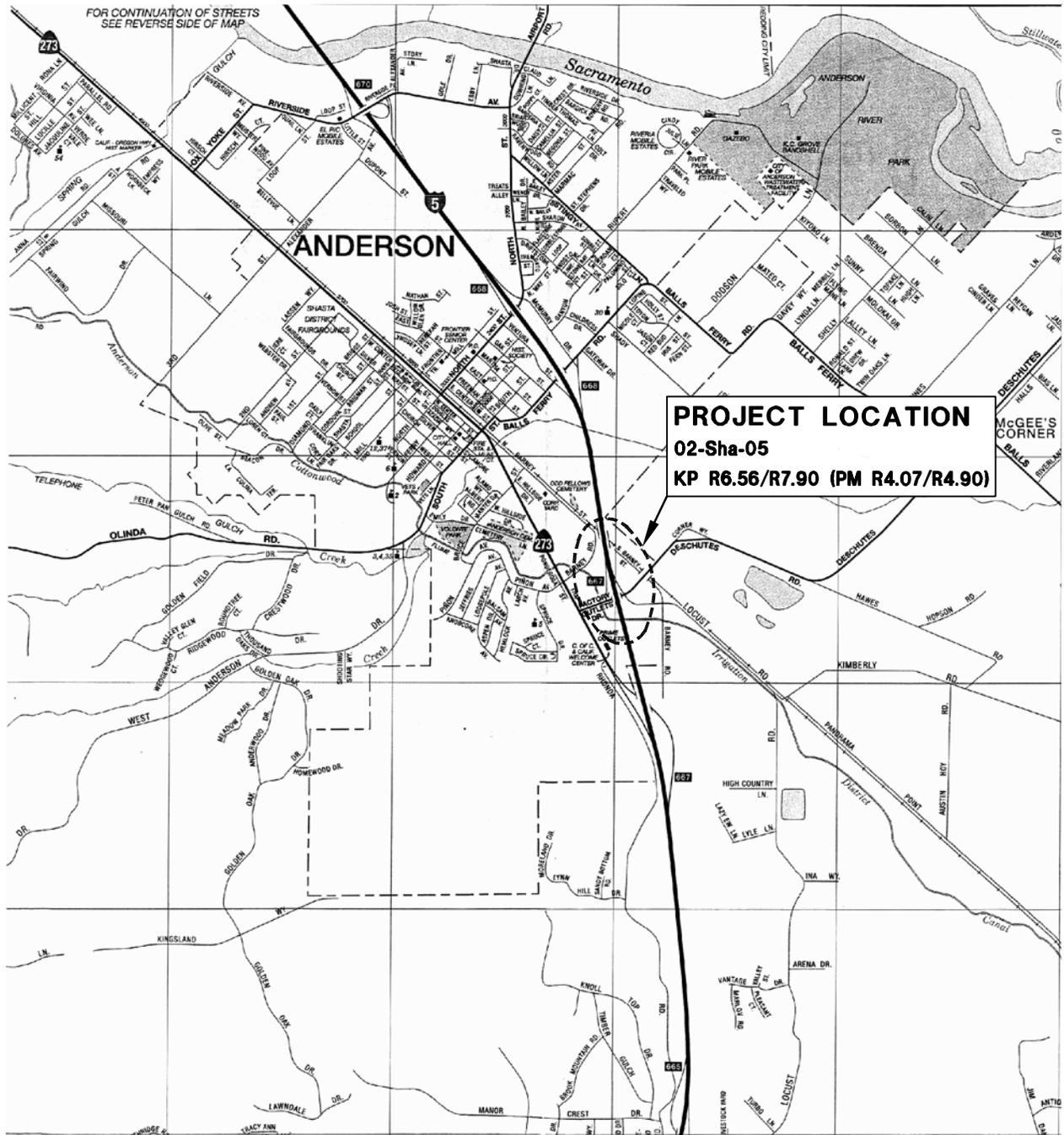
Attachment

- Resolution E-12-24
- Project Location

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of Funding 02 – Shasta County Resolution E-12-24

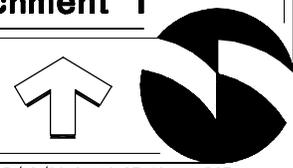
- 1.1 **WHEREAS**, the City of Anderson (City) has completed a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
 - Deschutes Road-Factory Outlets Drive/Interstate 5 Interchange Modifications Project
- 1.2 **WHEREAS**, the City has certified that the Mitigated Negative Declaration has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3 **WHEREAS**, the project will construct a new off-ramp that will terminate in a modern roundabout, construct a new retaining wall and mixed use path, and install lighting and landscaping at the roundabout intersection in the City of Anderson, Shasta County; and
- 1.4 **WHEREAS**, the California Transportation Commission, as a Responsible Agency, has considered the information contained in the Mitigated Negative Declaration; and
- 1.5 **WHEREAS**, the City found that all significant or potentially significant impacts can be reduced by mitigation measures to a less than significant level; and
- 1.6 **WHEREAS**, the City adopted the Mitigated Negative Declaration; and
- 1.7 **WHEREAS**, the City adopted a Mitigation Monitoring Reporting Program for the project.
- 2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby accept the Mitigated Negative Declaration and approve the above referenced project to allow for future consideration of funding.



Deschutes Road/Route 5 Interchange PSR/PR

Attachment 1

Location Map



Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.3a.(1)
Action item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Terry L. Abbott
Division Chief
Design

Subject: ROUTE ADOPTION – CONTROLLED ACCESS HIGHWAY, 6-KER-14 PM 57.8/62.0
RESOLUTION HRA 12-04

RECOMMENDATION:

Submitted for transmittal to the California Transportation Commission (Commission) are Highway Route Adoption Resolution HRA 12-04 and a route location map for State Highway Route (SR) 14. The California Department of Transportation (Department) recommends that the Commission approve the resolution and the route location map in accordance with the recommendation of the Acting Chief Engineer. The resolution grants approval of State highway route adoption of SR 14 in the county of Kern from Post Mile (PM) 57.8 to 62.0.

ISSUE:

The Department proposes to adopt a portion of SR 14 as a controlled access highway from 0.1 mile north of SR 178 West junction, south of the unincorporated rural community of Indian Wells, to 1.4 miles north of SR 178 East junction. A Project Report was approved on October 29, 2007. A Supplemental Project Report was approved on April 12, 2010 to phase the project into three segments to fully fund each segment. An Initial Study with Mitigated Negative Declaration was prepared for California Environmental Quality Act and the document was approved on October 3, 2007. No CEQA re-evaluation was required for the Supplemental Project Report.

Recommended by: _____
ROBERT PIEPLOW
Acting Chief Engineer

BACKGROUND:

The purpose of this route adoption is to designate the remaining segment of conventional highway for State Route (SR) 14 as a controlled access highway (expressway). The proposed route adoption was prepared by the Department with support from Kern County and Kern Council of Governments (KernCOG). This route adoption corresponds to the northern segment of the project referred to as the Freeman Gulch Four-Lane Project (PM 45.9 to 62.3) and runs through the unincorporated rural community of Indian Wells. The ultimate facility will be a four-lane divided controlled access highway with increased capacity and will improve traffic safety and operations of SR 14.

SR 14 traverses Los Angeles and Kern Counties and it is included in the California Freeway and Expressway System. It is functionally classified as a Rural Principal Arterial and is also included in the State Scenic Highway Master Plan north of Mojave. Through Kern County, SR 14 provides access to the communities of Mojave, California City, Inyokern, and Ridgecrest in addition to several other smaller rural communities. SR 14 connecting to SR 178 is the primary access to the Naval Air Weapons Station at China Lake in Ridgecrest, and SR 14 connecting to SR 58 provides the primary access to Edwards Air force Base.

The portion of SR 14 proposed for route adoption is a two-lane conventional highway, where as the portions directly south and north of the proposed route adoption are two-lane expressways. Just south of the proposed adoption segment, SR 14 was adopted by the California Highway Commission as a freeway in 1956 and denominated as a controlled access highway on March 30, 2012. Just north of the proposed adoption segment, SR 14 was adopted by the Commission as a controlled access highway on June 28, 1989.

SR 14 carries a high percentage of interstate travelers and about 21 percent of the Annual Average Daily Traffic consists of trucks. SR 14 north of Mojave is included in the Subsystem of Highways for the Movement of Extra Legal Permit Loads (SHELL), and is designated as part of the national network for larger trucks under the Federal Surface Transportation Assistance Act (STAA). This route is part of the National Highway System and is a High Emphasis Route in the Inter-Regional Road System.

The Freeman Gulch Four-Lane Project, consisting of a conversion to a four-lane expressway with a wide median, has been planned with the approval of a Project Study Report in 2001. The Project Report was approved on October 29, 2007 and the Initial Study with Mitigated Negative Declaration/Environmental Assessment with Finding of No Significance Impact was approved on October 3, 2007. A Supplemental Project Report that split the project into three segments was approved on April 12, 2010. The northern segment of this project, which includes the proposed route adoption and extends from 0.5 mile north of the SR 178 West junction to 1.7 miles north of SR 178 East junction (PM 58.3 to 62.3), is the first segment proposed to be constructed and programmed for construction capital.

The need and purpose for this project addresses lack of capacity, increasing safety concerns, and lack of continuity. Significant development is occurring at both ends of the SR 14/US 395

corridors resulting in increased traffic volume. SR 14 is currently operating at a Level of Service (LOS) of C within the project limits and if no improvements are made to this segment, the LOS is projected to drop to undesirable levels. The concept (20 year) Level of Service for this route is a LOS B. With regard to safety, increased traffic has increased the potential for high-speed accidents along mainline SR 14 caused primarily by vehicles attempting to turn onto SR 14, from the East and West SR 178 connections, with insufficient clear distance and are struck by higher speed through traffic. Increased traffic and the lack of a passing lane can be expected to contribute to increased head-on type accidents as well. Finally, the conversion to a four-lane expressway is also needed to achieve route continuity and match the existing four-lane facility that runs throughout the rest of the route.

Involvement of the local rural community, City of Ridgecrest, Kern County, and KernCOG has been essential in developing the project. During the development of the Project Report and Initial Study with Mitigated Negative Declaration (ISMND) the Department worked closely with the public entities and general public to evaluate alternatives. The Draft ISMND was released for public review during 2006. An opportunity for a public hearing was provided but through the Department's efforts in resolving a few public comments no public hearing was necessary.

Following the completion of this project, SR 14 will be a continuous 4-lane facility along its entire length from its beginning at Interstate 5 in Los Angeles County to US 395 in Kern County. It should be noted that the portion of SR 14 covered by this project is the last segment of the route that has not been converted to a 4-lane facility. This project will greatly enhance the continuity of this route and provide a continuous 4-lane expressway from Interstate 5 through Kern County and along SR 395 up to near Olancho in Inyo County (a distance of 150 miles).

This request is for the controlled access highway Route Adoption. This route adoption will allow for the execution of a controlled-access highway agreement (CAHA) with Kern County. A concurrent environmental action is on this month's agenda, (see Resolution E-12-21).

Attachments:

- Resolution HRA 12-04
- Location Map
- Route Adoption Map

CALIFORNIA TRANSPORTATION COMMISSION
Highway Route Adoption Resolution
06-Ker-14 PM 57.8/62.0

Resolution HRA 12-04

WHEREAS, the California Department of Transportation (Department) and Kern County jointly request approval of this Route Adoption as State Highway; and

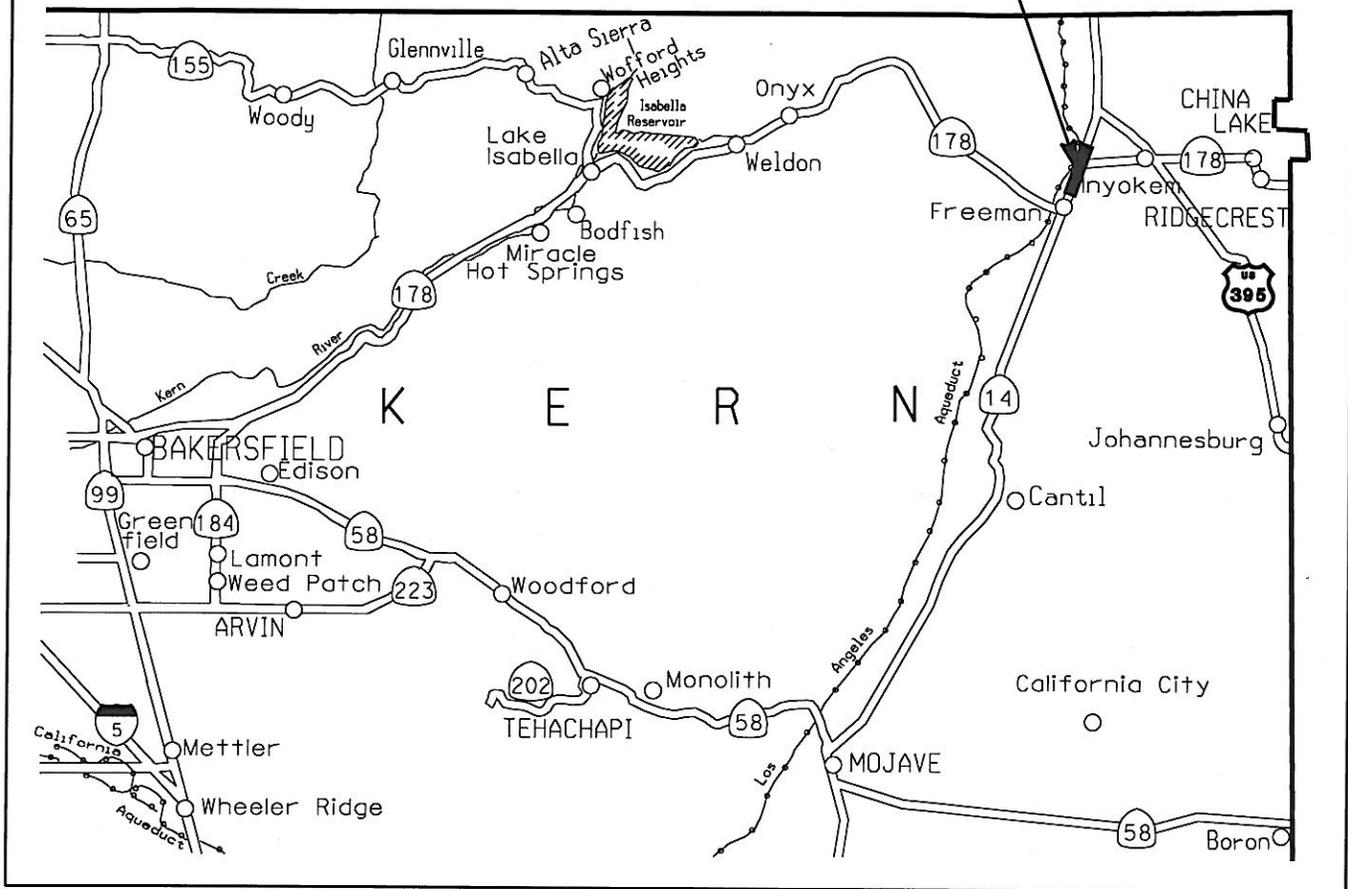
WHEREAS, an Initial Study with Mitigated Negative Declaration was prepared for California Environmental Quality Act and the document was approved on October 3, 2007; and

WHEREAS, the Project Report recommending the Route adoption was approved on October 29, 2007 and a Supplemental Project Report was approved on April 12, 2010 to phase the project into three segments to fully fund each segment.

NOW, THEREFORE, BE IT RESOLVED by the California Transportation Commission (Commission) that pursuant to the authority vested in it by law, this Commission does hereby select, adopt, and determine the location of that segment of State Highway Route 14 from 0.1 mile north of SR 178 West junction to 1.4 miles north of SR 178 East junction, in the county of Kern, and officially designate it as 06-KER-14, a Controlled Access Highway, as said location is shown on the Route Adoption map submitted by Terry L. Abbott, Chief Design Engineer; and

BE IT FURTHER RESOLVED that this Commission has found and determined and hereby declares that such location of said State highway is for the best interest of the State.

ROUTE TO BE ADOPTED



**A CONTROLLED
ACCESS HIGHWAY
ROUTE ADOPTION
LOCATION MAP
06-KER-14**

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.3c.
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Terry L. Abbott
Division Chief
Design

Subject: **RELINQUISHMENT RESOLUTIONS**

RECOMMENDATION:

The California Department of Transportation recommends the California Transportation Commission (Commission) approve the relinquishment resolutions, summarized below, that will transfer highway facilities no longer needed for the State Highway System to the local agency identified in the summary.

ISSUE:

It has been determined that each facility in the specific relinquishment resolutions summarized below is not essential to the proper functioning of the State Highway System and may be disposed of by relinquishment. Upon the recording of the approved relinquishment resolutions in the county where the facilities are located, all rights, title and interest of the State in and to the facilities to be relinquished will be transferred to the local agencies identified in the summary. The facilities are safe and drivable. The local authorities have been advised of the pending relinquishments a minimum of 90 days prior to the Commission meeting pursuant to Section 73 of the Streets and Highways Code. Any exceptions or unusual circumstances are described in the individual summaries.

RESOLUTIONS:

Resolution R-3834 – 10-SJ-99-PM 14.7
(Request No. 14491) – 1 Segment

Relinquishes right of way in the city of Stockton along Route 99 on the 99 Frontage Road (Kingsley Road), north of Arch Road, consisting of a collateral facility. The City, by resolution dated November 1, 2011, waived the 90-day notice requirement and agreed to accept title upon relinquishment by the State.

Resolution R-3835 – 10-STA-99-PM R11.8/R12.2
(Request No. 16502) – 6 Segments

Relinquishes right of way in the city of Ceres along Route 99 near the Whitmore Avenue Over-Crossing, consisting of collateral facilities. The City, by resolution dated February 13, 2012, waived the 90-day notice requirement and agreed to accept title upon relinquishment by the State.

Resolution R-3836– 10-CAL-4-PM R21.56
(Request No. 16577) – 1 Segment

Relinquishes right of way in the city of Angels along Route 4 at Easy Street (formerly First and A Streets), consisting of a collateral facility. The City, by relinquishment agreement dated March 14, 2012, waived the 90-day notice requirement and agreed to accept title upon relinquishment by the State.

Resolution R-3837 – 06-FRE-180-PM 63.90/66.05
(Request No. 85385) – 11 Segments

Relinquishes right of way in the county of Fresno on Kings Canyon Avenue (Route 180) and along realigned Route 180 between Clovis Avenue and Locan Avenue, consisting of superseded highway right of way and collateral facilities. The County, by cooperative agreement dated May 24, 2005, waived the 90-day notice requirement and agreed to accept title upon relinquishment by the State.

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No: 2.4b.
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Brent L. Green
Chief
Division of Right of Way and
Land Surveys

Subject: **RESOLUTIONS OF NECESSITY**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) adopt Resolutions C-20766, C-20767, C-20769 through C-20775, C-20779, C-20780, C-20782 through C-20792, C-20794 through C-20796, C-20800, C-20802 through C-20807, C-20809 through C-20814, C-20818, C-20819, C-20821 through C-20850 summarized on the following pages.

ISSUE:

Prior to initiating Eminent Domain proceedings to acquire needed right of way for a programmed project, the Commission must first adopt a resolution stipulating specific findings identified under Section 1245.230 of the Code of Civil Procedure.

Moreover, for each of the proposed Resolutions, the property owners are not contesting the following findings contained in Section 1245.230 of the Code of Civil Procedure:

1. The public interest and necessity require the proposed project.
2. The proposed project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury.
3. This property is necessary for the proposed project.
4. An offer to purchase the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

The only remaining issues with the property owners are related to compensation.

BACKGROUND:

Discussions have taken place with the owners, each of whom have been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owners may subsequently be entitled. Adoption of the Resolutions will not interrupt our efforts to secure equitable settlement. In accordance with statutory requirements, each owner has been advised that the Department is requesting the Resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-20766 - Ballantree Estates Homeowners Association

05-Mon-101-PM 101.2 - Parcel 11510-1 - EA 315809.

Right of Way Certification (RWC) Date: 04/02/12; Ready to List (RTL) Date: 04/02/12.

Expressway - partial conversion of expressway to freeway and construction of new interchange at San Juan Road. Authorizes condemnation for extinguishment of private road and utility easement and extinguishment of abutter's rights of access. Located in the community of Aromas near San Juan Road and Highway 101. Assessor's Parcel Number (APN) 141-131-019.

C-20767 - Villagomez Farms, Inc., a California Corporation

06-Fre-180-PM R116.30 - Parcel 86660 - EA 342529.

RWC Date: 12/01/12; RTL Date: 12/15/12. Expressway - two-lane conventional highway to four-lane expressway. Authorizes condemnation of permanent easement for highway construction. Located in the town of Sanger near State Route (SR) 180 and the southwest corner of Quality Avenue. APN 314-070-80.

C-20769 - Beal Properties, Inc. a Corporation

06-Mad-99-PM 7.49 - Parcel 86528-1, 2 - EA 471009.

RWC Date: 05/01/12; RTL Date: 05/01/12. Freeway - Avenue 12 Interchange - modify interchange. Authorizes condemnation of land in fee for a State highway and underlying fee. Located in the city of Madera at the southwest corner of Avenue 12 and Woodward Way. APN 047-101-002.

C-20770 - Joan L. Riley, Trustee

06-Mad-99-PM 7.49 - Parcel 86529-1, 2 - EA 471009.

RWC Date: 05/01/12; RTL Date: 05/01/12. Freeway - Avenue 12 Interchange - modify interchange. Authorizes condemnation of land in fee for a State highway, underlying fee, and extinguishment of abutter's rights of access. Located in the city of Madera at the southeast corner of Avenue 12 and Woodward Way. APN 047-101-003.

C-20771 - Robert S. Bray, Jr., Trustee, et ux.

06-Mad-99-PM 7.49 - Parcel 86530-1, 2, 3 - EA 471009.

RWC Date: 05/01/12; RTL Date: 05/01/12. Freeway - Avenue 12 Interchange - modify interchange. Authorizes condemnation of land in fee for a State highway, underlying fee, and extinguishment of abutter's rights of access. Located in the city of Madera at 28615 Green Court. APN 047-101-004.

C-20772 - Beal Properties, Inc. a Corporation

06-Mad-99-PM 7.49 - Parcel 86531-1, 2 - EA 471009.

RWC Date: 05/01/12; RTL Date: 05/01/12. Freeway - Avenue 12 Interchange - modify interchange. Authorizes condemnation of land in fee for a State highway and underlying fee. Located in the city of Madera at the southeast corner of Woodward Way and Green Court. APNs 047-101-007, -008.

C-20773 - Mayfair Nurseries, Inc., a California Corporation

06-Mad-99-PM 7.49 - Parcel 86534-1 - EA 471009.

RWC Date: 05/01/12; RTL Date: 05/01/12. Freeway - Avenue 12 Interchange - modify interchange. Authorizes condemnation of land in fee for a State highway. Located in the city of Madera at 28692 Avenue 12. APN 047-101-012.

C-20774 - Kalpinder S. Brar

06-Mad-99-PM 7.49 - Parcel 86535-1, 2 - EA 471009.

RWC Date: 05/01/12; RTL Date: 05/01/12. Freeway - Avenue 12 Interchange - modify interchange. Authorizes condemnation of land in fee for a State highway and underlying fee. Located in the city of Madera at 28650 Avenue 12. APN 047-101-013.

C-20775 - Golden Doaba Enterprises, LLC

06-Mad-99-PM 7.59 - Parcel 86545-1 - EA 471009.

RWC Date: 05/01/12; RTL Date: 05/01/12. Freeway - Avenue 12 Interchange - Modify Interchange. Authorizes condemnation of land in fee for a State highway. Located in the city of Madera at 12199 Golden State Boulevard. APN 047-050-050.

C-20779 - Samuel A. Cabraloff and Mary K. Cabraloff, Co-Trustees of the Cabraloff Family Trust

07-LA-5-PM 4.5 - Parcel 78977-1, 2 - EA 215949.

RWC Date: 03/09/12; RTL Date: 03/23/12. Freeway - widen Interstate 5 (I-5) to add high occupancy vehicle (HOV) and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes. Located in the city of Norwalk at 12109 Adoree Street. APN 8047-005-012.

C-20780 - Norwalk Steakhouse Inc., a California Corporation

07-LA-5-PM 4.4 - Parcel 79045-1; 80075-1, 2, 3 - EA 215949.

RWC Date: 03/09/12; RTL Date: 03/23/12. Freeway - widen I-5 to add HOV and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway and temporary easements for construction purposes. Located in the city of Norwalk at 12850 Norwalk Boulevard. APNs 8047-007-187, -188.

C-20782 - City of Burbank, a body politic

07-LA-5-PM 28.8 - Parcel 79773-1 - EA 121849.

RWC Date: 06/25/09; RTL Date: 06/25/09 (under construction). Freeway - construct HOV lanes. Authorizes condemnation of a permanent aerial easement and right of way for an overhead bridge structure, and extinguishment of abutter's rights of access to and from the bridge structure. Located in the city of Burbank at 500 South Flower Street. APN 2451-005-901.

C-20783 - Rosecrans 2004, LLC, a California Limited Liability Company

07-LA-5-PM 3.6 - Parcel 79900-1, 2 - EA 215939.

RWC Date: 03/09/12; RTL Date: 03/23/12. Freeway - widen I-5 to add HOV and mixed-flow lanes. Authorizes condemnation of a permanent easement for highway purposes, extinguishment of abutter's rights of access, and a temporary easement for construction purposes. Located in the city of Santa Fe Springs at 12624 Rosecrans Avenue. APN 8082-001-020.

C-20784 - Isidro Sanchez, et ux.

07-LA-5-PM 6.0 - Parcel 79995-1, 2, 3, 4, 01-01 - EA 215959.

RWC Date: 01/04/13; RTL Date: 01/18/13. Freeway - widen I-5 to add HOV and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a permanent easement for footing purposes, a permanent easement for utility purposes to be conveyed to Southern California Edison (SCE), a temporary easement for construction purposes, and land in fee which is a remnant and would be of little market value. Located in the city of Norwalk at 11438 Cresson Street. APN 8018-001-008.

C-20785 - Doctors Hospital of West Covina, Inc.

07-LA-10-PM 34.0 - Parcel 79813-1, 2 - EA 1170U9.

RWC Date: 05/04/12; RTL Date: 05/17/12. Freeway - construct HOV lanes and soundwalls. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and a temporary easement for construction purposes. Located in the city of West Covina at 725 South Orange Avenue. APN 8474-001-012.

C-20786 - Peter L. Tsamous and Helen Tsamous, Trustees of The Tsamous Family Living Trust dated 6-29-91

08-SBd-10-PM 26.31 - Parcel 21740-1 - EA 448129.

RWC Date: 07/01/13; RTL Date: 08/01/13. Freeway - Reconstruct interchange at Interstate 10 (I-10) and Tippecanoe Avenue. Authorizes condemnation of land in fee for a State highway. Located in the city of San Bernardino at 1973 South Tippecanoe Avenue. APN 0281-161-042.

C-20787 - Baldev S. Patel, et ux.

08-SBd-10-PM 26.43 - Parcel 21744-1 - EA 448129.

RWC Date: 07/01/13; RTL Date: 08/01/13. Freeway - Reconstruct interchange at I-10 and Tippecanoe Avenue. Authorizes condemnation of land in fee for a State highway. Located in the city of San Bernardino at 1235 East Rosewood Street. APN 0281-161-38.

C-20788 - Grover C. Wimberly III

08-SBd-10-PM 26.34 - Parcel 21762-1 - EA 448129.

RWC Date: 07/01/13; RTL Date: 08/01/13. Freeway - Reconstruct interchange at I-10 and Tippecanoe Avenue. Authorizes condemnation of land in fee for a State highway. Located in the city of San Bernardino at 1165 East Laurelwood Drive. APN 0281-152-02.

C-20789 - Juan Carlos Hernandez

08-SBd-10-PM 26.35 - Parcel 21763-1, 2 - EA 448129.

RWC Date: 07/01/13; RTL Date: 08/01/13. Freeway - Reconstruct interchange at I-10 and Tippecanoe Avenue. Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes. Located in the city of San Bernardino at 1857 Tippecanoe Avenue. APN 0281-151-49.

C-20790 - Michael Joseph Egelhoff, Sr., et ux.

08-SBd-10-PM 26.40 - Parcel 21777-1, 2, 01-01 - EA 448129.

RWC Date: 07/01/13; RTL Date: 08/01/13. Freeway - Reconstruct interchange at I-10 and Tippecanoe Avenue. Authorizes condemnation of land in fee for a State highway and land in fee which is a remnant and would be of little market value. Located in the city of San Bernardino at 1213 East Laurelwood Drive. APN 0281-152-07.

C-20791 - Patrick Hsu, et ux.

08-SBd-10-PM 26.42 - Parcel 21785-1, 2, 3 - EA 448129.

RWC Date: 07/01/13; RTL Date: 08/01/13. Freeway - Reconstruct interchange at I-10 and Tippecanoe Avenue. Authorizes condemnation of land in fee for a State highway and temporary easements for construction purposes. Located in the city of San Bernardino on the south side of Coulston Street, east of Tippecanoe Avenue. APNs 0281-133-07, -08.

C-20792 - James E. Ott and Barbara J. Ott, Trustees

08-SBd-10-PM 26.44 - Parcel 21790-1, 01-01 - EA 448129.

RWC Date: 07/01/13; RTL Date: 08/01/13. Freeway - Reconstruct interchange at I-10 and Tippecanoe Avenue. Authorizes condemnation of land in fee for a State highway and land in fee which is a remnant and would be of little market value. Located in the city of San Bernardino at 1248 East Rosewood Drive. APN 0281-152-28.

C-20794 - ICO Fund VI, LLC, a Delaware limited liability company

08-SBd-10-PM 26.65 - Parcel 21799-1 - EA 448129.

RWC Date: 07/01/13; RTL Date: 08/01/13. Freeway - Reconstruct interchange at I-10 and Tippecanoe Avenue. Authorizes condemnation of land in fee for a State highway and extinguishment of abutter's rights of access. Located in the city of San Bernardino north of I-10, between Ferree Street and Richardson Street. APN 0281-161-48.

C-20795 - T6 Unison Site Management, LLC

10-SJ-99-PM 16.8 - Parcel 16131-1(A) - EA 3A1009.

RWC Date: 01/15/12; RTL Date: 03/30/12. Freeway - widen to six lanes. Authorizes condemnation of extinguishment of a private easement for cell tower. Located in the city of Stockton at 2584 Mariposa Road. APN 173-070-36.

C-20796 - Sacramento-Valley Limited Partnership, a California Limited Partnership dba Verizon Wireless

10-SJ-99-PM 16.8 - Parcel 16131-1(B) - EA 3A1009.

RWC Date: 01/15/12; RTL Date: 03/30/12. Freeway - widen to six lanes. Authorizes condemnation of leasehold interest. Located in the city of Stockton at 2584 Mariposa Road. APN 173-070-36.

C-20800 - Ortega Highway Associates, a California General Partnership, etc., et al.

12-Ora-5/74-PM 9.7/0.1 - Parcel 102495-1, 2, 3, 4, 5, 6 - EA 0E3109.

RWC Date: 05/15/12; RTL Date: 06/01/12. Freeway - reconstruct interchange at I-5 and SR 74. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, temporary easements for construction purposes, a permanent easement for slope purposes, and a permanent easement for ingress, egress, and underground pipeline purposes to be conveyed to the City of San Juan Capistrano. Located in the city of San Juan Capistrano at 27164 Ortega Highway. APNs 666-131-18, -19.

C-20802 - S. Alan Schwartz, Trustee, etc., et al.

12-Ora-5/74-PM 9.7/0.0 - Parcel 102502-1, 2, 3, 4 - EA 0E3109.

RWC Date: 05/15/12; RTL Date: 06/01/12. Freeway - reconstruct interchange at I-5 and SR74. Authorizes condemnation of land in fee for a State highway, a permanent easement for wall footing purposes, a temporary easement for construction purposes, and a temporary easement for removal of existing improvements which straddle the right of way line. Located in the city of San Juan Capistrano at 31776 and 31780 Del Obispo Street, and 27000 Ortega Highway. APNs 668-241-26, -27, -28.

C-20803 - Loftus Land Co., a Corporation

07-LA-5-PM 3.3 - Parcel 77100-1, 2, 3, 4, 5 - EA 215939.

RWC Date: 03/09/12; RTL Date: 03/23/12. Freeway - widen I-5 to add HOV and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a temporary easement for construction purposes, a permanent easement for footing purposes, and a permanent easement for sewer purposes to be conveyed to the City of Norwalk. Located in the city of Norwalk at 12836 Rosecrans Avenue. APN 8046-005-024.

C-20804 - Mark Consiglio, Trustee, etc., et al.

07-LA-5-PM 4.4 - Parcel 77641-1, 2, 01-01 - EA 215949.

RWC Date: 03/09/12; RTL Date: 03/23/12. Freeway - widen I-5 to add HOV and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway, a temporary easement for construction purposes, and land in fee which is a remnant and would be of little market value. Located in the city of Norwalk at 13103 San Antonio Drive. APN 8048-030-011.

C-20805 - Michael R. Sultze

07-LA-5-PM 4.4 - Parcel 77642-1, 2, 3, 01-01 - EA 215949.

RWC Date: 03/09/12; RTL Date: 03/23/12. Freeway - widen I-5 to add HOV and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway, a temporary easement for construction purposes, and land in fee which is a remnant and would be of little market value. Located in the city of Norwalk at 12136 Union Street. APN 8048-030-010.

C-20806 - Nikou LTD., a California corporation

07-LA-5-PM 4.4 - Parcel 77646-1 - EA 215949.

RWC Date: 03/09/12; RTL Date: 03/23/12. Freeway - widen I-5 to add HOV and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway and extinguishment of abutter's rights of access. Located in the city of Norwalk at 13031 San Antonio Drive. APN 8048-032-002.

C-20807 - Cheng Hsin Investment, Inc., a California Corporation

07-LA-5-PM 4.95 - Parcel 79010-1, 2, 3, 01-01 - EA 215949.

RWC Date: 03/09/12; RTL Date: 03/23/12. Freeway - widen I-5 to add HOV and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a temporary easement for construction purposes, a permanent easement for wall footing purposes, and land in fee which is a remnant and would be of little market value. Located in the city of Norwalk at 12512 Pioneer Boulevard and 11805-11835 Imperial Highway. APNs 8023-027-005, -009.

C-20809 - Paddison Farm, LLC

07-LA-5-PM 4.9 - Parcel 80046-1, 2 - EA 215949.

RWC Date: 03/09/12; RTL Date: 03/23/12. Freeway - widen I-5 to add HOV and mixed-flow lanes. Authorizes condemnation of permanent easement for highway purposes and a temporary easement for construction purposes. Located in the city of Norwalk at 11951 Imperial Highway. APN 8024-024-002.

C-20810 - DSJ Equities, LLC, a California limited liability company

07-LA-5-PM 4.4 - Parcel 80073 -1, 2, 01-01 - EA 215949.

RWC Date: 03/09/12; RTL Date: 03/23/12. Freeway - widen I-5 to add HOV and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a temporary easement for construction purposes, land in fee which is a remnant and would be of little market value. Located in the city of Norwalk at 12901 Norwalk Boulevard. APN 8047-005-027.

C-20811 - Christina Actkinson

04-SCI-152-PM 19.4 - Parcel 60738-1, 2 - EA 3A4009.

RWC Date: 05/03/10; RTL Date: Construction completed. Conventional highway - restoration, rehabilitation and construction of left turn pocket. Authorizes condemnation of land in fee for a State highway and a temporary easement for highway construction. Located in the city of Gilroy at 7075 Pacheco Pass Highway. APN 898-32-020.

C-20812 - Christina Actkinson

04-SCI-152-PM 19.4 - Parcel 62015-1 - EA 2A4409.

RWC Date: 04/16/12; RTL Date: 05/01/12. Conventional highway - in Santa Clara on SR 152 from east of Old Lake Road to east of Dunne Road to improve sight distance, upgrade shoulders and provide left lane channelization. Authorizes condemnation of land in fee for a State highway. Located in the city of Gilroy at 7075 Pacheco Pass Highway. APN 898-32-020.

C-20813- Brian J. Way, Trustee, et al.

04-Son-128-PM 5.54 - Parcel 60413-1, 2, 5, 6, 7 - EA 2S8409.

RWC Date: 03/09/06; RTL Date: Construction completed. Emergency Project-Stabilization, utility relocation, and reconstruction of the Geyserville Bridge over the Russian River under Director's Order. Authorizes condemnation of a permanent easement for highway construction, permanent easement for utility purposes to be conveyed to PG&E, temporary aerial easement for construction purposes, temporary easement for landscaping purposes, and a temporary easement for construction purposes. Located near the town of Geyserville at 21083 River Road. APNs 140-230-022, -023.

C-20814 - Anthony F. Silveira and Lorraine F. Silveira 2002 Trust

04-Son-101-PM 24.4-27.0 - Parcel 61784-1, 2, 3, 4, 6, 8, 9, 10, 11, 12, 13, 14, 15; 61788-1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 - EA 264079.

RWC Date: 03/28/12; RTL Date: 03/28/12. Conventional highway - Marin-Sonoma Narrows. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, temporary easements for highway construction, permanent easements for drainage and underground tie back purposes, permanent easements for pipeline and utility facilities to be conveyed to North Marin Water District, PG&E, and AT&T. Located in the city of Navato at 9501 Redwood Highway (US 101).

APNs 125-130-23, -24, -32; 125-160-02,-06, -12, -15, -16, -18, -19, -20.

C-20818 - Novato Redwood Properties, Inc.

04-Mrn-101-PM 23.4/23.9 - Parcel 62421-1 - EA 264079.

RWC Date: 03/28/2012; RTL Date: 03/28/2012. Conventional highway - major widening. Authorizes condemnation of land in fee for a State highway. Located in the city of Novato at 8171 Redwood Boulevard. APN 125-180-045.

C-20819 - Monument Properties-4, LLC

04-Son-101- PM 7.65- Parcel 60978-1, 2, 3 - EA 0A1859.

RWC Date: 08/01/12; RTL Date: 08/03/12. Freeway - reconstruction of the Old Redwood Highway Interchange. Authorizes condemnation of land in fee for a State highway, a temporary easement for construction purposes, and a permanent easement for ingress and egress for freeway maintenance activities. Located in the city of Petaluma at 5151 Montero Way.

APN 007-421-025.

C-20821 - J. N. Sani & P. Hanvi, husband and wife.

05-SLO-1-PM 65.3 - Parcels 11401-1, 2, 3, 4, 5, 6, 7; 11429-1, 2, 3, 4, 5, 6, 7 - EA 492809.

RWC Date: 08/08/13; RTL Date: 10/01/13. Conventional highway - In San Luis Obispo County near San Simeon - realign roadway. Authorizes condemnation of land in fee for a State highway, permanent easements for drainage purposes, temporary easements for driveway approaches and for removing improvements including all of those certain improvements which straddle the right of way line together with temporary easements to enter the remaining ownership to remove such improvements. Located near the unincorporated area of San Simeon at

255 & 270 Via Piedras Blancas. APNs 011-231-013, -014.

C-20822 - Cal Ida Chemical Company, a California Corporation

06-Mad-99-PM 7.48 - Parcel 86522-1, 2, 3; 86524-1, 2 - EA 471009.

RWC Date: 05/01/12; RTL Date: 05/01/12. Freeway - Avenue 12 Interchange - modify interchange. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a permanent easement for irrigation pipeline purposes to be conveyed to Madera Irrigation District, and a permanent easement for utility purposes to be conveyed to Pacific Gas & Electric (PG & E). Located in the city of Madera at 11856 and 11885 Road 29.

APNs 047-100-015, -023.

C-20823 - Robert & Juli Mitchell

06-Mad-99-PM 7.53 - Parcel 86537-1A, 1B, 1C, 2 - EA 471009.

RWC Date: 05/01/12; RTL Date: 05/01/12. Freeway - Avenue 12 Interchange - modify interchange. Authorizes condemnation of land in fee for a State highway, an easement for utility purposes to be conveyed to PG & E, and underlying fee. Located in the city of Madera near Avenue 12. APNs 047-110-014, -016.

C-20824 - Plantation Apartment Company, L.P., a California Limited Partnership

07-LA-5-PM 4.5 - Parcel 77742-1, 2 - EA 215949.

RWC Date: 03/09/12; RTL Date: 03/23/12. Freeway - widen I-5 to add HOV and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes. Located in the city of Norwalk at 12809 Kalnor Avenue. APN 8047-003-032.

C-20825 - Michael A. Givens, et al.

07-LA-5-PM 6.1 - Parcel 79993-1, 2, 01-01 - EA 215959.

RWC Date: 01/04/13; RTL Date: 01/18/13. Freeway - widen I-5 to add HOV and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway, a temporary easement for construction purposes, and land in fee which is a remnant and would be of little market value. Located in the city of Santa Fe Springs at 11246 Mondon Avenue. APN 8017-015-051.

C-20826 - Alice J. Clark, Trustee of the Alice J. Clark Living Trust dated September 1, 2009

07-LA-5-PM 6.0 - Parcel 79996-1, 2, 3, 4, 01-01 - EA 215959.

RWC Date: 01/04/13; RTL Date: 01/18/13. Freeway - widen I-5 to add HOV and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a temporary easement for construction purposes, a permanent easement for wall footing purposes, a permanent easement for utility purposes to be conveyed to SCE, and land in fee which is a remnant and would be of little market value. Located in the city of Norwalk at 11462 Cresson Street. APN 8018-001-009.

C-20827 - Donald R. Johnson, Trustee, etc., et al.

07-LA-5-PM 6.0 - Parcel 79999-1, 2, 3, 4, 01-01 - EA 215959.

RWC Date: 01/04/13; RTL Date: 01/18/13. Freeway - widen I-5 to add HOV and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a temporary easement for construction purposes, a permanent easement for wall footing purposes, a permanent easement for utility purposes to be conveyed to SCE, and land in fee which is a remnant and would be of little market value. Located in the city of Norwalk at 11460 Cresson Street. APN 8018-001-012.

C-20828 - Raymond S. Helland and Melinda M. Helland

07-LA-5-PM 6.0 - Parcel 80002-1, 2, 3, 4, 01-01 - EA 215959.

RWC Date: 01/04/13; RTL Date: 01/18/13. Freeway - widen I-5 to add HOV and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a temporary easement for construction purposes, a permanent easement for wall footing purposes, a permanent easement for utility purposes to be conveyed to SCE, and land in fee which is a remnant and would be of little market value. Located in the city of Norwalk at 11228 Orr and Day Road. APN 8018-001-027.

C-20829 - Enrique Villarreal

07-LA-5-PM 6.0 - Parcel 80005-1, 2, 3, 4, 01-01 - EA 215959.

RWC Date: 01/04/13; RTL Date: 01/18/13. Freeway - widen I-5 to add HOV and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a temporary easement for construction purposes, a permanent easement for wall footing purposes, a permanent easement for utility purposes to be conveyed to SCE, and land in fee which is a remnant and would be of little market value. Located in the city of Norwalk at 11220 Orr and Day Road. APN 8018-001-030.

C-20830 - Mario E. Velasquez and Paula L. Velasquez

07-LA-5-PM 5.9 - Parcel 80193-1, 2, 3, 4, 5 - EA 215959.

RWC Date: 01/04/13; RTL Date: 01/18/13. Freeway - widen I-5 to add HOV and mixed-flow lanes. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, a temporary easement for construction purposes, and permanent easements for footing and maintenance purposes. Located in the city of Santa Fe Springs at 11270 Ringwood Avenue. APN 8017-015-038.

C-20831 - James F. Watson

08-SBd-10-PM 26.25 - Parcel 21753-1, 2 - EA 448109.

RWC Date: 07/01/13; RTL Date: 08/01/13. Freeway - Reconstruct interchange at I-10 and Tippecanoe Avenue. Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes. Located in the city of Loma Linda at 10559 Anderson Street. APNs 0283-082-04, -05.

C-20832 - Willard Mott Stewart, Trustee, etc., et al.

08-SBd-10-PM 26.27 - Parcel 21754-1, 2 - EA 448129.

RWC Date: 07/01/13; RTL Date: 08/01/13. Freeway - Reconstruct interchange at I-10 and Tippecanoe Avenue. Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes. Located in the city of Loma Linda at 10535 Anderson Street. APN 0283-082-03.

C-20833 - Amusement Industry-Commercial Properties Partnership No. 4, a California General Partnership

08-SBd-10-PM 26.31 - Parcel 21760-1, 2, 3, 4 - EA 448109.

RWC Date: 7/1/2013; Freeway - San Bernardino Associated Governments (SANBAG), in cooperation with the California Department of Transportation, the City of San Bernardino and the City of Loma Linda, proposes to reconstruct the Interstate 10/Tippecanoe Avenue Interchange and authorizes condemnation of temporary easements for highway construction and road widening, and underlying fee. The project is located in the city of Loma Linda at 24912-24988 Redlands Blvd. APN 0281-162-26.

C-20834 - Lance G. Fowler, Trustee, etc., et al.

08-SBd-18-PM 53.45 - Parcel 21889-1, 2 - EA 0J0109.

RWC Date: 06/01/12; RTL Date: 06/29/12. Conventional highway - construct left turn lane in both directions, widen shoulder westbound. Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes. Located in the unincorporated area of the county of San Bernardino, known as Big Bear City at 515 West Big Bear Boulevard. APN 0311-094-81.

C-20835 - Gregory G. Schick

08-SBd-18-PM 53.48 - Parcel 21891-1, 2 - EA 0J0109.

RWC Date: 06/01/12; RTL Date: 06/19/12. Conventional highway - construct left turn lane in both directions, widen shoulder westbound. Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes. Located in the unincorporated area of the county of San Bernardino, known as Big Bear City at 501 West Big Bear Boulevard and 500 West Valley Boulevard. APNs 0311-094-40, -84.

C-20836 - The Gill Family Trust, et al.

08-SBd-18-PM 53.50 - Parcel 21892-1, 2 - EA 0J0109.

RWC Date: 06/01/12; RTL Date: 06/29/12. Conventional highway - construct left turn lane in both directions, widen shoulder westbound. Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes. Located in the unincorporated area of the county of San Bernardino, known as Big Bear City at 441 West Big Bear Boulevard. APN 0311-113-53.

C-20837 - Gregory G. Schick

08-SBd-18-PM 53.52 - Parcel 21893-1, 2 - EA 0J0109.

RWC Date: 06/01/12; RTL Date: 06/29/12. Conventional highway - construct left turn lane in both directions, widen shoulder westbound. Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes. Located in the unincorporated area of the county of San Bernardino, known as Big Bear City at 439 West Big Bear Boulevard. APNs 0311-113-37, -46, -58.

C-20838 - Walter R. Henderson, Trustee, etc., et al.

08-SBd-18-PM 53.55 - Parcel 21894-1, 2 - EA 0J0109.

RWC Date: 06/01/12; RTL Date: 06/29/12. Conventional highway - construct left turn lane in both directions, widen shoulder westbound. Authorizes condemnation of land in fee for a State highway and a temporary easement for construction purposes. Located in the unincorporated area of the county of San Bernardino, known as Big Bear City at 423 West Big Bear Boulevard. APN 0311-113-54.

C-20839 - Don B. Norris and Karen R. Norris

08-SBd-247-PM 7.28 - Parcel 21847-1 - EA 0F6609.

RWC Date: 09/06/13; RTL Date: 09/20/13. Conventional highway - widening to construct shoulders. Authorizes condemnation of land in fee for a State highway. Located in the unincorporated area of San Bernardino county near the town of Yucca Valley, approximately 300 feet south of Chaparral Road. APN 0629-032-44.

C-20840 - Cheryl L. Boatman, et al.

08-SBd-247-PM 8.14 - Parcel 21863-1 - EA 0F6609.

RWC Date: 09/06/13; RTL Date: 09/20/13. Conventional highway - widening to construct shoulders. Authorizes condemnation of land in fee for a State highway. Located in the town of Yucca Valley at 1187 Old Woman Springs Road. APN 0629-161-42.

C-20841 - Osvaldo & Ana Sanchez

10-SJ-4-PM 15.2 - Parcel 16451-1 - EA 0S1109.

RWC Date: 01/01/13; RTL Date: 02/01/13. Conventional highway - extend freeway from west end of State Route (SR) 4 to Navy Drive. Authorizes condemnation of land in fee for a State highway. Located in the city of Stockton at 1756 W. Hazelton Avenue. APN 145-150-01.

C-20842 - Deutsche Bank National Trust Company

10-SJ-4-PM 15.2 - Parcel 16453-1 - EA 0S1109.

RWC Date: 01/01/2013; RTL Date: 02/01/13. Conventional highway - extend freeway from west end of SR 4 to Navy Drive. Authorizes condemnation of land in fee for a State highway. Located in the unincorporated area of Stockton at 1736 West Hazelton Avenue. APN 145-150-04.

C-20843 - Pedro & Catalina Rodriguez

10-SJ-4-PM 15.1 - Parcel 16463-1, 2 - EA 0S1109.

RWC Date: 01/01/13; RTL Date: 02/01/13. Conventional highway - extend freeway from west end of SR 4 to Navy Drive. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and a temporary easement for highway construction. Located in the city of Stockton at 1821 W. Scotts Avenue. APN 145-090-23.

C-20844 - San Diego Gas and Electric Company

11-SD-805-PM 4.8 - Parcel 34721-1, 2; 34722-1, 2, 3, 4 - EA 2T1829.

RWC Date: 07/01/12; RTL Date: 07/01/12. Freeway - construct Direct Access Ramp. Authorizes condemnation of permanent easements for public street purposes, retaining walls, and temporary easements for construction purposes. Located in the city of Chula Vista at the southwest corner of the intersection of Interstate 805 and Palomar Street. APNs 620-650-59, -60.

C-20845 - Heirs and Devisees of Simon S. Garcia and Elvia P. Garcia, et al.

11-SD-805-PM 5.0 - Parcel 34731-1, 2 - EA 2T1829.

RWC Date: 07/01/12; RTL Date: 07/01/12. Freeway - construct Direct Access Ramp. Authorizes condemnation of a permanent easement for footing purposes and a temporary easement for construction purposes. Located in the city of Chula Vista at 1296 Finch Place. APN 620-601-01.

C-20846 - Anaheim Gateway, LLC, A Delaware Limited Liability Company

12-Ora-91-PM 3.7 - Parcel 102753-1, 2 - EA OC5709.

RWC Date: 08/01/12; RTL Date: 08/06/12. Freeway - convert westbound auxiliary lanes at various locations into through lanes and modify ramps. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and a temporary easement for construction purposes. Located in the city of Anaheim at 1520 North Lemon Street. APNs 073-090-25, -41, -42, -43, 46, -47.

C-20847 - Alan Nguyen

12-Ora-91-PM 4.5 - Parcel 102755-1, 2 - EA 0C5709.

RWC Date: 08/01/12; RTL Date: 08/06/12. Freeway - convert westbound auxiliary lanes at various locations into through lanes and modify ramps. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and a temporary easement for construction purposes. Located in the city of Anaheim at 1384 East Burton Street.
APN 073-344-19.

C-20848 - Genaro Gomez and Virginia Gomez

12-Ora-91-PM 4.9 - Parcel 102764-1, 2 - EA 0C5709.

RWC Date: 08/01/12; RTL Date: 08/06/12. Freeway - convert westbound auxiliary lanes at various locations into through lanes and modify ramps. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and a temporary easement for construction purposes. Located in the city of Anaheim at 1403 North Baxter Street.
APN 073-481-56.

C-20849 - Orange County Flood Control District

12-Ora-91-PM 4.5 - Parcel 102768-1, 2 - EA 0C5709.

RWC Date: 08/01/12; RTL Date: 08/06/12. Freeway - convert westbound auxiliary lanes at various locations into through lanes and modify ramps. Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, and a temporary easement for construction purposes. Located in the city of Fullerton at Carbon Creek Channel.
APN 267-032-01.

C-20850 - George R. Gerber, Jr.

11-SD-805-PM 4.8 - Parcel 34773-1, 2, 3 - EA 2T1829.

RWC Date: 07/01/12; RTL Date: 07/01/12. Freeway - construct Direct Access Ramp. Authorizes condemnation of a public street easement, a permanent easement for footing purposes, and a temporary easement for construction purposes. Located in the city of Chula Vista at 1300 Raven Avenue. APN 620-652-21.

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.4d.
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Brent L. Green
Chief
Division of Right of Way
and Land Surveys

Subject: **DIRECTOR'S DEEDS**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) authorize the execution of the Director's Deeds summarized below. The conveyance of excess State owned real property, including exchanges, is pursuant to Section 118 of the Streets and Highways Code.

The Director's Deeds included in this item involve an estimated current value of \$1,590,886. The State will receive a return of \$1,590,886 from the sale of these properties. A recapitulation of the items presented and corresponding maps are attached.

ISSUE:

01-01-Men-1 PM 92.86
Disposal Unit #DD 008686-01-01
Convey to: Soper Company

Rockport
0.24 acre
\$250 (Appraisal \$250)

Direct sale via exchange. Selling price represents the appraised value received from an adjoining owner. The subject property represents partial compensation for property rights acquired for the construction of a bridge and fish passage.

02-03-But-99 PM 2.6
Disposal Unit #DD 022726-01-01
Convey to: Jaspal Orchards

Gridley
15.63 acres
\$187,000 (Appraisal \$187,000)

Direct sale to an adjoining owner. Sale to other than the adjoining owner would sever water rights to the adjoining owner's active farming operation and deny a vested right of access to a public highway.

03-03-But-99 PM 3.1
Disposal Unit #DD 022727-01-01
Convey to: Pantaleoni Trust

Gridley
0.17 acre
\$1 (Appraisal \$1)

Direct sale to an adjoining owner. Selling price represents the appraised value received from the only adjoining owner. The highest and best use of the excess parcel is as plottage to the only adjoining property.

04-03-Sac-99 PM 22.3 Sacramento
Disposal Unit #DD 008397-01-01 0.057 acre
Convey to: Clarissa Rockwell and Frank Patino \$1 (Appraisal \$1)
Direct sale of underlying fee to adjoining owner of small, irregularly-shaped area adjacent to the soundwall on State Route (SR) 99 in Sacramento. The Department will install fencing from soundwall to adjacent owner's existing fence. The underlying fee conveyance restricts the use to non-permanent landscaping but will eliminate the illegal dumping and trespass which currently occurs on the property.

05-03-Sac-99 PM 22.4 Sacramento
Disposal Unit #DD 008425-01-02 0.13 acre
Convey to: Sherrie Lee Kelley \$1 (Appraisal \$1)
Direct sale of underlying fee to adjoining owner of small, irregularly-shaped area adjacent to the soundwall on SR 99 in Sacramento. The Department will install fencing from soundwall to adjacent owner's existing fence. The underlying fee conveyance restricts the use to non-permanent landscaping but will eliminate the illegal dumping and trespass which currently occurs on the property.

06-03-Sac-99 PM 21.5 Sacramento
Disposal Unit #DD 008620-01-04 0.028 acre
Convey to: Salvador Villalpando, et al \$1 (Appraisal \$1)
Direct sale of underlying fee to adjoining owner of small, irregularly-shaped area adjacent to the soundwall on SR 99 in Sacramento. The Department will install fencing from soundwall to adjacent owner's existing fence. The underlying fee conveyance restricts the use to non-permanent landscaping but will eliminate the illegal dumping and trespass which currently occurs on the property.

07-03-Sac-99 PM 21.4 Sacramento
Disposal Unit #DD 008620-01-14 0.065 acre
Convey to: Hilario Cisneros and Carmen Cisneros \$1 (Appraisal \$1)
Direct sale of underlying fee to adjoining owner of small, irregularly-shaped area adjacent to the soundwall on SR 99 in Sacramento. The Department will install fencing from soundwall to adjacent owner's existing fence. The underlying fee conveyance restricts the use to non-permanent landscaping but will eliminate the illegal dumping and trespass which currently occurs on the property.

08-04-Ala-238 PM 12.0X Hayward
Disposal Unit #DD 031123-01-01 0.54 acre
Convey to: Kevin Kwok Wa Ng and Ruby Shu May Ng \$280,000 (Appraisal \$280,000)
Direct sale to a current eligible tenant per Joint Stipulation of Class Settlement and Class Settlement Agreement and Release dated December 17, 2010. Selling price represents the appraised value for the subject property. This proposed conveyance was presented to the Commission for conceptual approval at the August 2011 meeting.

09-04-Ala-238 PM 12.0X Hayward
Disposal Unit #DD 032711-01-01 0.47 acre
Convey to: Troy Minor \$370,000 (Appraisal \$370,000)
Direct sale to a current eligible tenant per Joint Stipulation of Class Settlement and Class Settlement Agreement and Release dated December 17, 2010. Selling price represents the appraised value for the subject property. This proposed conveyance was presented to the Commission for conceptual approval at the August 2011 meeting.

10-04-Ala-238 PM 12.1 Hayward
Disposal Unit #DD 032720-01-01 0.44 acre
Convey to: Deborah Ann Frederick \$260,000 (Appraisal \$260,000)
Direct sale to a current eligible tenant per Joint Stipulation of Class Settlement and Class Settlement Agreement and Release dated December 17, 2010. Selling price represents the appraised value for the subject property. This proposed conveyance was presented to the Commission for conceptual approval at the August 2011 meeting.

11-04-Ala-238 PM 12.0X Hayward
Disposal Unit #DD 038988-01-02 0.53 acre
Convey to: Angela Christina Higgins \$290,000 (Appraisal \$290,000)
Direct sale to a current eligible tenant per Joint Stipulation of Class Settlement and Class Settlement Agreement and Release dated December 17, 2010. Selling price represents the appraised value for the subject property. This proposed conveyance was presented to the Commission for conceptual approval at the August 2011 meeting.

12-04-Ala-238 PM 11.7X/11.8 Hayward
Disposal Unit #DD 039064-01-01 0.47 acre
Convey to: Kirk De Young and Taunya De Young \$190,000 (Appraisal \$190,000)
Direct sale to a current eligible tenant per Joint Stipulation of Class Settlement and Class Settlement Agreement and Release dated December 17, 2010. Selling price represents the appraised value for the subject property. This proposed conveyance was presented to the Commission for conceptual approval at the August 2011 meeting.

13-04-SF-80 PM 8.0 San Francisco
Disposal Unit #DK 000513-X1-X1 26.12 acres
Convey to: City and County of San Francisco \$0 (Appraisal \$0)
Direct conveyance for no monetary consideration. Conveyance is to the underlying fee owner of an easement that is obsolete and no longer required.

14-05-SLO-58 PM 4.7 Santa Margarita
Disposal Unit #DD 002968-01-01 0.40 acre
Convey to: Michael R. Cole and Cheryl Cole \$5,150 (Appraisal \$5,150)
Direct sale to an adjoining owner. Selling price represents the appraised value received from the only adjoining owner. The highest and best use of the excess parcel is as plottage to the only adjoining property.

15-05-SLO-58 PM 4.7 Santa Margarita
Disposal Unit #DD 002969-01-02 1.22 acres
Convey to: Charles Kleemann and Tamara Kleemann \$5,050 (Appraisal \$5,050)
Direct sale to an adjoining owner. Selling price represents the appraised value received from an adjoining owner. The highest and best use of the excess parcel is as plottage to the adjoining property.

16-05-SLO-46 PM 34.7 Paso Robles
Disposal Unit #DE 009279-01-01 0.056 acre
Convey to: Pacific Gas & Electric Company and Pacific Bell Telephone Company \$1,530 (Appraisal \$1,530)
Direct Sale. Conveyance is pursuant to Utility Agreement 05-UT-857.562 and the Union Utility Agreement. Sale price reflects the buyers' share of liability for a replacement utility easement.

17-05-SLO-46 PM 34.7 Paso Robles
Disposal Unit #DD 009279-01-02 et al 0.436 acre
Convey to: Eliftherios Dritsas and Dimitra Dritsas \$1,901 (Appraisal \$1,901)
Direct sale to an adjoining owner. Selling price represents the appraised value received from an adjoining owner. The highest and best use of the excess parcel is as plottage to the adjoining property.

Attachments

SUMMARY OF DIRECTOR'S DEEDS - 2.4d.

PRESENTED TO CALIFORNIA TRANSPORTATION COMMISSION - April 25-26, 2012

Table I - Volume by Districts

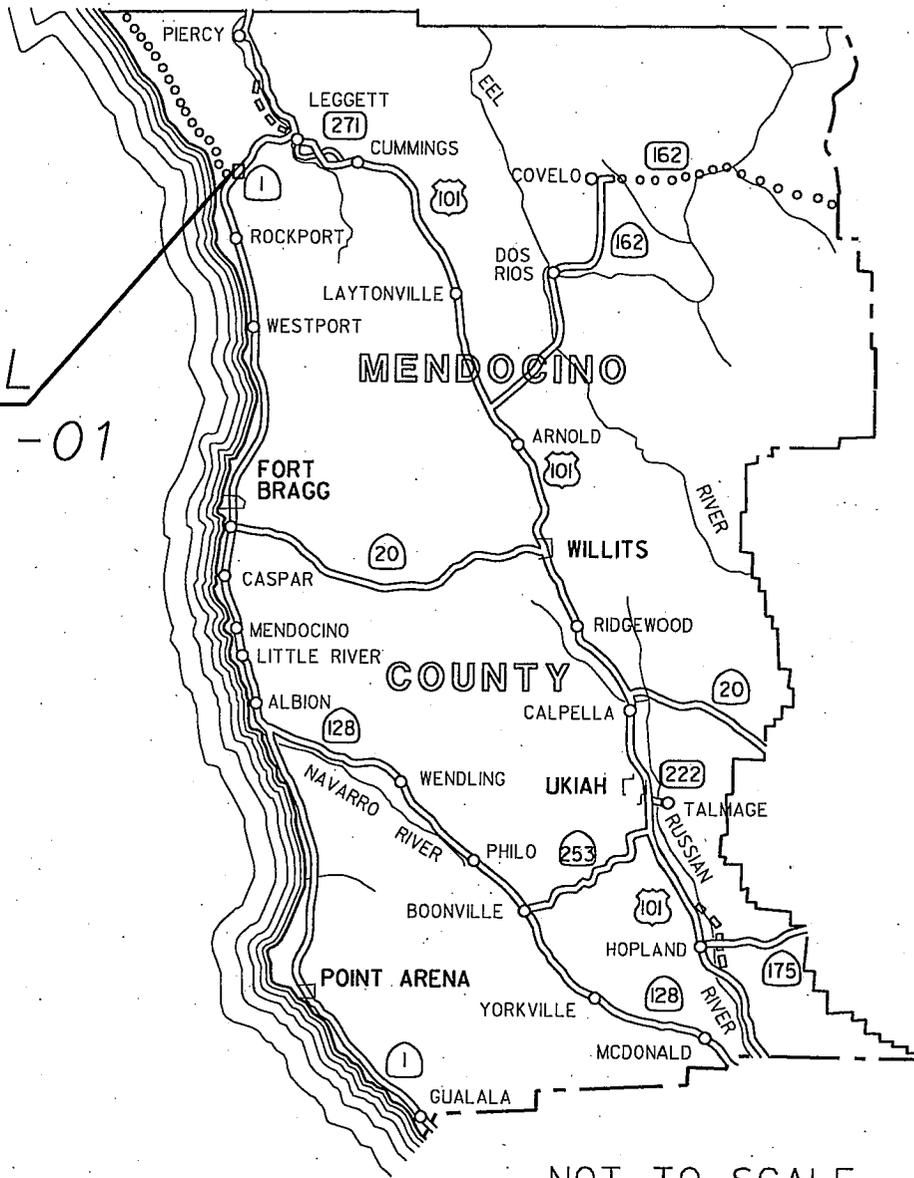
District	Direct Sales	Public Sales	Non-Inventory Conveyances	Other Funded Sales	Total Items	Current Estimated Value	Return From Sales	Recovery %
								% Return From Sales Current Value
01	1	0			1	\$250.00	\$250.00	100%
02	0	0			0	\$0.00	\$0.00	
03	6	0			6	\$187,005.00	\$187,005.00	100%
04	6	0			6	\$1,390,000.00	\$1,390,000.00	100%
05	4	0			4	\$13,631.00	\$13,631.00	100%
06	0	0			0	\$0.00	\$0.00	
07	0	0			0	\$0.00	\$0.00	
08	0	0			0	\$0.00	\$0.00	
09	0	0			0	\$0.00	\$0.00	
10	0	0			0	\$0.00	\$0.00	
11	0	0			0	\$0.00	\$0.00	
12	0	0			0	\$0.00	\$0.00	
Total	17	0			17	\$1,590,886.00	\$1,590,886.00	100%

Table II - Analysis by Type of Sale

Type of Sale	# of Items	Current Estimated Value	Return From Sales	Recovery %
				% Return From Sales Current Value
Direct Sales	17	\$1,590,886.00	\$1,590,886.00	100%
Public Sales	0	\$0.00	\$0.00	
Non-Inventory Conveyances				
Sub-Total	17	\$1,590,886.00	\$1,590,886.00	100%
Other Funded Sales	0			
Total	17	\$1,590,886.00	\$1,590,886.00	100%



PARCEL
12119-01-01



NOT TO SCALE

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION

**DIRECTOR'S DEED
08686-01-01
LOCATION MAP**

EA(s): 48020

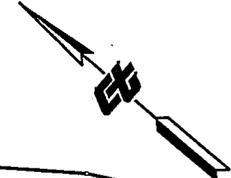
DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
01	MEN	01	92.86	1	2

COUNTY OF MENDOCINO

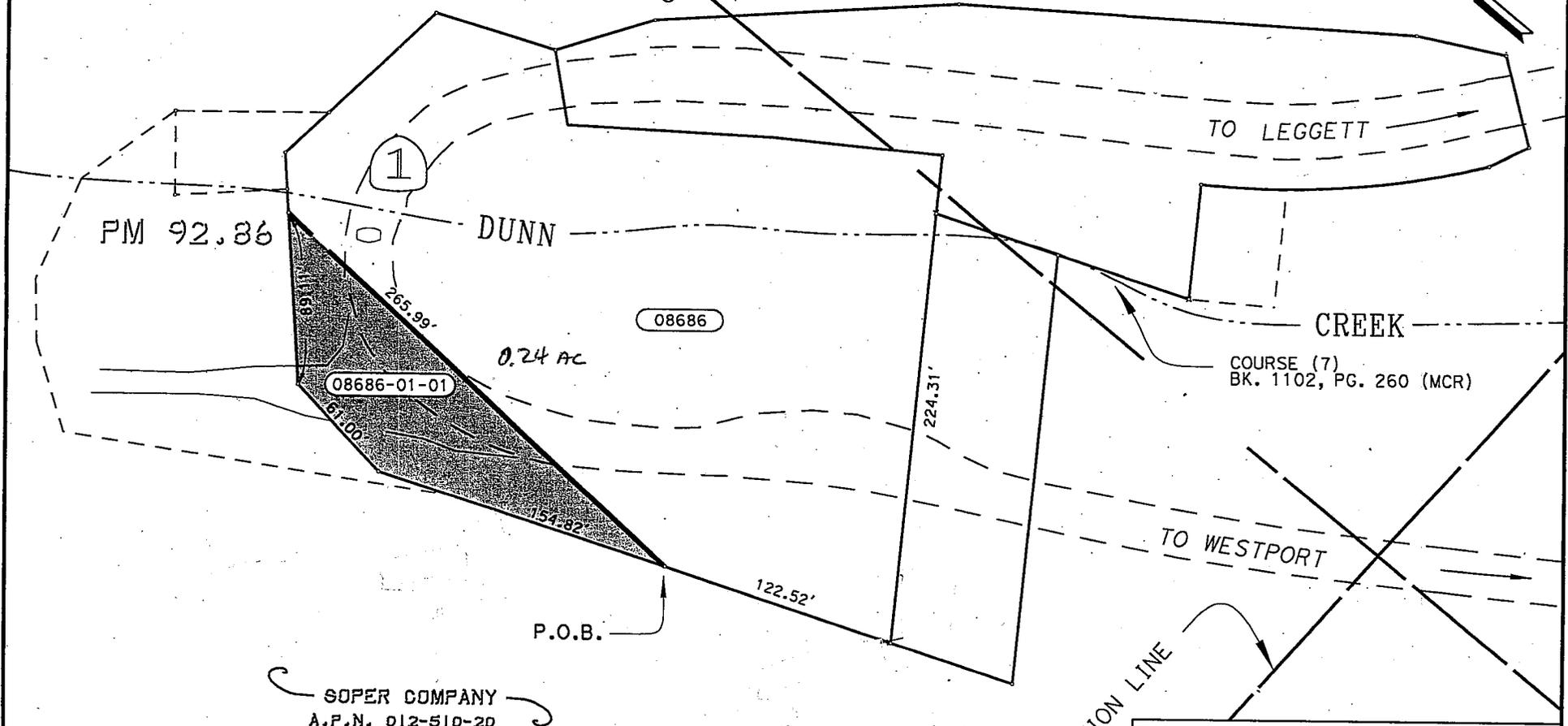
T. 23 N., R. 18 W., M. D. B. & M.
NE. 1/4, SE. 1/4, OF SECTION 35

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.

SOPER COMPANY
A.P.N. 012-510-19



SECTION 36
SECTION 35

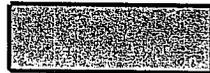


SOPER COMPANY
A.P.N. 012-510-20

NOTES

Coordinates and bearings are on CCS 1983(1992.88) Zone 2. Distances and stationing are grid distances. Divide by 0.9999921 to obtain ground distances. All distances are in U.S. Survey feet.

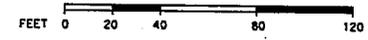
LEGEND



DD 08686-01-01
EXCESS LAND PARCEL

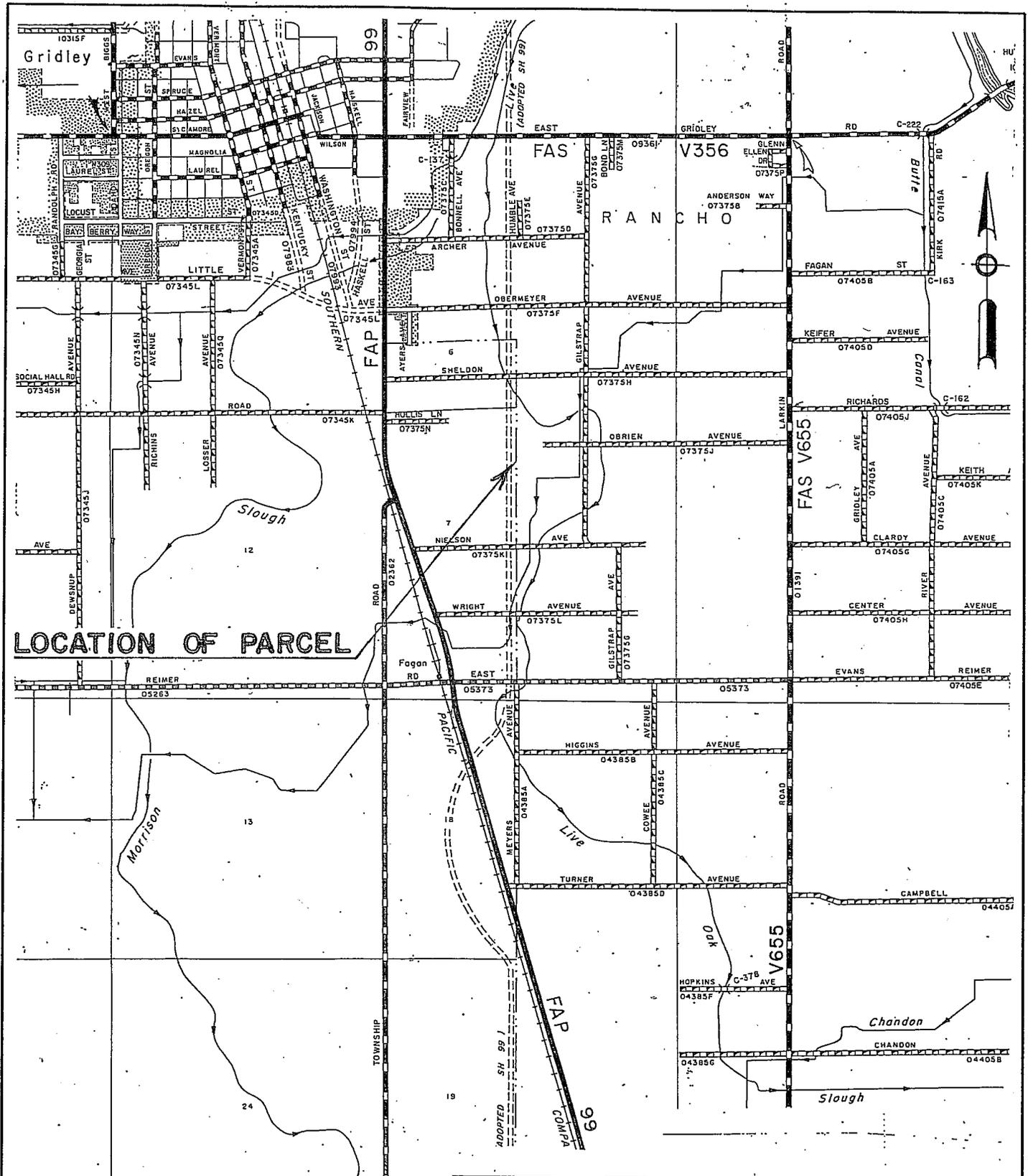
STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION

**RIGHT OF WAY
DIRECTOR'S DEED
DD 08686-01-01**



DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
01	MEN	1	92.86	2	2

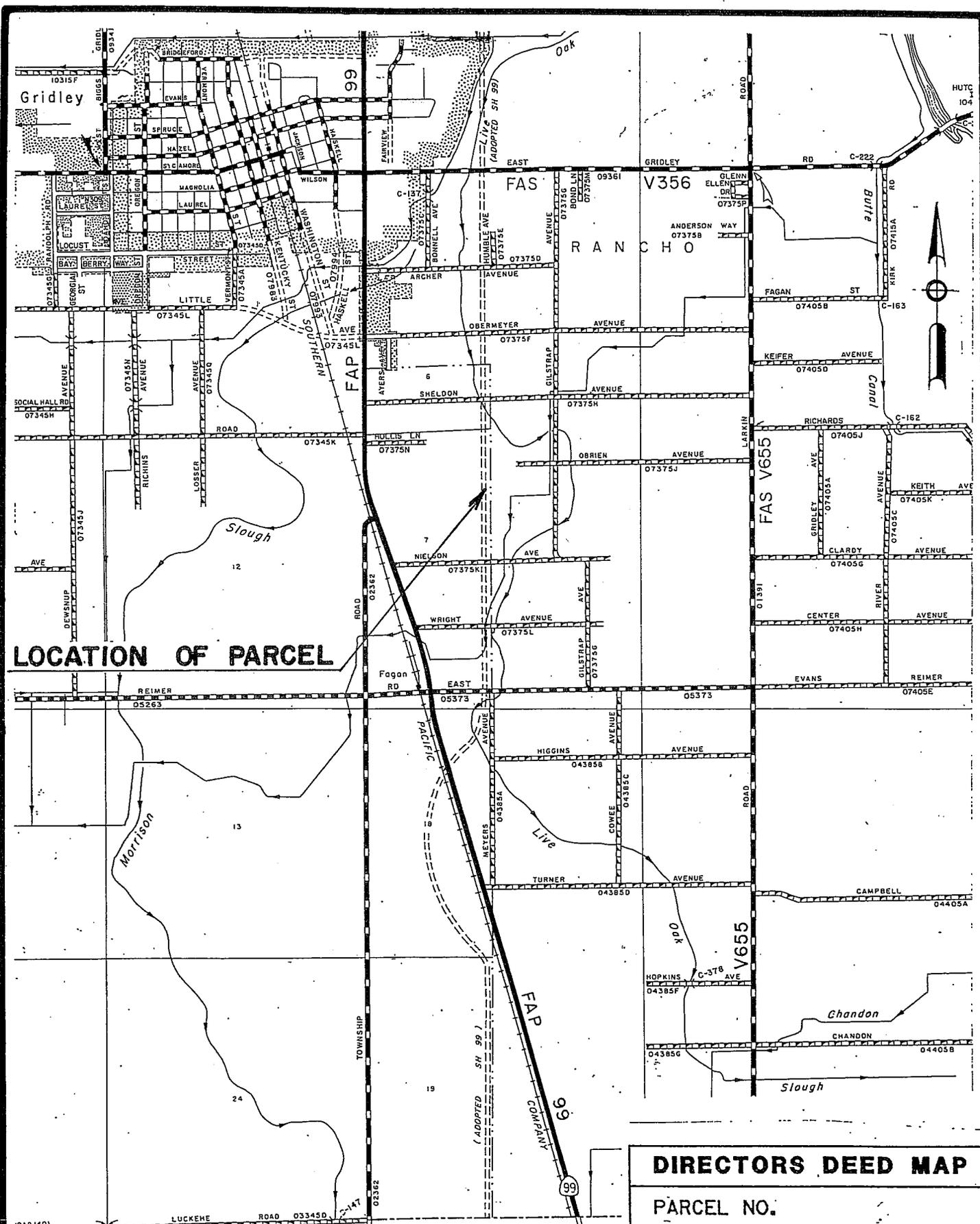
Attachment 1B



LOCATION OF PARCEL

DIRECTORS DEED MAP				
PARCEL NO. DD-022726-01-01				
DIST.	CO.	RTE.	P.M.	SHEET
03	BUT	99	2.6	1 OF 2

LOCATION MAP



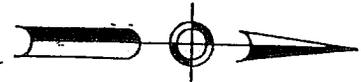
LOCATION OF PARCEL

LOCATION MAP

DIRECTORS DEED MAP		
PARCEL NO. <i>DD-022727-01-01</i>		
CO.	RTE.	P.M.
<i>BUT</i>	<i>99</i>	<i>31</i>

T. 17 N. - R. 3 E. - M. D. B. & M.

SEC. 7



A

9 170 2 3 4 5

662.05' SUBDIVISION & RANCHO BOUNDARY

10.68'

662.03'

022727-01-01
0.17 AC.

11.91'

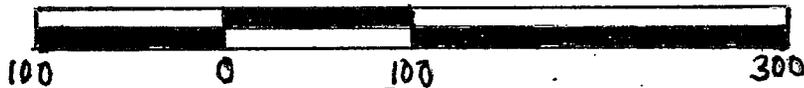
P-49

SUBDIVISION BOUNDARY
P.L.

P.L.
O'BRIAN AVE.

O'BRIAN AVE.

LOT 41



100 FEET

RANCHO BOGA

Scale 1"=100'

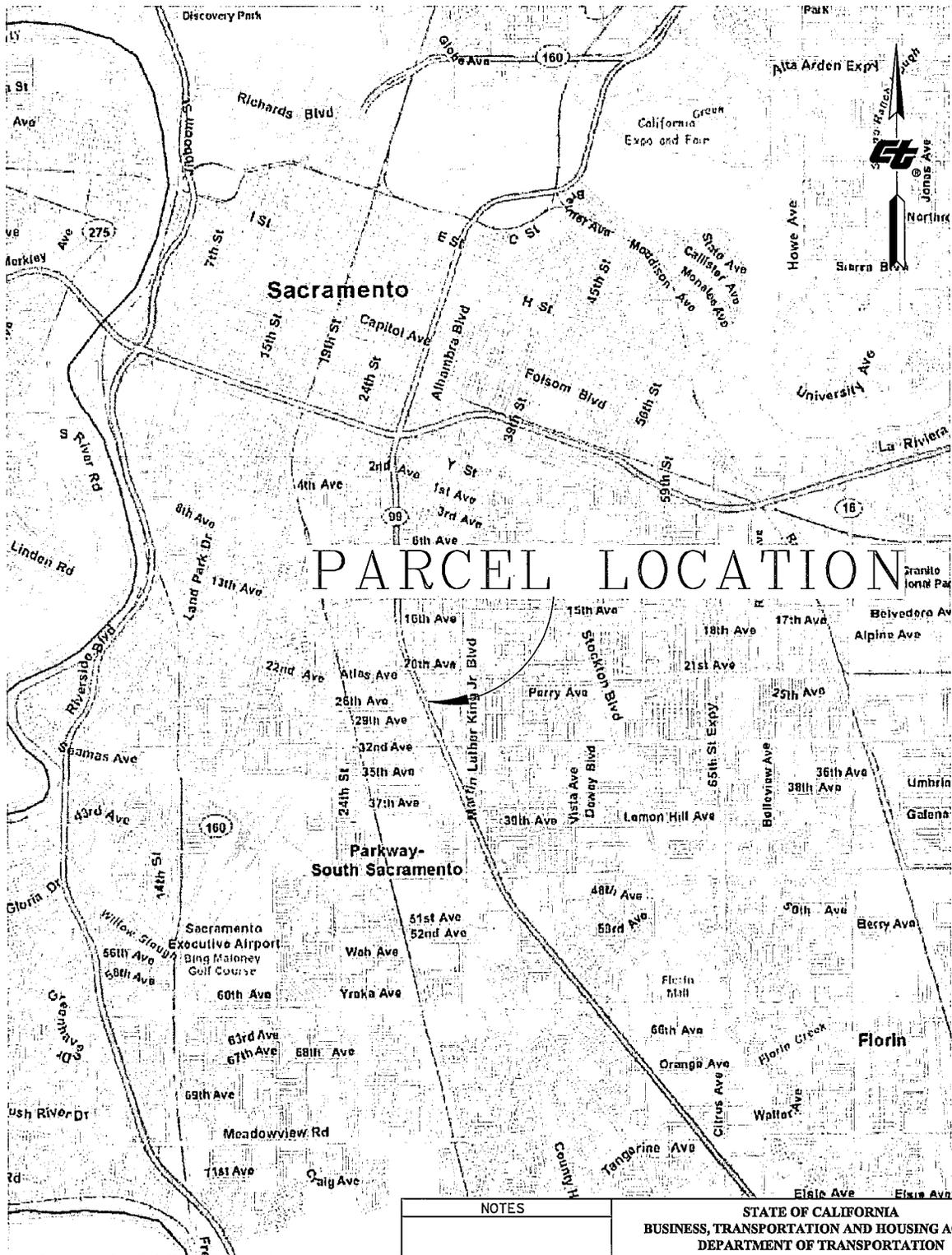
DIRECTORS DEED MAP

PARCEL NO.

DD-022727-01-01

CO.	RTE.	P.M.
BUT	99	3.1

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PARCEL LOCATION

NOTES

LEGEND

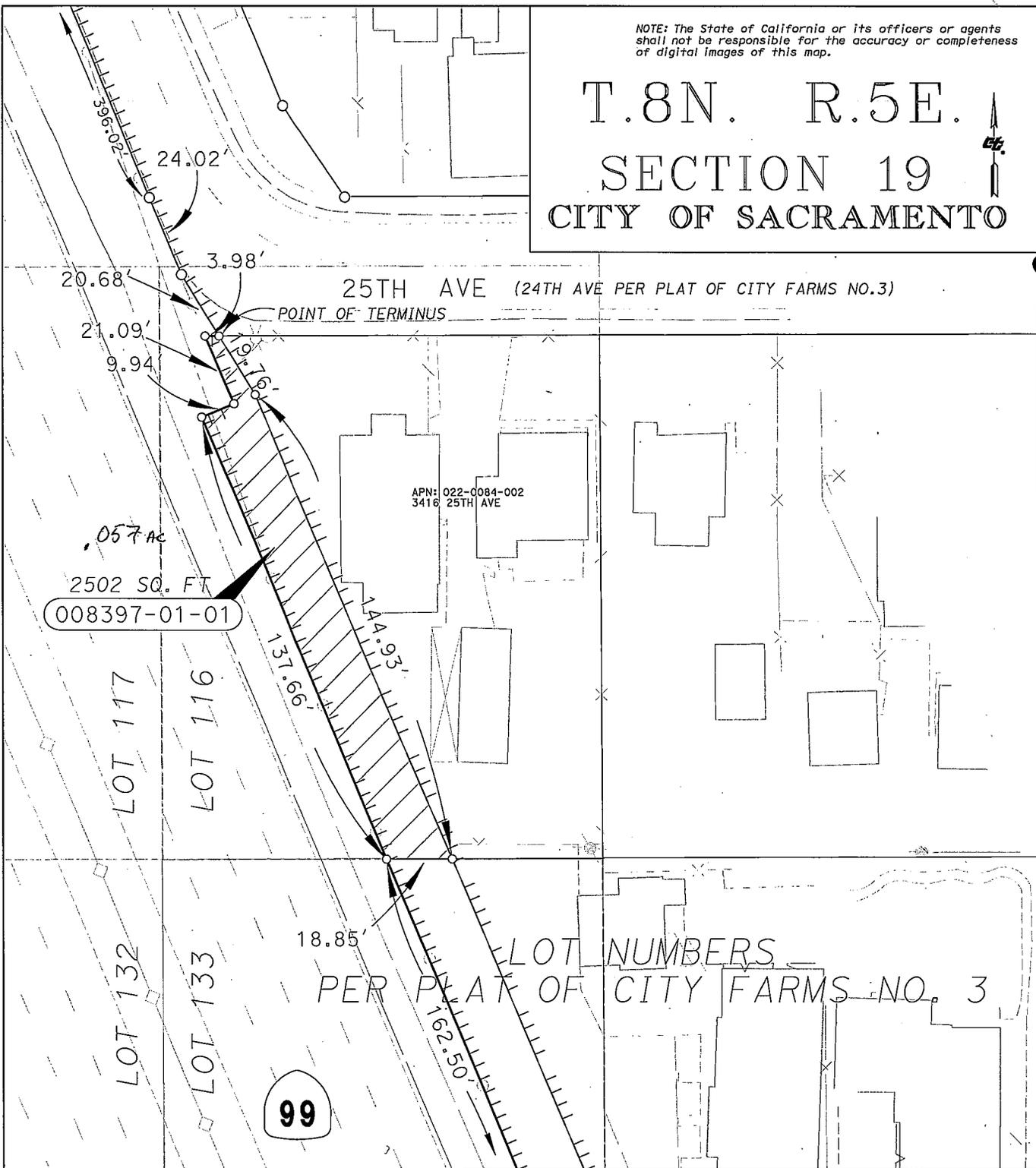
STATE OF CALIFORNIA
 BUSINESS, TRANSPORTATION AND HOUSING AGENCY
 DEPARTMENT OF TRANSPORTATION
**RIGHT OF WAY
 DIRECTORS DEED
 DD 8397-01-01**



DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
03	SAC	99	22.3	1	2

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.

T.8N. R.5E.
SECTION 19
CITY OF SACRAMENTO



0.57 AC
2502 SQ. FT
008397-01-01

APN: 022-0084-002
3416 25TH AVE

LOT NUMBERS
PER PLAT OF CITY FARMS NO. 3



NOTE:
HIGHWAY EASEMENT
RESERVED OVER
ENTIRE PARCEL

NOTES
All distances are in feet unless otherwise noted.

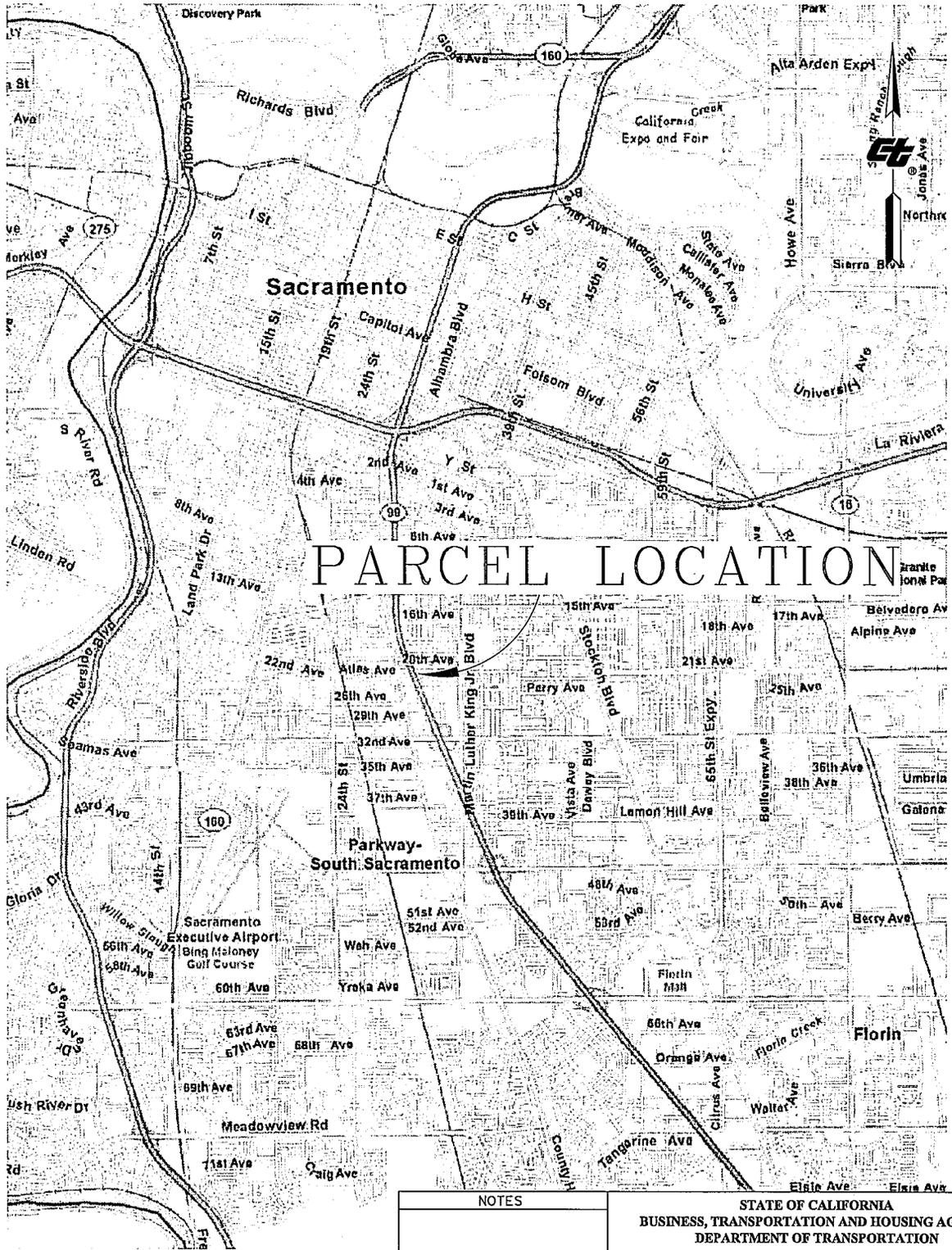
LEGEND
 SUPERCEDED ACCESS CONTROL
 NEW ACCESS CONTROL

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
**RIGHT OF WAY
DIRECTORS DEED
DD 8397-01-01**



DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
03	SAC	99	22.3	2	2

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PARCEL LOCATION

NOTES

LEGEND

STATE OF CALIFORNIA
 BUSINESS, TRANSPORTATION AND HOUSING AGENCY
 DEPARTMENT OF TRANSPORTATION

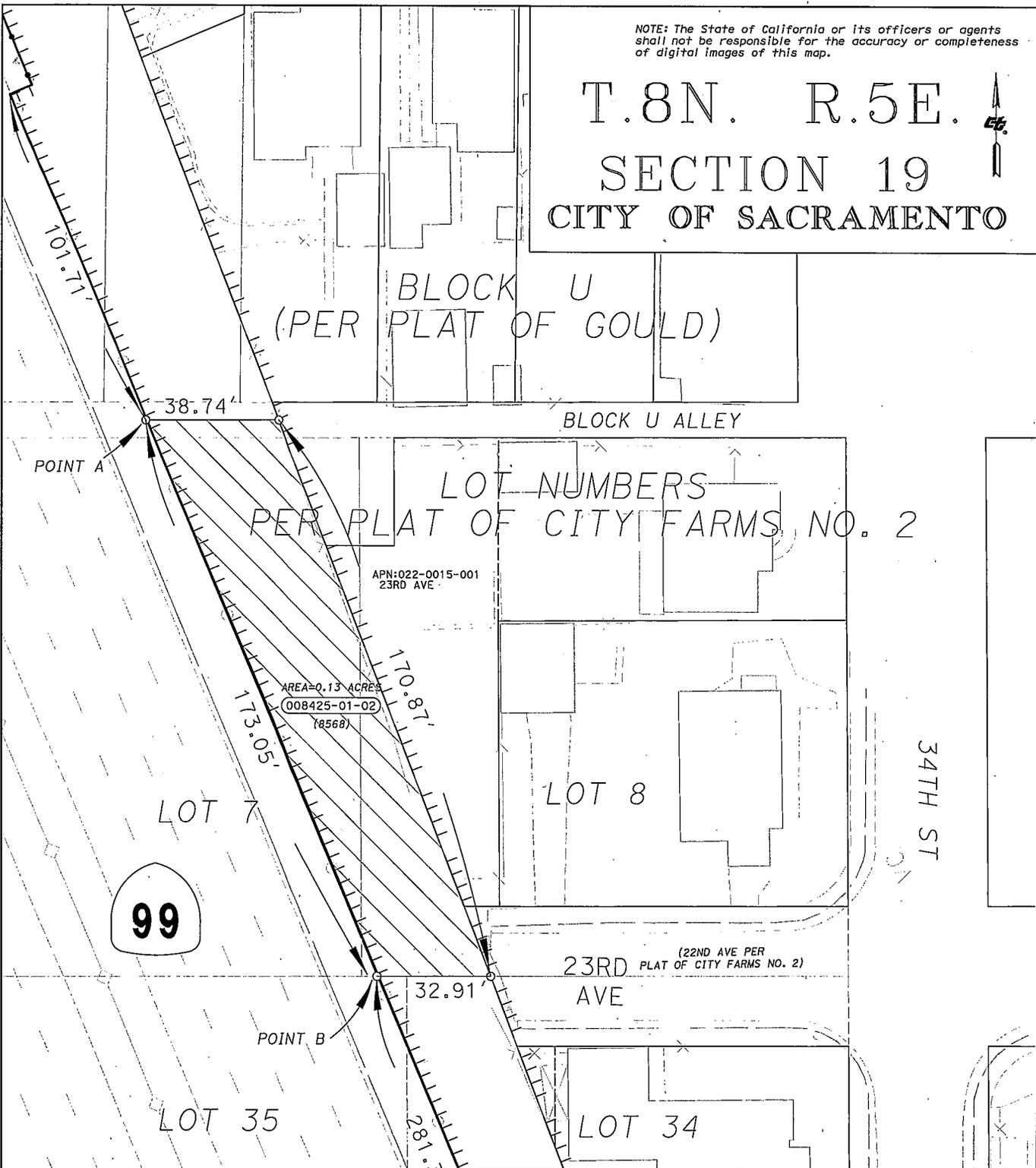
RIGHT OF WAY DIRECTORS DEED DD 8425-01-02(8568)



DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
03	SAC	99	22.4	1	2

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T.8N. R.5E.
SECTION 19
CITY OF SACRAMENTO



NOTES
All distances are in feet unless otherwise noted.

LEGEND
 SUPERCEDED ACCESS CONTROL
 NEW ACCESS CONTROL

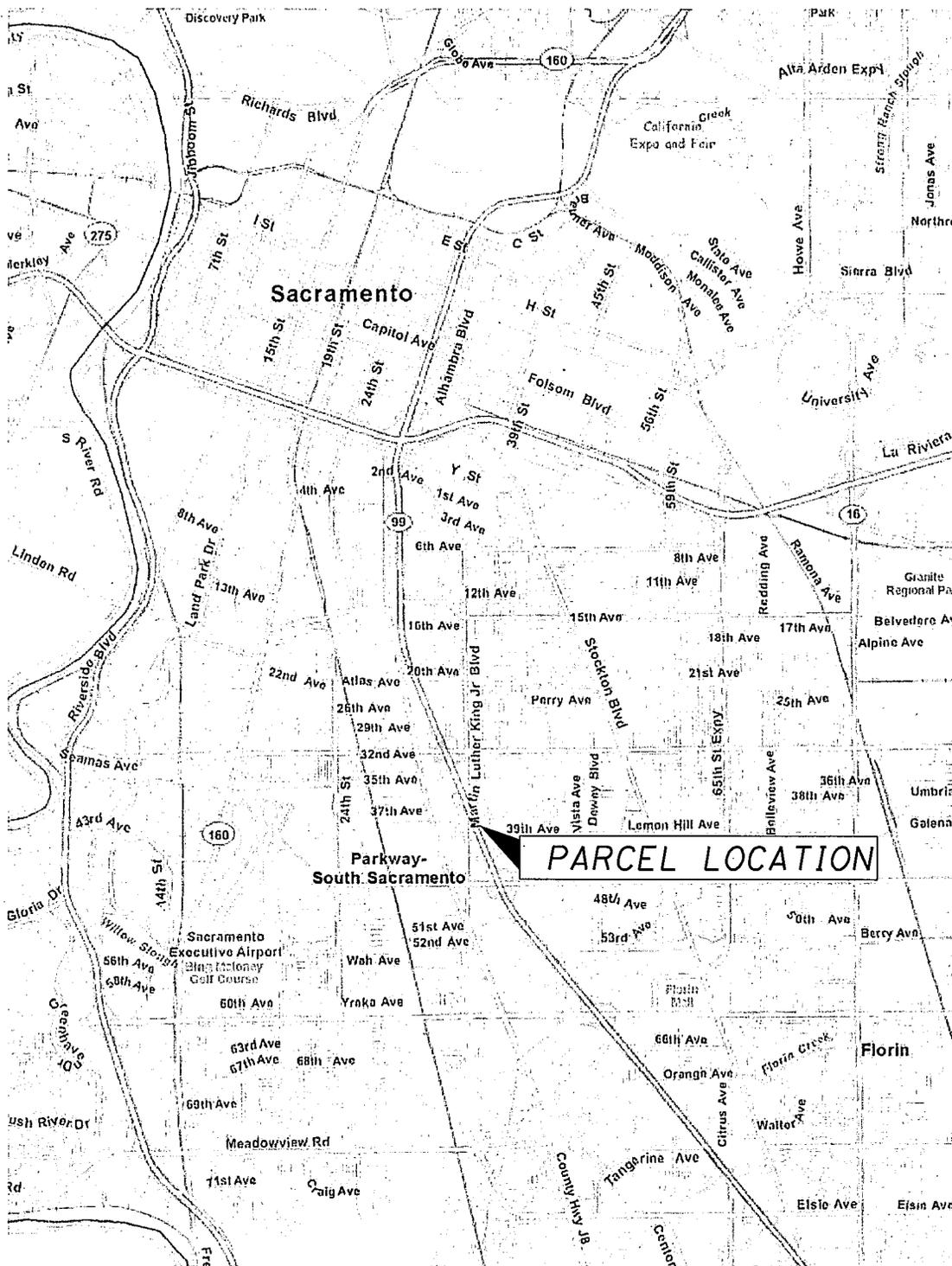
STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY DIRECTORS DEED
DD 8425-01-02(8568)



NOTE:
HIGHWAY EASEMENT
RESERVED OVER
ENTIRE PARCEL

DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
03	SAC	99	22.4	2	2

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.



LOCATION MAP

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION

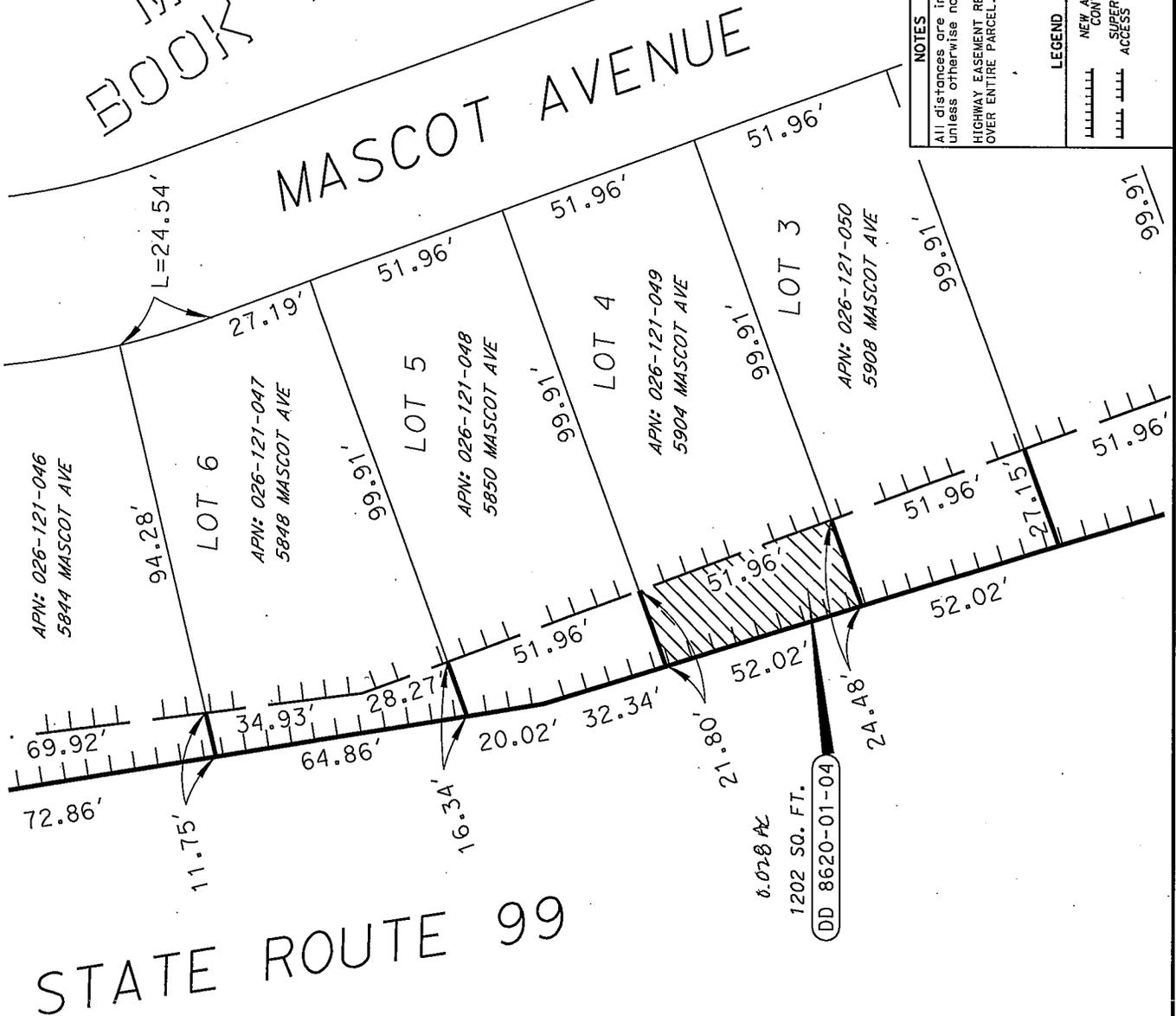
**RIGHT OF WAY
DIRECTORS DEED
DD 8620 -01-04**

DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
03	SAC	99	21.5	1	2

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.

COUNTY OF SACRAMENTO

MASCOT GARDENS
BOOK 75 MAP NO. 13



NOTES

All distances are in feet unless otherwise noted.
HIGHWAY EASEMENT RESERVED OVER ENTIRE PARCEL.

LEGEND

NEW ACCESS CONTROL
SUPERSEDED ACCESS CONTROL

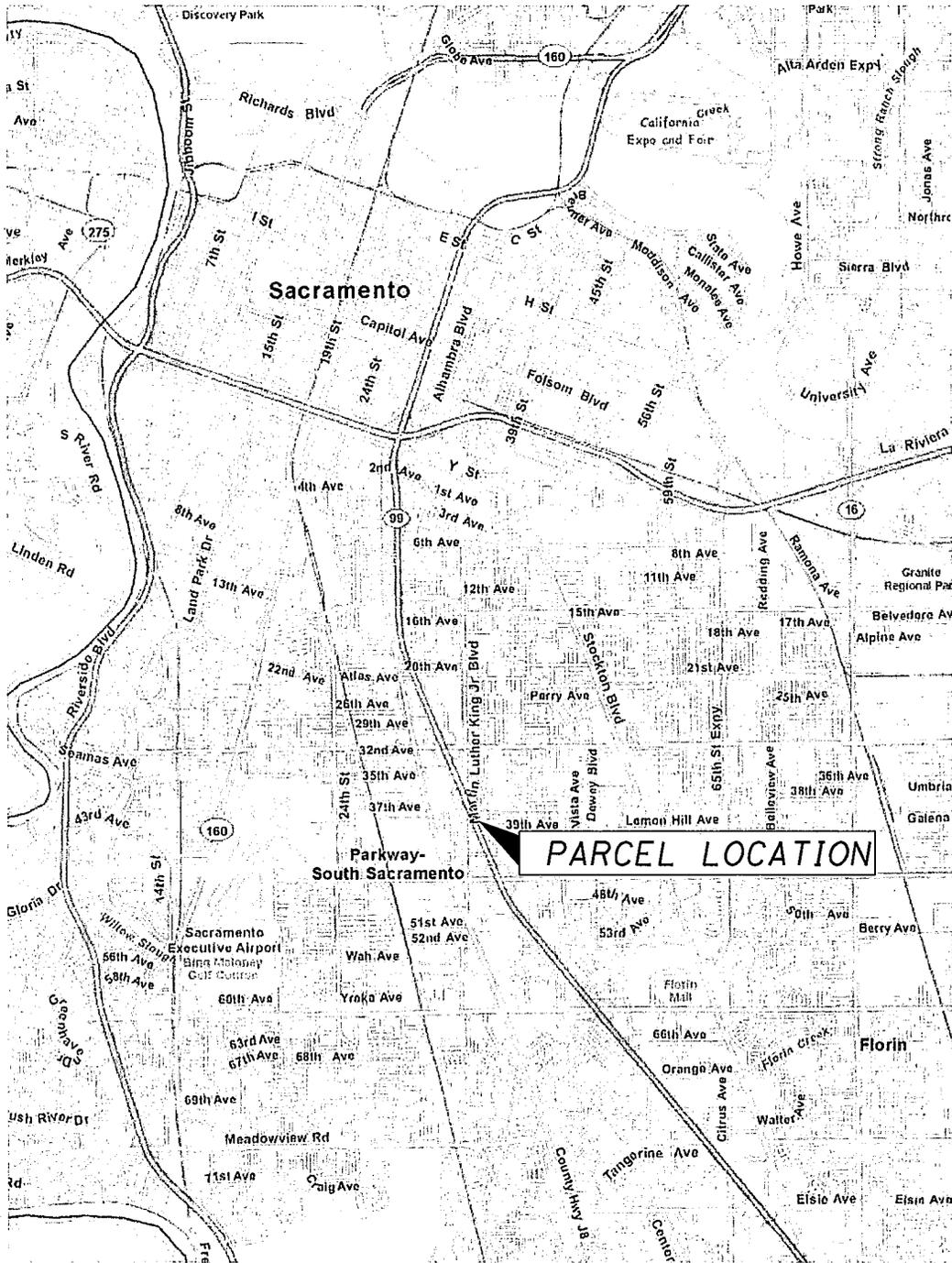
STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
DIRECTORS DEED
DD 8620-01-04



DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
03	SAC	99	21.5	2	2

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.



LOCATION MAP

STATE OF CALIFORNIA
 BUSINESS, TRANSPORTATION AND HOUSING AGENCY
 DEPARTMENT OF TRANSPORTATION

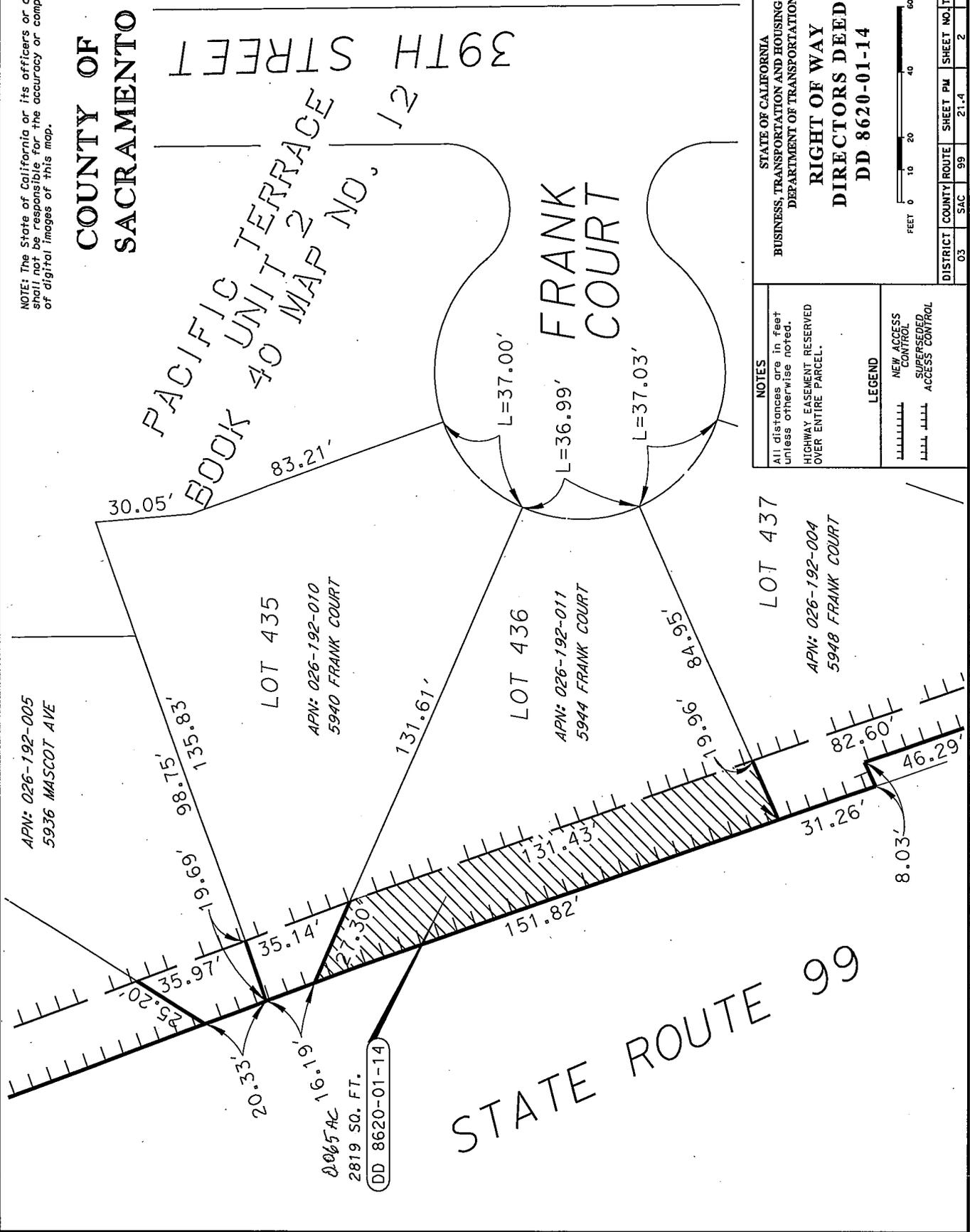
**RIGHT OF WAY
 DIRECTORS DEED
 DD 8620 -01-14**

DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
03	SAC	99	21.4	1	2

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.

COUNTY OF SACRAMENTO

PACIFIC TERRACE UNIT 2 BOOK 40 MAP NO. 12



STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY
DIRECTORS DEED
DD 8620-01-14

FEET 0 10 20 40 60

LEGEND
NEW ACCESS CONTROL
SUPERSEDED ACCESS CONTROL

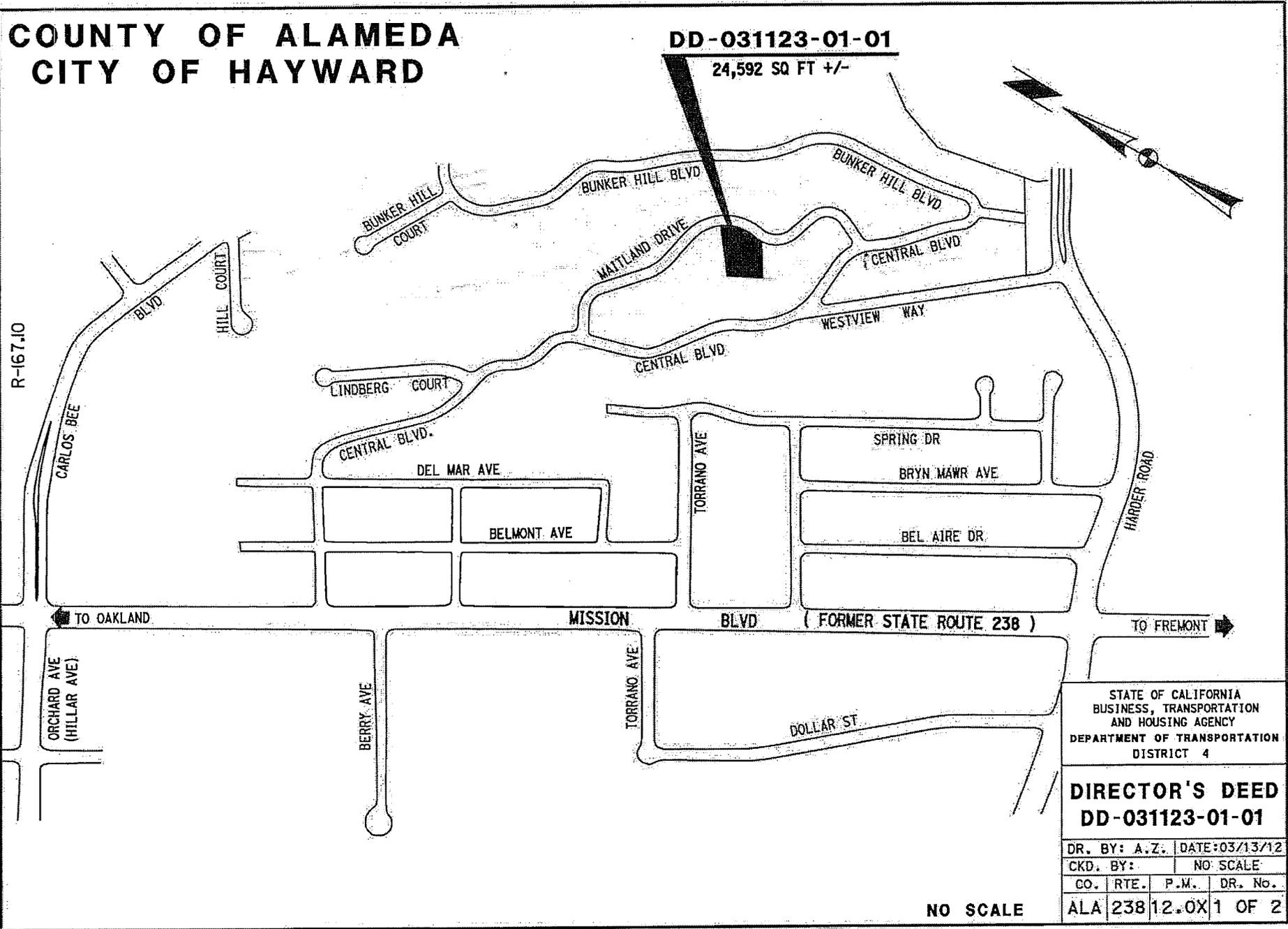
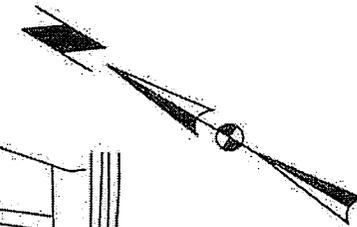
NOTES
All distances are in feet unless otherwise noted.
HIGHWAY EASEMENT RESERVED OVER ENTIRE PARCEL.

DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
03	SAC	99	21-A	2	2

**COUNTY OF ALAMEDA
CITY OF HAYWARD**

DD-031123-01-01

24,592 SQ FT +/-



STATE OF CALIFORNIA BUSINESS, TRANSPORTATION AND HOUSING AGENCY DEPARTMENT OF TRANSPORTATION DISTRICT 4			
DIRECTOR'S DEED DD-031123-01-01			
DR. BY: A.Z.	DATE: 03/13/12		
CKD. BY:	NO SCALE		
CO.	RTE.	P.M.	DR. No.
ALA	238	12.0X	1 OF 2

NO SCALE

Attachment 8A

**COUNTY OF ALAMEDA
CITY OF HAYWARD**

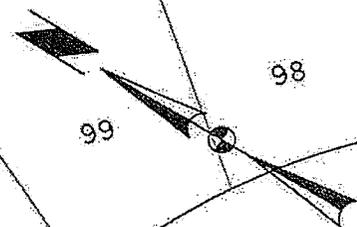
E. 14TH ST, HOME SITES
EDEN TOWNSHIP
18 MAPS 56-57

12

DD-031123-01-01

24,592 SQ. FT.
0.54 AC

MAITLAND DR



99 98 97 96 95 94 93 92 91

L=60' +/-

L=51' +/-

L=21' +/-

L=36' +/-

31122

32114
1679 OR 856
01/07/1966

31123
1235 OR 521
06/18/1964

38978
2374 OR 2899
02/01/1969

38981

31029

10

184' +/-

185' +/-

166' +/-

38979

16

38976

9

13

32274-01-01
8907 SQ. FT.

031123-01-01
7882 SQ. FT.

038978-01-01
7803 SQ. FT.

14

15

35' +/-

45' +/-

45' +/-

SCALE IN FEET



SCALE: 1"=50'

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION
AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
DISTRICT 4

**DIRECTOR'S DEED
DD-031123-01-01**

DR. BY: A.Z.	DATE: 03/13/12
CKD. BY:	SCALE: 1"=50'
CO. RTE. P.M.	DR. No.
ALA 23812.0X	2 OF 2

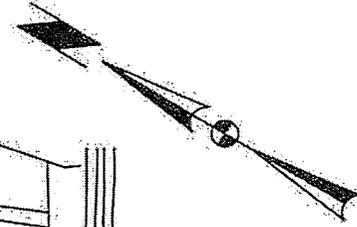
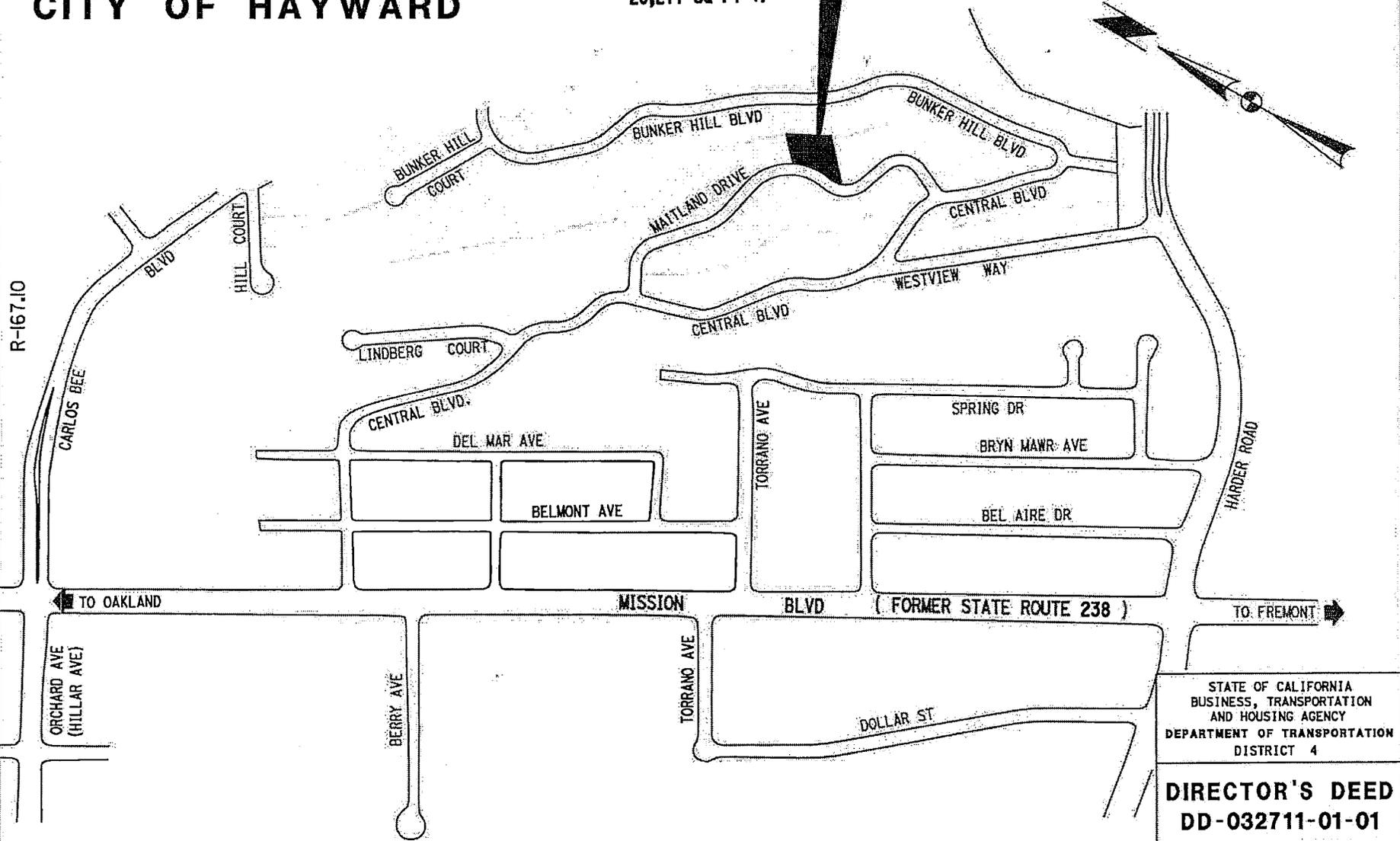
Attachment 8B

R-167-10

**COUNTY OF ALAMEDA
CITY OF HAYWARD**

DD-032711-01-01

20,277 SQ FT +/-



STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION
AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
DISTRICT 4

**DIRECTOR'S DEED
DD-032711-01-01**

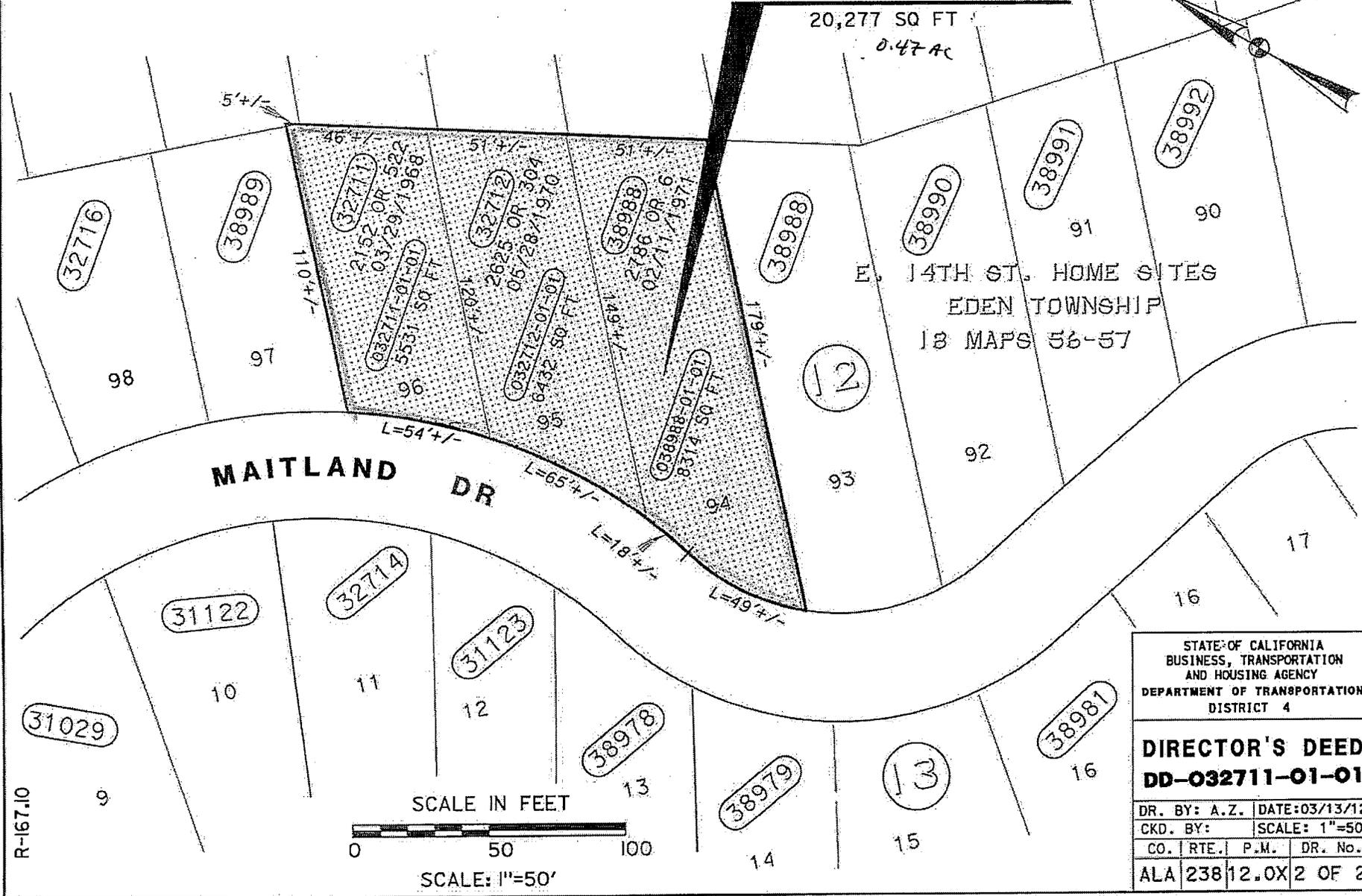
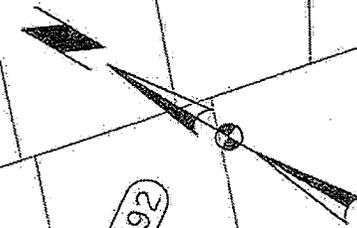
DR. BY: A.Z.	DATE: 03/13/12
CKD. BY:	NO SCALE
CO. RTE. P.M. DR. No.	
ALA 238	12.OX 1 OF 2

NO SCALE

**COUNTY OF ALAMEDA
CITY OF HAYWARD**

DD-032711-01-01

20,277 SQ FT
0.47 AC



E. 14TH ST. HOME SITES
EDEN TOWNSHIP
18 MAPS 56-57

STATE OF CALIFORNIA BUSINESS, TRANSPORTATION AND HOUSING AGENCY DEPARTMENT OF TRANSPORTATION DISTRICT 4			
DIRECTOR'S DEED DD-032711-01-01			
DR. BY: A.Z.	DATE: 03/13/12		
CKD. BY:	SCALE: 1"=50'		
CO.	RTE.	P.M.	DR. No.
ALA	238	12.0X	2 OF 2

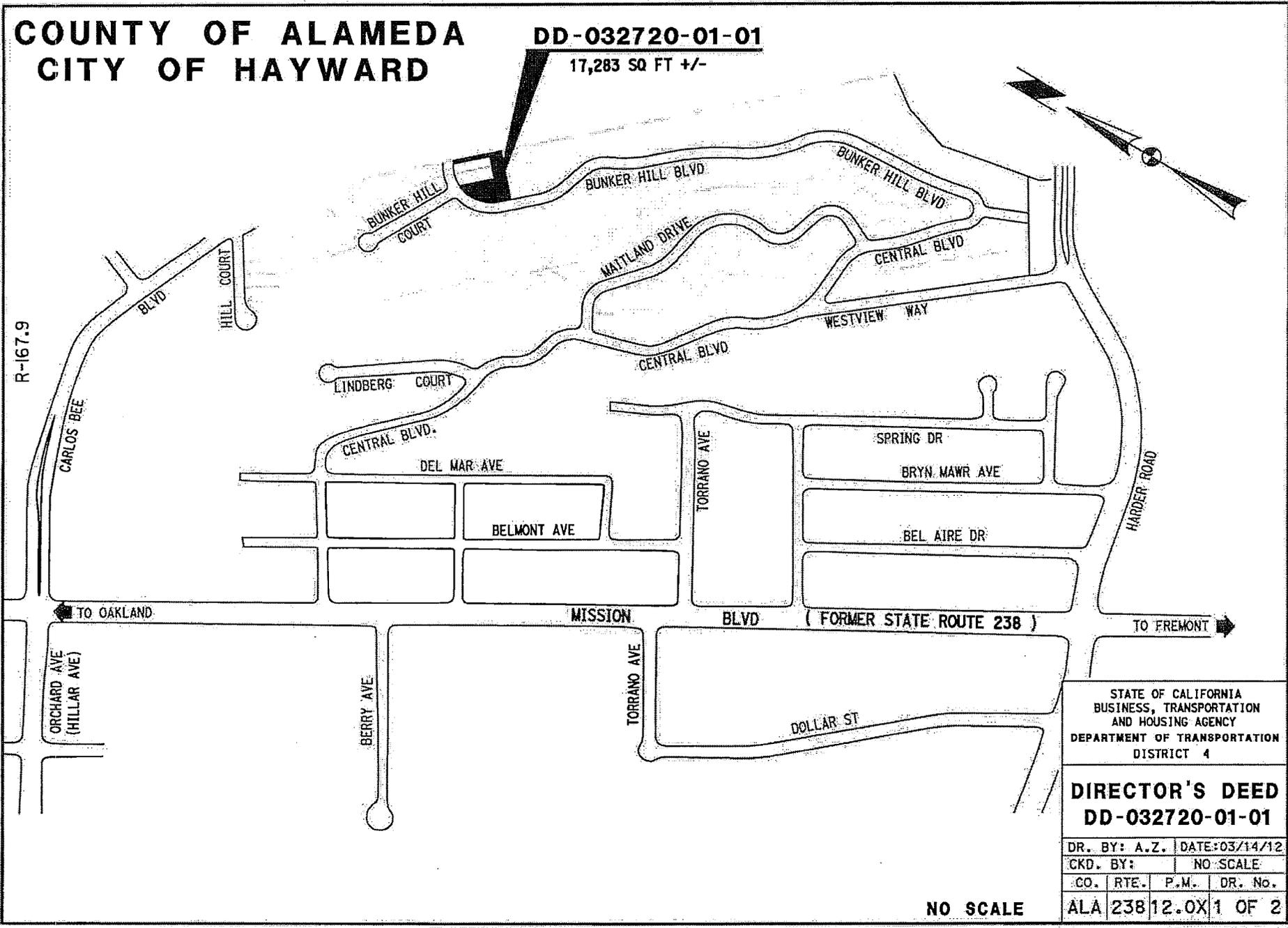
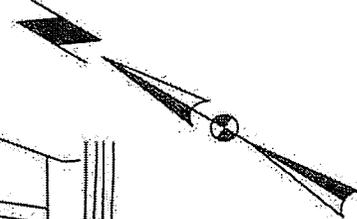
Attachment 9B

R-167.10

**COUNTY OF ALAMEDA
CITY OF HAYWARD**

DD-032720-01-01

17,283 SQ FT +/-



STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION
AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
DISTRICT 4

**DIRECTOR'S DEED
DD-032720-01-01**

DR. BY: A.Z.	DATE: 03/14/12		
CKD. BY:	NO SCALE		
CO. ALA	RTE. 238	P.M. 12.0X	DR. No. 1 OF 2

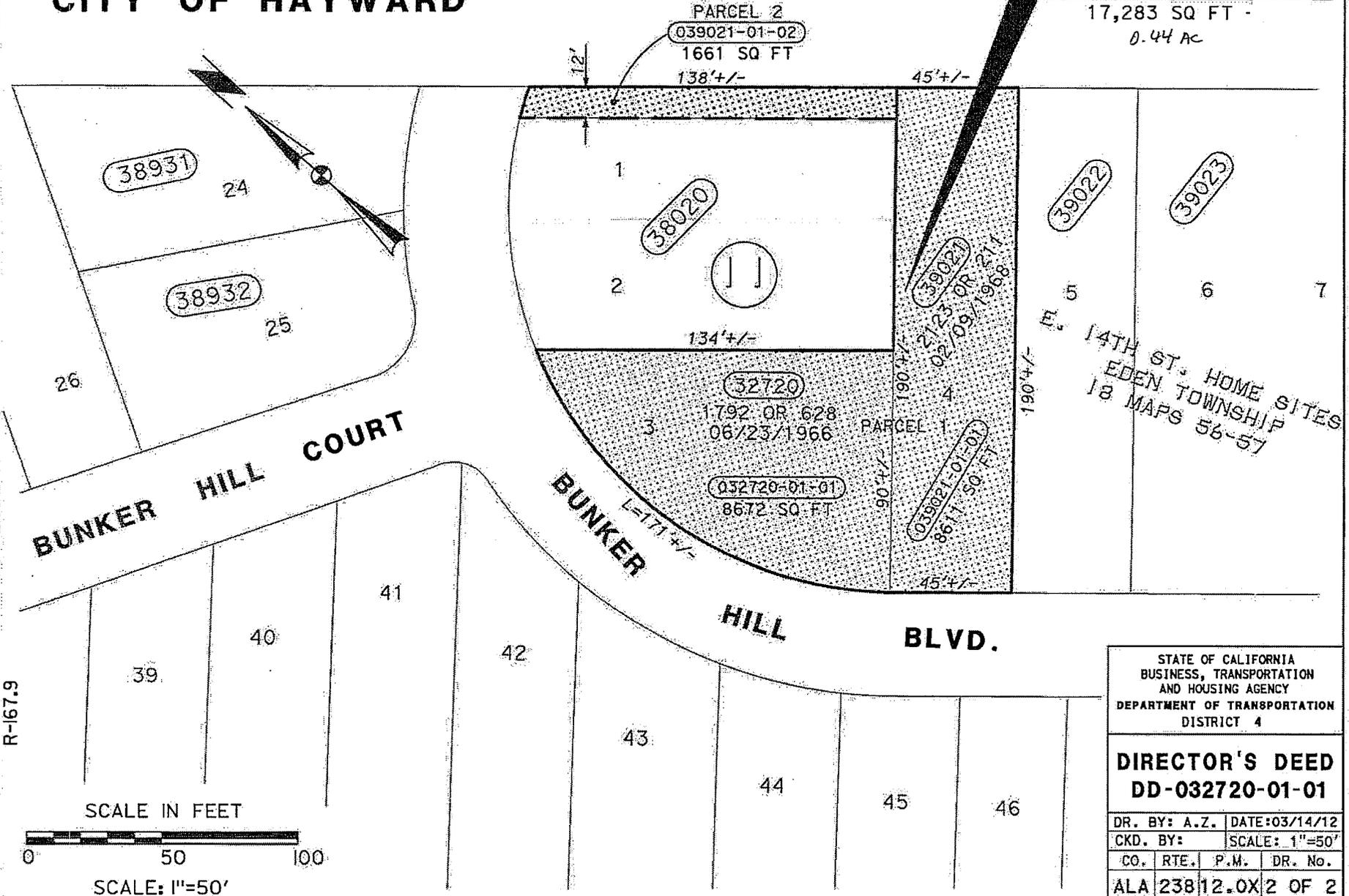
NO SCALE

Attachment 10A

**COUNTY OF ALAMEDA
CITY OF HAYWARD**

DD-032720-01-01

17,283 SQ FT -
0.44 AC

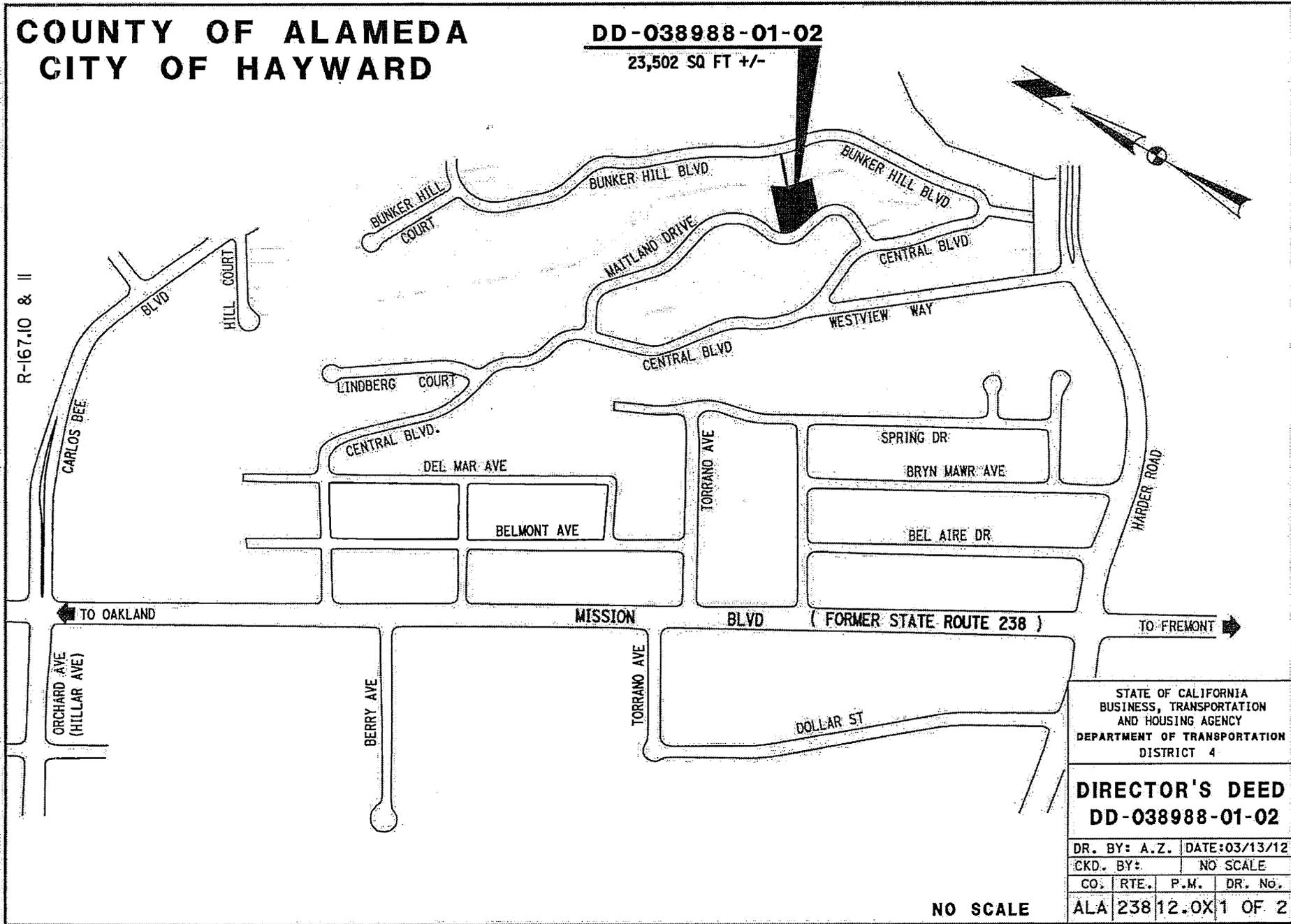
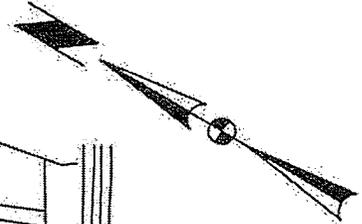


STATE OF CALIFORNIA BUSINESS, TRANSPORTATION AND HOUSING AGENCY DEPARTMENT OF TRANSPORTATION DISTRICT 4			
DIRECTOR'S DEED DD-032720-01-01			
DR. BY: A.Z.	DATE: 03/14/12		
CKD. BY:	SCALE: 1"=50'		
CO.	RTE.	P.M.	DR. No.
ALA	238	12.0X	2 OF 2

**COUNTY OF ALAMEDA
CITY OF HAYWARD**

DD-038988-01-02

23,502 SQ FT +/-



STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION
AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
DISTRICT 4

**DIRECTOR'S DEED
DD-038988-01-02**

DR. BY: A.Z. DATE:03/13/12

CKD. BY: NO SCALE

CO. RTE. P.M. DR. No.

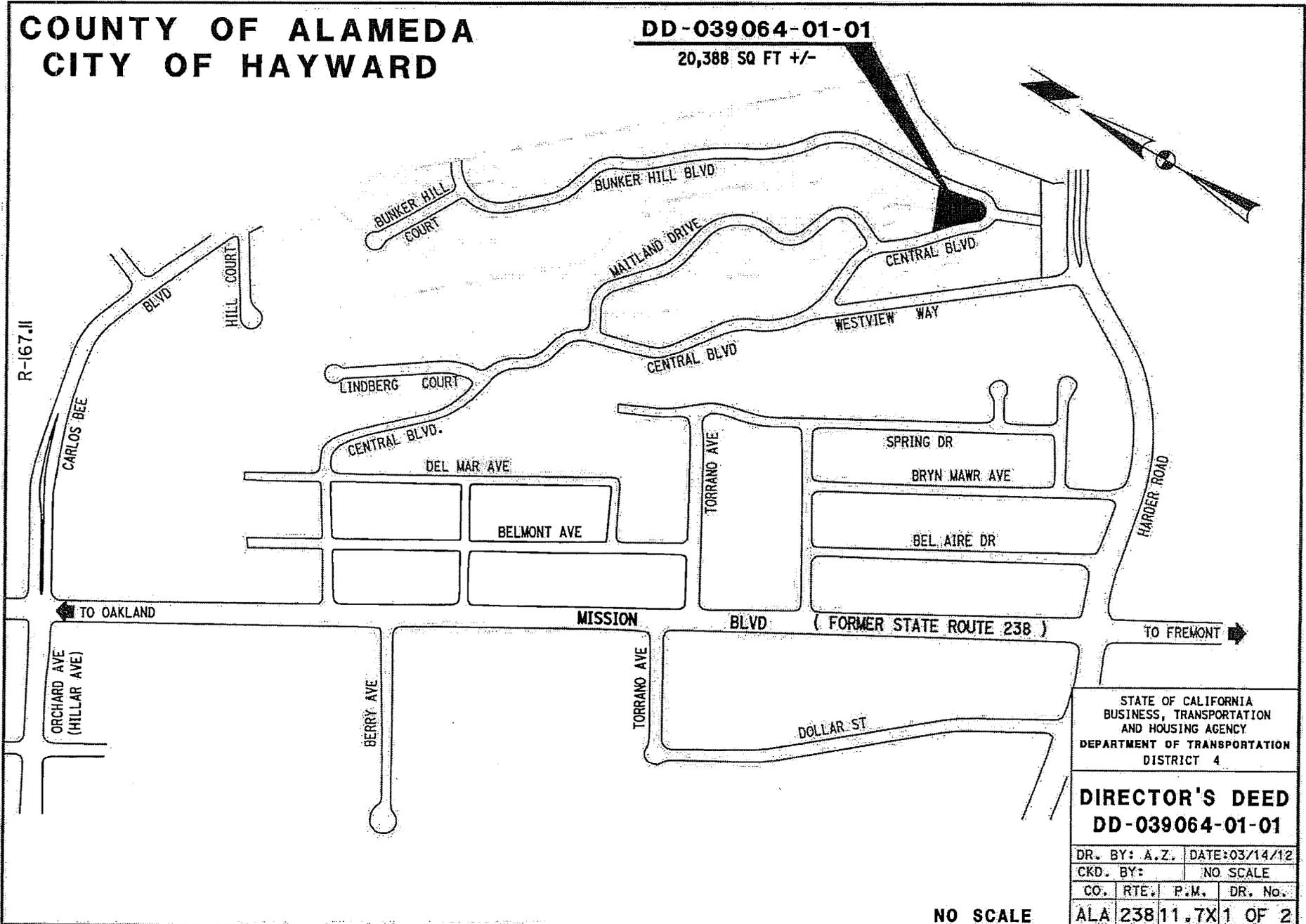
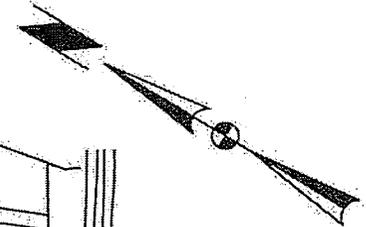
ALA 238 12.0X 1 OF 2

NO SCALE

**COUNTY OF ALAMEDA
CITY OF HAYWARD**

DD-039064-01-01

20,388 SQ FT +/-



STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION
AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
DISTRICT 4

**DIRECTOR'S DEED
DD-039064-01-01**

DR. BY: A.Z. DATE:03/14/12

CKD. BY: NO SCALE

CO. RTE. P.M. DR. No.

ALA 238 11.7X1 OF 2

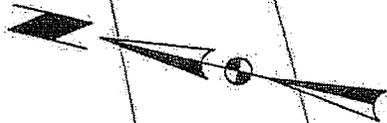
NO SCALE

COUNTY OF ALAMEDA
CITY OF HAYWARD

DD-039064-01-01

20,388 SQ FT

OLTAZ



E. 14TH ST. HOME SITES
EDEN TOWNSHIP
13 MAPS 56-57

BUNKER HILL BLVD

CENTRAL BLVD

39064

2417. OR. 681
06/09/1969

39065

2698 OR. 860
09/25/1970

039064-01-01
14070 SQ FT

039065-01-01
6318 SQ FT

SCALE IN FEET



SCALE: 1"=50'

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION
AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
DISTRICT 4

DIRECTOR'S DEED
DD-039064-01-01

DR. BY: A.Z. DATE:03/14/12

CKD. BY: SCALE: 1"=50'

CO. RTE. P.M. DR. No.

ALA 238 11.7X 2 OF 2

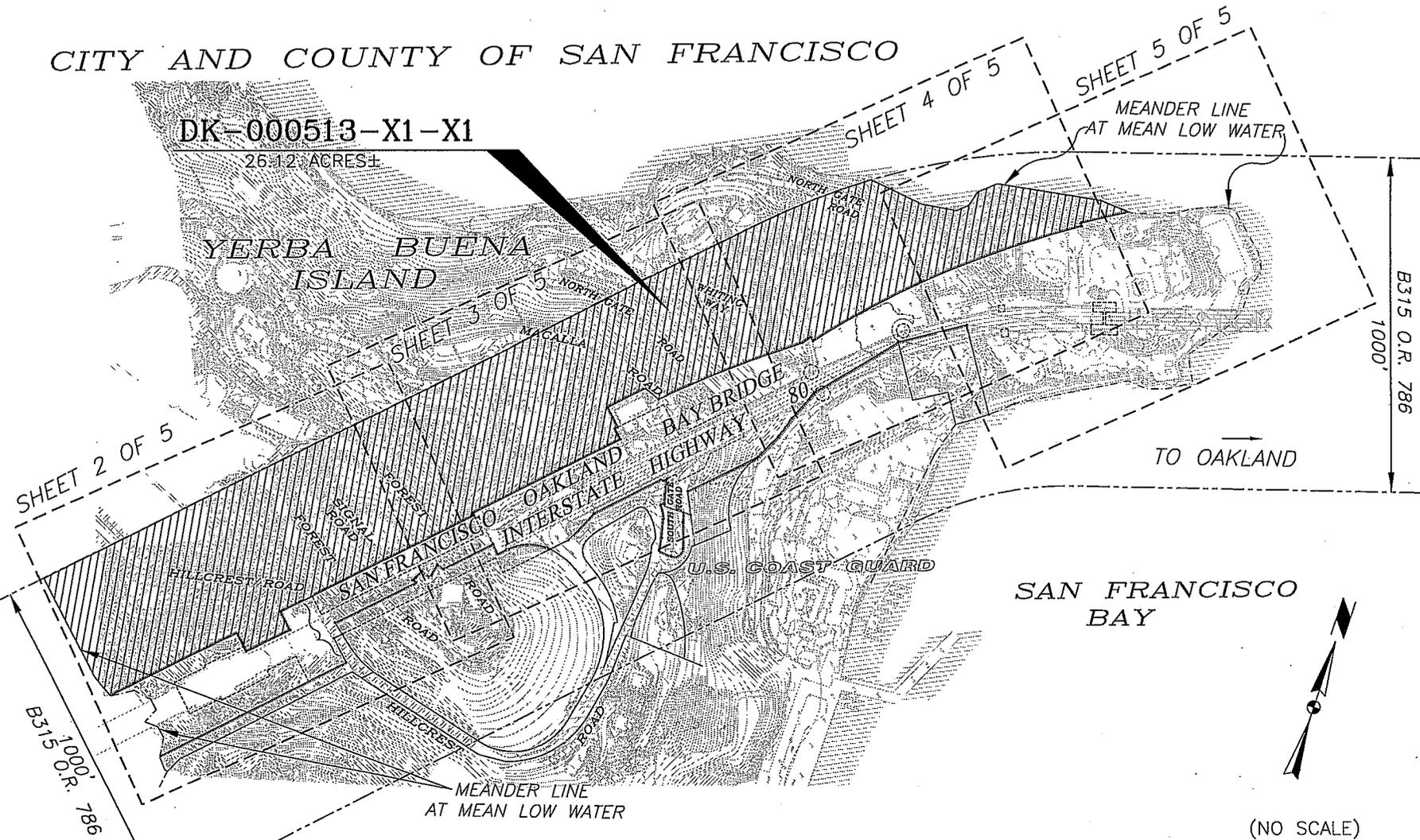
Attachment 12B

CITY AND COUNTY OF SAN FRANCISCO

DK-000513-X1-X1

26.12 ACRES±

YERBA BUENA ISLAND



B315 O.R. 786
1000'

SHEET 2 OF 5

SHEET 3 OF 5

SHEET 4 OF 5

SHEET 5 OF 5

MEANDER LINE AT MEAN LOW WATER

TO OAKLAND

SAN FRANCISCO BAY



(NO SCALE)

B315 O.R. 786
1000'

TO SAN FRANCISCO

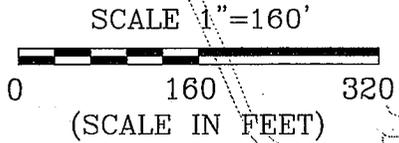
SAN FRANCISCO BAY

Attachment 13A

M-01531.0

STATE OF CALIFORNIA BUSINESS, TRANSPORTATION AND HOUSING AGENCY DEPARTMENT OF TRANSPORTATION DISTRICT 04		DIRECTOR'S DEED DK-000513-X1-X1		
DR. BY: JZ	DATE: 02/07/12	CO. SF	RTE. 80	P.M. 8.0
CK'D BY: JZ	SCALE: NONE	DWG. NO. SHEET 1 OF 5		

COORDINATES, BEARINGS AND DISTANCES SHOWN ARE ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 3. MULTIPLY DISTANCES SHOWN BY 1.0000680 TO OBTAIN GROUND LEVEL DISTANCES.



DK-000513-X1-X1

26.12 ACRES±

GENERAL NW'LY LINE OF THE EXISTING 1000' STRIP PER THE AGREEMENT DATED 1/30/1969 AND RECORDED 2/27/1969, BK. B315, PG. 786, C.C.S.F.R.

CITY AND COUNTY OF SAN FRANCISCO

TERESA ELENA ISLAND

MEANDER LINE AT MEAN LOW WATER

PARCEL 57935-2 STATE OF CALIFORNIA DOC. NO. 2000G855531, C.C.S.F.R.

PARCEL 57935-1 STATE OF CALIFORNIA DOC. NO. 2000G855531, C.C.S.F.R.

P.O.B.

PARCEL 57935-1 STATE OF CALIFORNIA DOC. NO. 2000G855531, C.C.S.F.R.

P.O.C.

ROADWAY EASEMENT DOC. NO. 2000G855531, C.C.S.F.R.

N41°31'00"E 413.77'

S48°29'00"E 62.00' (T)

N48°29'00"W 62.00'

N41°31'00"E

636.96'

44.00'

N41°31'00"E 145.49'

PRE-EXISTING EASEMENT

BK. A542, PG. 874, C.C.S.F.R.

SAN FRANCISCO

OAKLAND BAYBRIDGE

INTERSTATE

HWY 80

MEANDER LINE AT MEAN LOW WATER

LEGEND

o	DIMENSION POINT	PG.	PAGE
	ACCESS PROHIBITED	DOC. NO.	DOCUMENT NUMBER
o	CITY AND COUNTY OF SAN FRANCISCO RECORDS	(R)	RADIAL BEARING
(T)	TOTAL	±	MORE OR LESS
BK.	BOOK	T.C.E.	TEMPORARY CONSTRUCTION EASEMENT
P.O.C.	POINT OF COMMENCEMENT	F.O.B.	POINT OF BEGINNING

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
DISTRICT 04

DIRECTOR'S DEED
DK-000513-X1-X1

DR. BY: JZ DATE: 02/07/12
CK'D BY: JZ SCALE: 1"=160'

CO. SF RTE. 80 P.M. 8.0
DWG. NO. SHEET 2 OF 5

Attachment 13B

M-01531.2, 3

SHEET 3 OF 5

FOREST ROAD

SIGNAL ROAD

FOREST

HILLCREST ROAD

COORDINATES, BEARINGS AND DISTANCES SHOWN ARE ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 3. MULTIPLY DISTANCES SHOWN BY 1.0000680 TO OBTAIN GROUND LEVEL DISTANCES.

DK-000513-X1-X1

26.12 ACRES ±

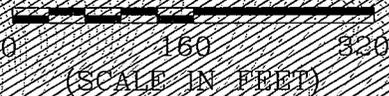
GENERAL NW'LY LINE OF THE EXISTING 1000' STRIP PER THE AGREEMENT DATED 1/30/1969 AND RECORDED 2/27/1969, BK. B315, PG. 786, C.C.S.F.R.

CITY AND COUNTY OF SAN FRANCISCO

YERBA BUENA ISLAND

PARCEL 57935-4 (T.C.E.)
DOC. NO. 2000G855531, C.C.S.F.R.

SCALE 1"=160'



FOREST ROAD

ROAD

NORTH GATE ROAD

NORTH GATE ROAD

SEE SHEET 4 OF 5

636.96

N41°31'00"E 487.47
N48°29'00"W 7.10

N48°29'00"W 37.50

N41°31'00"E 125.15'
N48°29'00"W 67.61

S71°22'28"E 50.28
N47°34'28"W(R) R=3120.08

Δ=08°23'17"(P)
Δ=05°45'42" L=313.74

N41°48'42"W(R)

SAN FRANCISCO OAKLAND BAYBRIDGE
INTERSTATE HWY 80

PRE-EXISTING EASEMENT
BK. A542, PG. 874, C.C.S.F.R.

PARCEL 57935-1
STATE OF CALIFORNIA
DOC. NO. 2000G855531, C.C.S.F.R.

ROADWAY EASEMENT
DOC. NO. 2000G855531, C.C.S.F.R.

"W" LINE OF THE NEW BRIDGE

SEE SHEET 2 OF 5

LEGEND

- BK. BOOK
- PG. PAGE
- DIMENSION POINT
- ACCESS PROHIBITED
- C.C.S.F.R. CITY AND COUNTY OF SAN FRANCISCO RECORDS
- (T) TOTAL
- DOC. NO. DOCUMENT NUMBER
- (R) RADIAL BEARING
- ± MORE OR LESS
- T.C.E. TEMPORARY CONSTRUCTION EASEMENT

PARCEL 1
COAST GUARD

PARCEL 2
COAST GUARD

PARCEL 4
COAST GUARD

STATE OF CALIFORNIA BUSINESS, TRANSPORTATION AND HOUSING AGENCY DEPARTMENT OF TRANSPORTATION DISTRICT 04		DIRECTOR'S DEED DK-000513-X1-X1	
DR. BY: JZ	DATE: 02/07/12	CO. SF	RTE. 80 P.M. 8.0
CK'D BY: JZ	SCALE: 1"=160'	DWG. NO.	SHEET 3 OF 5

COORDINATES, BEARINGS AND DISTANCES SHOWN ARE ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 3. MULTIPLY DISTANCES SHOWN BY 1.0000680 TO OBTAIN GROUND LEVEL DISTANCES.

SAN FRANCISCO BAY

LEGEND

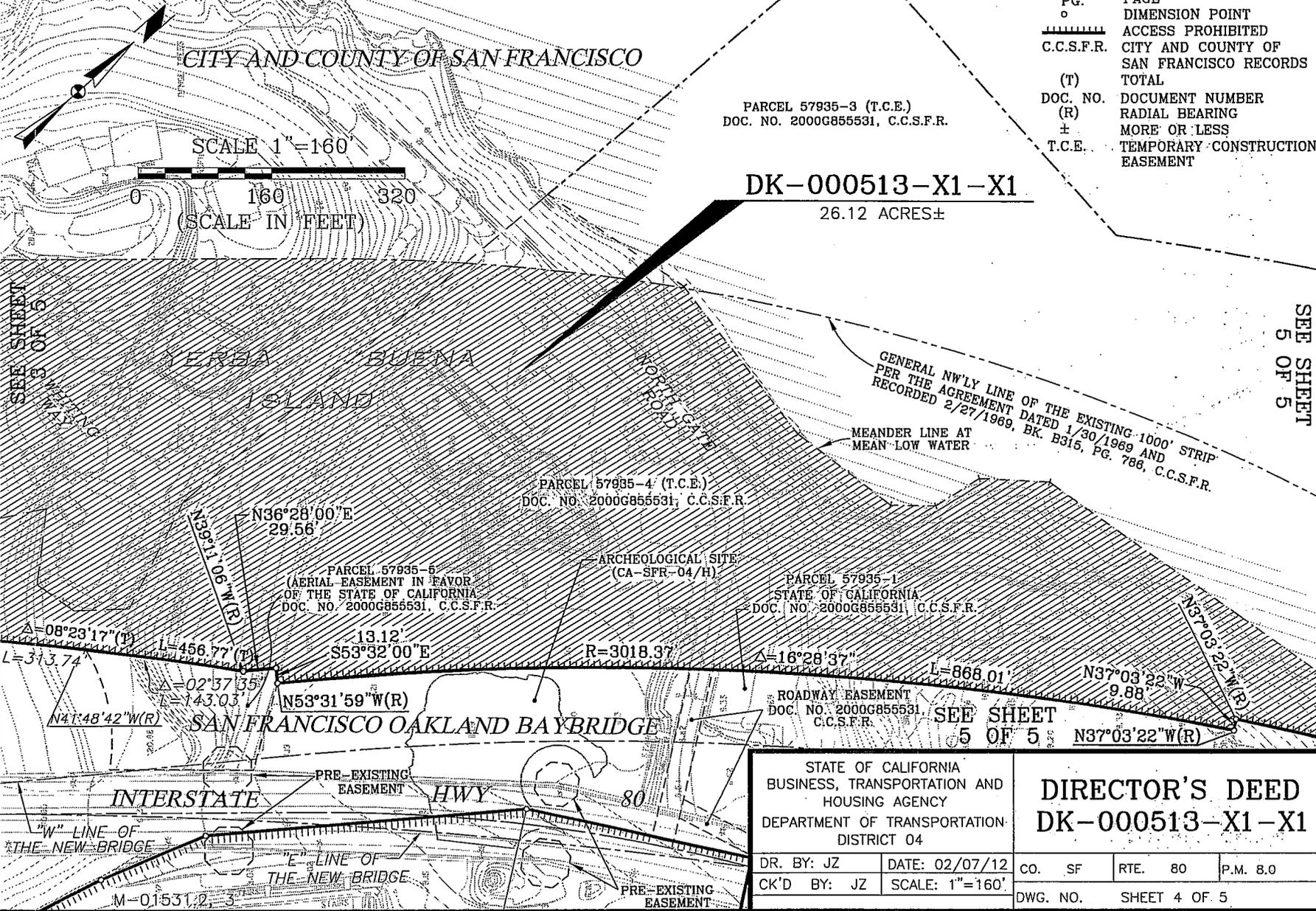
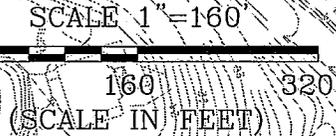
- BK. BOOK
- PG. PAGE
- o DIMENSION POINT
- ACCESS PROHIBITED
- C.C.S.F.R. CITY AND COUNTY OF SAN FRANCISCO RECORDS
- (T) TOTAL
- DOC. NO. DOCUMENT NUMBER
- (R) RADIAL BEARING
- ± MORE OR LESS
- T.C.E. TEMPORARY CONSTRUCTION EASEMENT

CITY AND COUNTY OF SAN FRANCISCO

PARCEL 57935-3 (T.C.E.)
DOC. NO. 2000G855531, C.C.S.F.R.

DK-000513-X1-X1

26.12 ACRES±



SEE SHEET 3 OF 5

SEE SHEET 5 OF 5

SEE SHEET 5 OF 5

STATE OF CALIFORNIA BUSINESS, TRANSPORTATION AND HOUSING AGENCY		DIRECTOR'S DEED	
DEPARTMENT OF TRANSPORTATION DISTRICT 04		DK-000513-X1-X1	
DR. BY: JZ	DATE: 02/07/12	CO. SF	RTE. 80 P.M. 8.0
CK'D BY: JZ	SCALE: 1"=160'	DWG. NO. SHEET 4 OF 5	

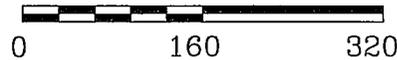
Attachment 13D

COORDINATES, BEARINGS AND DISTANCES SHOWN ARE ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 3. MULTIPLY DISTANCES SHOWN BY 1.0000680 TO OBTAIN GROUND LEVEL DISTANCES.

SEE SHEET
4 OF 5

CITY AND COUNTY OF SAN FRANCISCO

SCALE 1"=160'



(SCALE IN FEET)

SAN FRANCISCO
BAY

DK-000513-X1-X1

26.12 ACRES±

PARCEL 57935-3 (T.C.E.)
DOC. NO. 2000G855531, C.C.S.F.R.

LEGEND

- BK. BOOK
- PG. PAGE
- o DIMENSION POINT
- ===== ACCESS PROHIBITED
- C.C.S.F.R. CITY AND COUNTY OF SAN FRANCISCO RECORDS
- (T) TOTAL
- DOC. NO. DOCUMENT NUMBER
- (R) RADIAL BEARING
- ± MORE OR LESS
- T.C.E. TEMPORARY CONSTRUCTION EASEMENT

R=3028.21'
Δ=02°25'41"
L=128.33'

R=3018.37'

Δ=16°28'37"

L=868.01'

N37°03'22"W
9.88'

N37°03'22"W(R)

N53°22'19"E
17.00'

MEANDER LINE AT
MEAN LOW WATER

INTERSTATE

PRE-EXISTING EASEMENT

W' LINE OF THE NEW BRIDGE

PARCEL 57935-1
STATE OF CALIFORNIA
DOC. NO. 2000G855531, C.C.S.F.R.

HWY

PARCEL 57935-6
(AERIAL EASEMENT IN FAVOR
OF THE STATE OF CALIFORNIA
DOC. NO. 2000G855531, C.C.S.F.R.)

BUILDING
262

"E" LINE OF THE NEW BRIDGE
CENTERLINE OF
THE OLD BRIDGE ALIGNMENT

80

SAN FRANCISCO OAKLAND
BAY BRIDGE

PARCEL 57935-3 (T.C.E.)
DOC. NO. 2000G855531, C.C.S.F.R.

MEANDER LINE AT
MEAN LOW WATER

ACCESS EASEMENT
DOC. NO. 2000G855531,
C.C.S.F.R.

M=01531.2, 3

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND
HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
DISTRICT 04

DIRECTOR'S DEED
DK-000513-X1-X1

DR. BY: JZ DATE: 02/07/12
CK'D BY: JZ SCALE: 1"=160'

CO. SF RTE. 80 P.M. 8.0
DWG. NO. SHEET 5 OF 5

Unincorporated San Luis Obispo County

RANCHO SANTA MARGARITA

A.P.N. 070-031-037
 MAJOR DOME LLC
 22720 El Camino Real, #1
 Santa Margarita, CA

GRANT LINE

T. 29 S. R. 13 E.
 M.D.M.
 Sec. 15

A.P.N. 070-154-033
 KAISER SAND & GRAVEL CO., A CORP.
 13155 Noel Rd., 100
 Dallas, Texas

A.P.N. 070-154-033
 KAISER SAND & GRAVEL CO., A CORP.
 13155 Noel Rd., 100
 Dallas, Texas

A.P.N. 070-154-032
 KELLMAN, CHARLES & TAMARA
 P.O. Box 60
 SANTA MARGARITA, CA

A.P.N. 070-141-010 & 011
 ARLENE OSTER J. TRUST ETAL
 3745 ACACIA RD.
 ATASCADERO, CA

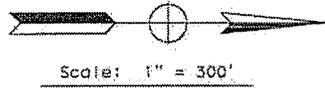
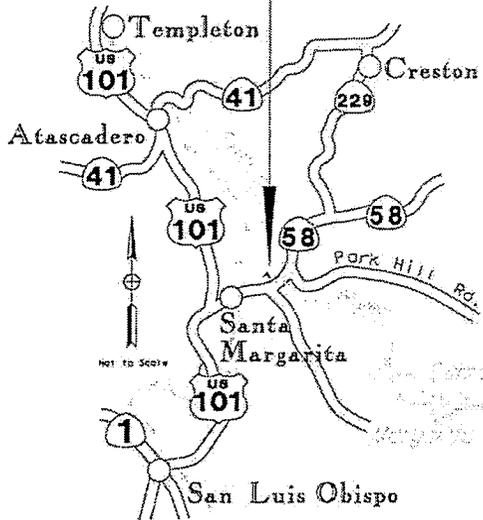
STATE OF CALIFORNIA
 DEPARTMENT OF
 TRANSPORTATION

DIRECTORS DEED
 MAP
DD 2968-01-01

COUNTY	ROUTE	POST MILE
SLO	58	4.7

DD 2968-01-01

0.40 AC



Conveyance of DD 2968-01-01 is
 "subject to special assessments, if
 any, restrictions, reservations and
 easements of record.
 Encumbered by 3 DWR Pipeline Easements,
 COA-433 Units A, B, & D,
 described in the document filed 11
 August 2003
 as Doc. No. 2003090130 of San Luis
 Obispo County Official Records.
 Area of Unit A = 0.09 Ac.
 Area of Unit B = 0.14 Ac.
 Area of Unit D = 0.05 Ac.



SECTION LINE

T. 29 S. R. 13 E.
 M.D.M.
 Sec. 10

Unincorporated San Luis Obispo County

RANCHO SANTA MARGARITA

A.P.N. 070-091-037
 MAJOR DEMA LLC
 27220 E. Camino Real, #1
 Santa Margarita, CA

GRANT LINE

T. 29 S. R. 13 E.
 M.D.M.
 Sec. 15

A.P.N. 070-154-023
 KAISER SAND & GRAVEL CO., A CORP.
 13133 HOWE RD., 100
 DALLAS, TEXAS

A.P.N. 070-154-023
 KAISER SAND & GRAVEL CO., A CORP.
 13133 HOWE RD., 100
 DALLAS, TEXAS

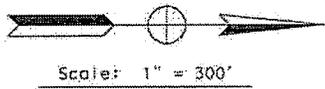
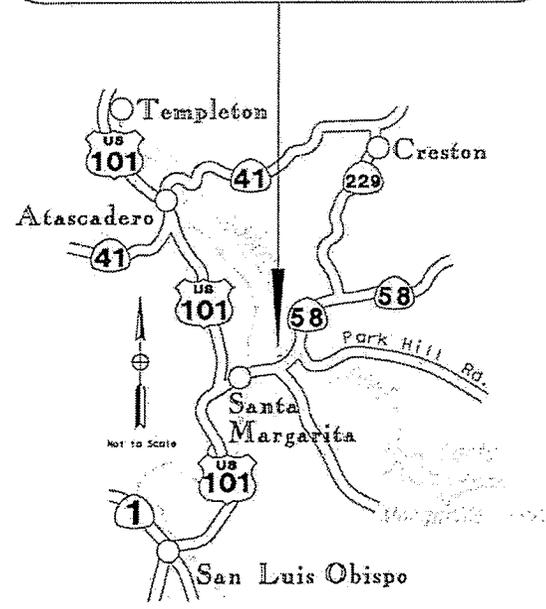
A.P.N. 070-154-032
 KEELMAN, CHARLES & TAMARA
 P.O. BOX 80
 SANTA MARGARITA, CA

A.P.N. 070-141-070 & 071
 ARVINE DOSTER J., FRANK ETAL
 1705 ANSELMO RD.
 ATASCADERO, CA

T. 29 S. R. 13 E.
 M.D.M.
 Sec. 10

DD 2969-01-02

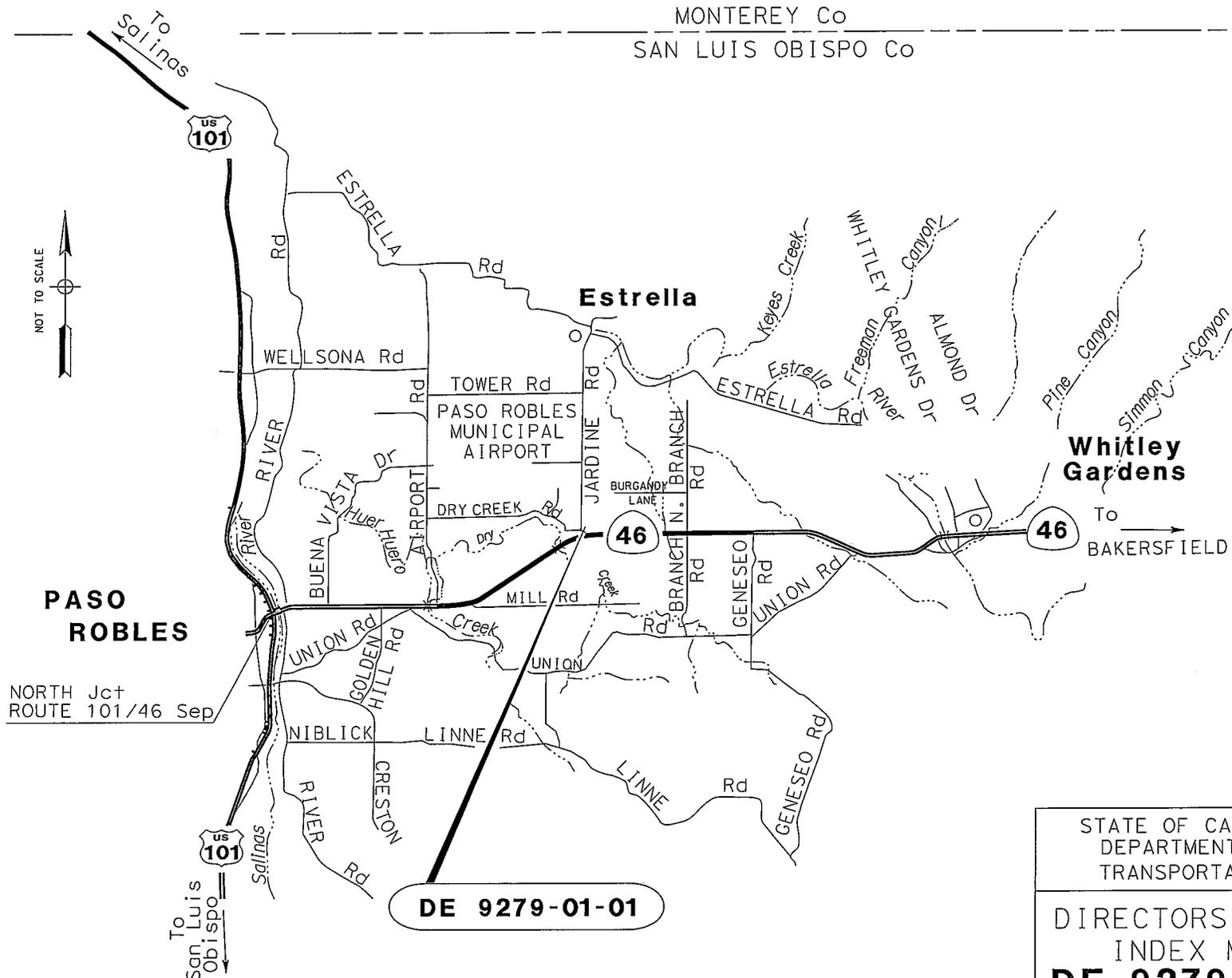
~1.2 Ac.



Conveyance of DD 2969-01-02 is
 "subject to special assessments, if
 any, restrictions, reservations and
 easements of record.
 Encumbered by DWR Pipeline Easement,
 COA-433 units E,
 described in the document filed 11
 August 2003
 as Doc. No. 2003090130 of San Luis
 Obispo County Official Records.
 Area of Unit E = 0.10 Ac.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION		
DIRECTORS DEED MAP		
DD 2969-01-02		
COUNTY	ROUTE	POST MILE
SLO	58	4.7

MONTEREY Co
SAN LUIS OBISPO Co



PASO ROBLES
NORTH Jct
ROUTE 101/46 Sep

DE 9279-01-01

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION		
DIRECTORS DEED INDEX MAP DE-9279-01-01		
COUNTY	ROUTE	POST MILE
SLO	46	34.6

T.26 S., R.13 E., M.D.B.& M.

Section 17

Book 5 Maps Page 25

TRACT 7

LOT 160

LOT 109

LOT 163

EXISTING 4.572 (15') WIDE PRIVATE INGRESS/EGRESS (5 MAPS 25)
AND PACIFIC TELEPHONE AND TELEGRAPH CO. (2141 OR 617)

EXISTING 7.620 (25') WIDE OFFER OF DEDICATION(R/W) (2926 O.R. 874)

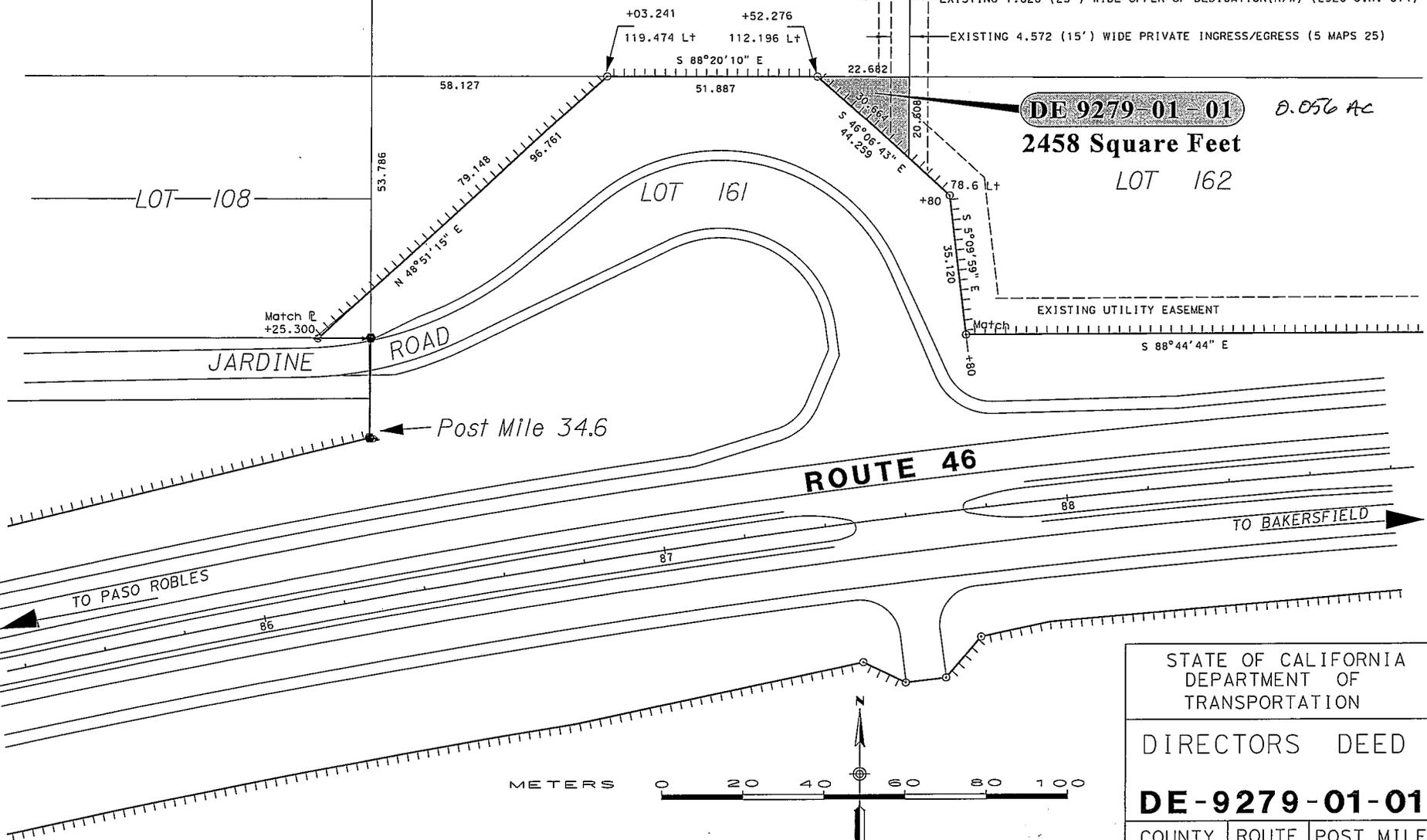
EXISTING 4.572 (15') WIDE PRIVATE INGRESS/EGRESS (5 MAPS 25)

DE 9279-01-01

0.056 Ac

2458 Square Feet

LOT 162



DE 9279-01-01

0.056 Ac

2458 Square Feet

LOT 162

EXISTING UTILITY EASEMENT

S 88°44'44" E

ROUTE 46

TO PASO ROBLES

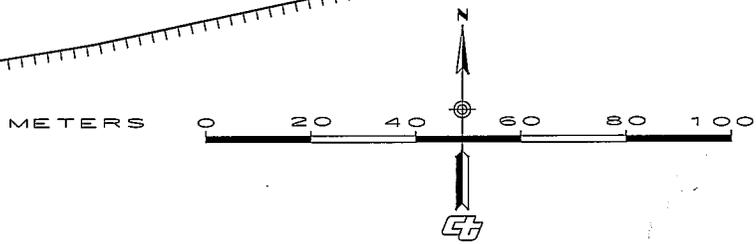
TO BAKERSFIELD

STATE OF CALIFORNIA
DEPARTMENT OF
TRANSPORTATION

DIRECTORS DEED

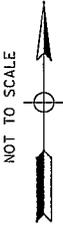
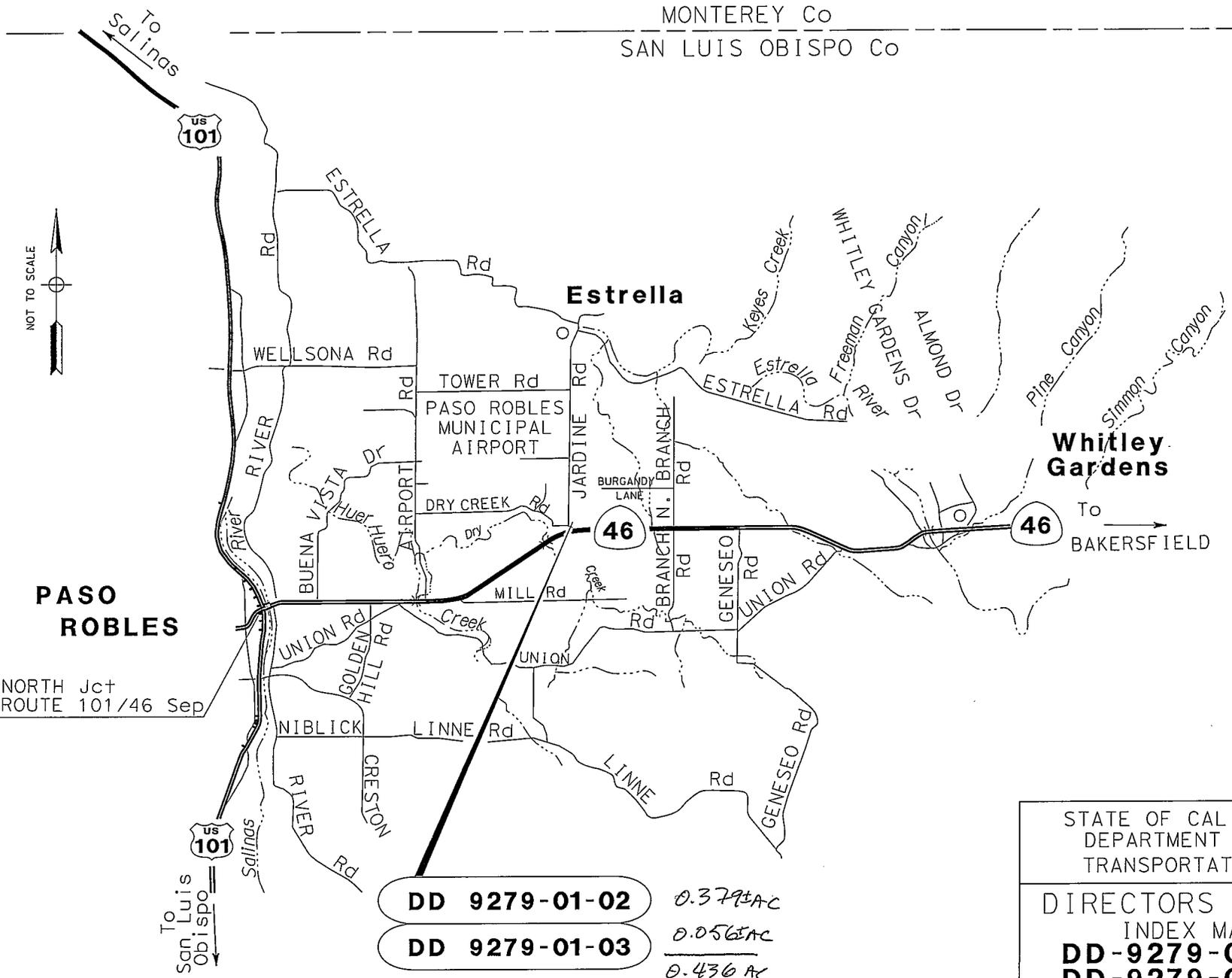
DE-9279-01-01

COUNTY	ROUTE	POST MILE
SLO	46	34.6



Attachment 16B

MONTEREY Co
SAN LUIS OBISPO Co



NORTH Jct
ROUTE 101/46 Sep

DD 9279-01-02
DD 9279-01-03

0.379± AC
0.056± AC
0.436 AC

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION		
DIRECTORS DEED INDEX MAP DD-9279-01-02 DD-9279-01-03		
COUNTY	ROUTE	POST MILE
SLO	46	34.6

T.26 S., R.13 E., M.D.B.& M.

Section 17

Book 5 Maps Page 25

TRACT 7

LOT 109

LOT 160

LOT 163

EXISTING 4.572 (15') WIDE PRIVATE INGRESS/EGRESS (5 MAPS 25)
AND PACIFIC TELEPHONE AND TELEGRAPH CO. (2141 OR 617)

EXISTING 7.620 (25') WIDE OFFER OF DEDICATION(R/W) (2926 O.R. 874)

EXISTING 4.572 (15') WIDE PRIVATE INGRESS/EGRESS (5 MAPS 25)

DD 9279-01-03

16,515 Square Feet

LOT 108
0.379 AC

DD 9279-01-02

2,458 Square Feet

LOT 162
0.056 AC

Match R
+25.300

JARDINE

ROAD

Post Mile 34.6

LOT 161

EXISTING UTILITY EASEMENT

S 88°44'44" E

ROUTE 46

TO PASO ROBLES

TO BAKERSFIELD

STATE OF CALIFORNIA
DEPARTMENT OF
TRANSPORTATION

DIRECTORS DEED
DD-9279-01-02
DD-9279-01-03

COUNTY	ROUTE	POST MILE
SLO	46	34.6

METERS

0 20 40 60 80 100



Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(1j)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: **FINANCIAL ALLOCATION AMENDMENT FOR PROPOSITION 1B STATE
ADMINISTERED CORRIDOR MOBILITY IMPROVEMENT ACCOUNT PROJECT ON THE
STATE HIGHWAY SYSTEM
RESOLUTION CMIA-AA-1112-027, AMENDING RESOLUTION CMIA-A-1112-009**

RECOMMENDATION:

The California Department of Transportation recommends the California Transportation Commission (Commission) amend Resolution CMIA-A-1112-009 to de-allocate \$37,007,000 in Proposition 1B Corridor Mobility Improvement Account (CMIA) funds from the HOV Lane Gap Closure project (PPNO 0092A) in Riverside County, thereby reducing the original CMIA construction allocation of \$136,600,000 to \$99,593,000 to reflect contract award savings.

BACKGROUND:

At its August 2011 meeting, the Commission approved Resolution CMIA-A-1112-009 allocating \$136,600,000 in CMIA construction funds for the HOV Lane Gap Closure project (PPNO 0092A). The construction contract was awarded on February 10, 2012 with CMIA construction savings of \$37,007,000.

The necessary changes are reflected in strikethrough and bold on the attachment.

RESOLUTIONS:

Be it Resolved, that \$136,600,000 in CMIA funds (Budget Act Item 2660-304-6055) originally allocated under Resolution R99-A-1112-009 for the HOV Lane Gap Closure project (PPNO 0092A) in Riverside County, is hereby amended by \$37,007,000, reducing the original CMIA construction capital allocation to \$99,593,000, reducing the overall project allocation to \$120,191,000 in accordance with the attachment.

Attachment

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(11)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: **FINANCIAL ALLOCATION AMENDMENT FOR PROPOSITION 1B LOCALLY
ADMINISTERED MULTI-PROGRAM PROJECT ON THE STATE HIGHWAY SYSTEM
RESOLUTION CMIA-AA-1112-028, AMENDING RESOLUTION CMIA-A-1112-004
RESOLUTION STIP1B-AA-1112-006, AMENDING RESOLUTION STIP1B-A-1112-001**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) amend Resolution CMIA-A-1112-004 to de-allocate \$4,726,000 in Proposition 1B Corridor Mobility Improvement Account (CMIA) funds from the Plaza Drive Interchange/Auxiliary Lanes project (PPNO 0105) in Tulare County; \$3,617,000 of which will be changed to CMIA construction support, thereby reducing the original CMIA construction allocation of \$7,776,000 to \$3,050,000 to reflect contract award savings.

BACKGROUND:

At its August 2011 meeting, the Commission approved Resolution CMIA-A-1112-004 allocating \$7,776,000 in CMIA construction funds, and Resolution STIP1B-A-1112-001 allocating \$14,520,000 in Proposition 1B State Transportation Improvement Program Augmentation construction funds, for the Plaza Drive Interchange/Auxiliary Lanes project (PPNO 0105). The construction contract was awarded on November 7, 2011 with CMIA construction savings of \$1,109,000. The original allocation included \$3,617,000 of construction support for the City of Visalia, though it was not explicitly stated at that time. This amendment clarifies the construction support allocation and accounts for the contract award savings.

The necessary changes are reflected in strikethrough and bold on the attachment.

RESOLUTIONS:

Be it Resolved, that \$7,776,000 in CMIA funds (Budget Act Item 2660-304-6055) originally allocated under Resolution CMIA-A-1112-004 for the Plaza Drive Interchange/Auxiliary Lanes project (PPNO 0105) in Tulare County, is hereby amended by \$1,109,000, reducing the original CMIA construction capital allocation to \$3,050,000, allocating \$3,617,000 of CMIA construction support, and reducing the overall project allocation from \$22,296,000 to \$21,187,000 in accordance with the attachment.

Attachment

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(1m)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: **FINANCIAL ALLOCATION AMENDMENT FOR PROPOSITION 1B LOCALLY
ADMINISTERED MULTI-PROGRAM PROJECT ON THE STATE HIGHWAY SYSTEM
RESOLUTION CMIA-AA-1112-029, AMENDING RESOLUTION CMIA-A-1112-008
RESOLUTION STIP1B-AA-1112-007, AMENDING RESOLUTION STIP1B-A-1112-003**

RECOMMENDATION:

The California Department of Transportation recommends the California Transportation Commission (Commission) amend Resolution CMIA-A-1112-008 to de-allocate \$5,107,000 in Proposition 1B Corridor Mobility Improvement Account (CMIA) construction funds from the Highway 1 Soquel to Morrissey Auxiliary Lanes project (PPNO 6500) in Santa Cruz County; \$2,700,000 of which will be changed to CMIA construction support, thereby reducing the original CMIA construction allocation of \$16,190,000 to \$11,083,000 to reflect contract award savings.

BACKGROUND:

At its August 2011 meeting, the Commission approved Resolution CMIA-A-1112-008 allocating \$16,190,000 in CMIA construction funds and Resolution STIP1B-A-1112-003 allocating \$2,150,000 in STIP Augmentation construction funds, for the Highway 1 Soquel to Morrissey Auxiliary Lanes project (PPNO 6500) in Santa Cruz County. The construction contract was awarded on January 5, 2012 with CMIA construction savings of \$2,407,000. The original allocation included \$2,700,000 of construction support for Santa Cruz County Regional Transportation Commission, though it was not explicitly stated at that time. This amendment clarifies the construction support allocation and accounts for the contract award savings.

The necessary changes are reflected in strikethrough and bold on the attachment.

RESOLUTIONS:

Be it Resolved, that \$16,190,000 in CMIA funds (Budget Act Item 2660-304-6055) originally allocated under Resolution CMIA-A-1112-008 for the Highway 1 Soquel to Morrissey Auxiliary Lanes project (PPNO 6500) in Santa Cruz County, is hereby amended by \$2,407,000, reducing the original CMIA construction capital allocation to \$11,083,000, allocating \$2,700,000 of CMIA construction support, and reducing the overall project allocation from \$18,340,000 to \$15,933,000 in accordance with the attachment.

Attachment

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(2b)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: **FINANCIAL ALLOCATION AMENDMENT FOR PROPOSITION 1B STATE
ADMINISTERED STATE ROUTE 99 CORRIDOR BOND PROGRAM PROJECT
ON THE STATE HIGHWAY SYSTEM
RESOLUTION R99-AA-1112-005, AMENDING RESOLUTION R99-A-1112-003**

RECOMMENDATION:

The California Department of Transportation recommends the California Transportation Commission (Commission) amend Resolution R99-A-1112-003 to de-allocate \$13,356,000 in Proposition 1B State Route (SR) 99 Corridor Bond Program funds from the SR99 Widening in Manteca and San Joaquin Phase 1 project (PPNO 7634A) in San Joaquin County, thereby reducing the original SR 99 Corridor Bond Program construction allocation of \$45,000,000 to \$31,644,000 to reflect contract award savings.

BACKGROUND:

At its December 2011 meeting, the Commission approved Resolution CMIA-A-1112-003 allocating \$45,000,000 in SR 99 Corridor Bond Program construction funds for the SR99 Widening in Manteca and San Joaquin Phase 1 project (PPNO 7634A). The construction contract was awarded on March 27, 2012 with SR 99 Corridor Bond Program construction savings of \$13,356,000.

The necessary changes are reflected in strikethrough and bold on the attachment.

RESOLUTIONS:

Be it Resolved, that \$45,000,000 in State Route 99 Corridor Bond Program funds (Budget Act Item 2660-304-6072) originally allocated under Resolution R99-A-1112-002 for the SR99 Widening in Manteca and San Joaquin Phase 1 project (PPNO 7634A) in San Joaquin County, is hereby amended by \$13,356,000, reducing the original SR 99 Corridor Bond Program construction capital allocation to \$31,644,000, and reducing the overall project allocation to \$36,644,000 in accordance with the attachment.

Attachment

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.7
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Gary Cathey
Chief
Division of Aeronautics

Subject: **FINANCIAL ALLOCATION FOR LOCALLY-ADMINISTERED AERONAUTICS
PROJECTS AT PUBLIC USE AIRPORTS
RESOLUTION FDOA-2011-05**

RECOMMENDATION:

The California Department of Transportation recommends the California Transportation Commission approve the resolution below, allocating \$1,067,000 for eleven California Aid to Airports Program Acquisition and Development projects in the 2010 Aeronautics Program.

ISSUE:

The attached list describes eleven locally-administered Aeronautics projects totaling \$1,067,000. The agencies for these projects are ready to proceed and are requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$1,067,000 be allocated from the Aeronautics Fund, Item 2660-680-0041, for eleven locally-administered Aeronautics projects, as described on the attached vote list.

Attachment

2.7 Aeronautics Financial Matters

Project # Allocation Amount Recipient County	Location Project Description Project Number	Budget Year Item # Program Code	State Allocation
2.7 Aeronautics Allocations		Resolution FDOA-2011-05	
1 \$113,000 County of Del Norte Del Norte	Ward Field Airport Obstruction Removal (Trees) DN-2-11-1	2011-12 2660-0041 10.10.020.200	\$113,000
2 \$72,000 County of Modoc Modoc	Adin Airport Crack Seal, slurry Seal and Restripe Runway Mod-5-11-1	2011-12 2660-0041 10.10.020.200	\$72,000
3 \$29,000 County of Modoc Modoc	Fort Bidwell Airport Grade and Roll Runway and Install Fencing Mod-6-11-1	2011-12 2660-0041 10.10.020.200	\$29,000
4 \$77,000 County of Lassen Lassen	Herlong Airport Overlay runway, taxiway and apron Las-5-11-1	2011-12 2660-0041 10.10.020.200	\$77,000
5 \$99,000 County of Lassen Lassen	Ravendale Airport Overlay Runway and Tiedown Area Las-4-11-1	2011-12 2660-0041 10.10.020.200	\$99,000
6 \$23,000 County of Kern Kern	Elk Hills-Buttonwillow Airport Relocate Segmented Circle and Windsock Ker-32-11-1	2011-12 2660-0041 10.10.020.200	\$23,000
7 \$180,000 County of Kern Kern	Elk Hills-Buttonwillow Airport Security Fencing Ker-32-11-2	2011-12 2660-0041 10.10.020.200	\$180,000
8 \$135,000 County of Kern Kern	Elk Hills-Buttonwillow Airport Overlay Parking Apron and Restripe Pavement Ker-32-11-3	2011-12 2660-0041 10.10.020.200	\$135,000
9 \$23,000 County of Kern Kern	Poso Airport Relocate Segmented Circle and Windsock Ker-16-11-1	2011-12 2660-0041 10.10.020.200	\$23,000
10 \$68,000 County of Kern Kern	Poso Airport Crack and Slurry Seal Runway and Restripe Pavement Ker-16-11-2	2011-12 2660-0041 10.10.020.200	\$68,000
11 \$248,000 County of Kern Kern	Taft Airport Slurry Seal Runway and Restripe, Renovate Runway Lighting Ker-2-11-1	2011-12 2660-0041 10.10.020.200	\$248,000

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.9a.
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Rachel Falsetti
Division Chief
Transportation Programming

Subject: **TECHNICAL CORRECTION TO PREVIOUSLY APPROVED RESOLUTION –
RESOLUTION CMIA-PA-1112-023, AMENDING RESOLUTION CMIA-PA-0910-022**

RECOMMENDATION:

The California Department of Transportation recommends the California Transportation Commission (Commission) approve a technical correction to Resolution CMIA-PA-1112-023, originally approved January 25, 2012, to amend the Corridor Mobility Improvement Account (CMIA) baseline agreements for Segment 1 (Greenville to Isabel, PPNO 0112B) and Segment 2 (Isabel to Foothill, PPNO 0112F) of the I-580 Westbound HOV Lane project in Alameda County.

ISSUE:

A technical correction is needed to correct the Resolution on page three in the Book Item Memorandum from CMIA-PA-1011-023 to CMIA-PA-1112-023.

The Book Item Memorandum has been revised to reflect the changes mentioned above. The changes are reflected in strikethrough and bold.

Attachment

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: January 25, 2012
Technically Corrected April 25-26, 2012

Reference No.: 2.1c.(1e)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Rachel Falsetti
Division Chief
Transportation Programming

Subject: **CMIA PROJECT AMENDMENT**
RESOLUTION CMIA-PA-1112-023, AMENDING RESOLUTION CMIA-PA-0910-022

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission) amend the Corridor Mobility Improvement Account (CMIA) baseline agreements for Segment 1 (Greenville to Isabel, PPNO 0112B) and Segment 2 (Isabel to Foothill, PPNO 0112F) of the I-580 Westbound HOV Lane project in Alameda County.

ISSUE:

The Department and the Alameda County Transportation Commission (ACTC) propose to amend the CMIA baseline agreements for Segment 1 (Greenville to Isabel, PPNO 0112B) and Segment 2 (Isabel to Foothill, PPNO 0112F) of the I-580 Westbound HOV Lane project to:

1. Increase the project scope of Segment 1 and Segment 2 by adding a State Highway Operation and Protection Program (SHOPP) funded roadway rehabilitation scope and update the project delivery schedule.
2. Make minor refinements to the project limits for Segment 1 and Segment 2 to reflect final design limits.
3. Split-off the follow-up landscaping project.

BACKGROUND:

At its April 2010 meeting, the Commission approved resolution CMIA-PA-0910-022 which split the overall I-580 Westbound HOV Lane project into three roadway contracts:

- Segment 1 (PPNO 0112B): Construct a westbound HOV lane from the Greenville Overcrossing to Isabel Avenue Overcrossing, widen the inside and outside shoulders sufficiently to accommodate the HOV lane and allow for future conversion to a High Occupancy Toll (HOT) lane, and construct westbound auxiliary lanes from Vasco Road to First Street, from First to North Livermore Avenue, and from North Livermore Avenue to Isabel Avenue.

- Segment 2 (PPNO 0112F): Construct a westbound HOV lane from Isabel Avenue Overcrossing to San Ramon Road/Foothill Road Interchange, widen the inside and outside shoulders sufficiently to accommodate the HOV lane and allow for future conversion to a high occupancy toll (HOT) lane, Widen existing bridge crossing over Tassajara Creek. Construct westbound auxiliary lanes from Airway Boulevard to Fallon Road.
- Segment 3 (PPNO 0112G): Widen existing bridge crossings over Arroyo Las Positas Creek in the eastbound direction (at two locations).

(Note: There is a concurrent CMIA program amendment to transfer the scope of work and the associated funding of the I-580 Westbound HOV Lane project Segment 3 (PPNO 0112G) to the I-580 Eastbound HOV Lane project Segment 3 (PPNO 0112E).)

Increase project scope

Within the project limits of Segment 1 and Segment 2, a roadway rehabilitation project (PPNO 0106B) is currently programmed in the SHOPP. To avoid conflicts in administering separate construction contracts within the overlapping project limits, it is proposed to combine the pavement rehabilitation project scope of work with Segment 1 and Segment 2. This will also reduce throw-away costs and avoid unnecessary disruption to the traveling public. Combining both projects also results in delivering the SHOPP project with significant savings. These savings are already built into the current estimate for the SHOPP portion of the combined project.

Update project funding plans

The current funding plan for Segment 1 and 2 includes local funds. The ACTC is proposing to swap \$10,000,000 in local funds with an equal amount of Traffic Congestion Relief Program (TCRP) savings from Segment 2 (Portola Avenue to Hacienda Drive, PPNO 0112D) of the I-580 Eastbound Lane project. There is a concurrent TCRP amendment for that project. As the funding plan shows, there are also very minor adjustments to the budget for some of the project components.

In addition, \$1,303,000 in local funds is being added to the budget to reflect increased support costs for the added pavement rehabilitation (\$1,273,000) and the follow-up landscaping project (\$30,000).

Revise project limits

Previously assumed locations for the pavement conforms to the existing mainline and ramps have been refined during the design process. As a result, the project limits for Segment 1 and Segment 2 need to be revised to include these final conforms. The project limits for Segment 1 (PPNO 0112B) are being changed from R8.3/R14.6 to R8.4/R14.6. The project limits for Segment 2 (PPNO 0112F) are being changed from R14.6/R21.4 to R14.6/R21.6.

Split-off follow-up landscaping

Since landscaping projects have long establishment periods, the follow-up planting replacement portion is proposed to be split from Segment 1 and will be funded with local funds. It is further proposed to remove this landscaping portion from the CMIA regular reporting requirements since completion is several years after completion of the mainline contracts.

Project delivery

The delivery of Segment 1 and Segment 2 has been delayed by almost a year. These delays have resulted from various right of way related issues such as overlapping and conflicting deed descriptions and lack of sufficient of field monuments. The table below lists the revised schedule for key delivery milestones for both segments.

Project Milestone	Segment 1 (PPNO 0112B)		Segment 2 (PPNO 0112F)	
	Baseline	Proposed	Baseline	Proposed
End Right of Way Phase	Mar 2011	Feb 2012	Mar 2011	Feb 2012
End Design Phase (RTL)	Mar 2011	Mar 2012	Mar 2011	Feb 2012
Begin Construction Phase	Aug 2011	Aug 2012	Aug 2011	July 2012
End Construction Phase	Oct 2013	Nov 2014	Oct 2013	Nov 2014
Begin Close-out Phase	Nov 2013	Nov 2014	Nov 2013	Nov 2014
End Close-out Phase	Nov 2014	Nov 2015	Nov 2015	Nov 2015

The Metropolitan Transportation Commission concurs with the changes.

~~RESOLUTION CMIA-PA-1011-023~~
RESOLUTION CMIA-PA-1112-023

Be it Resolved, that the California Transportation Commission does hereby amend the Corridor Mobility Improvement Account baseline agreements for Segment 1 (Greenville to Isabel, PPNO 0112B) and Segment 2 (Isabel to Foothill, PPNO 0112F) of the I-580 Westbound HOV Lane project in Alameda County in accordance with the information described above and illustrated in the following tables.

REVISE: I-580 Westbound HOV Lane – Greenville to Isabel (Segment 1) [PPNO 0112B]

County	District	PPNO	EA	Element	Const. Year	PMBack	PM Ahead	Route/Corridor					
Alameda	4	0112B	2908C	CO	2011-12	R8.4	R14.6	580					
Implementing Agency: (by component)		PA&ED	ACTC				PS&E	ACTC					
		R/W	ACTC				CON	Department					
RTPA/CTC:		Metropolitan Transportation Commission											
Project Title:		I-580 Westbound HOV Lane (Segment 1) - Greenville to Isabel											
Location:		In Alameda County, from Greenville Road to Isabel Avenue in Livermore											
Description:		Construct a westbound HOV lane.											
(DOLLARS IN THOUSANDS)													
FUND	TOTAL	Project Totals by Fiscal Year						Project Totals by Component					
		Prior	08/09	09/10	10/11	11/12	12/13	R/W	CON	PA&ED	PS&E	R/W Supp	CON Supp
State Bond - Corridor Mobility Improvement Account (CMIA)													
Existing	49,336					49,336			42,821				6,515
Change	0					0			0				0
Proposed	49,336					49,336			42,821				6,515
Federal Demonstration (Demo) funds													
Existing	9,600					9,600			9,600				
Change	(934)					(934)			(934)				
Proposed	8,666					8,666			8,666				
Local Funds - Regional Measure 2													
Existing	12,400	3,500	2,350	1,070		5,480		1,070	3,835	5,000	850		1,645
Change	(4,287)	0	1,193	0		(5,480)		0	(3,835)	100	1,093		(1,645)
Proposed	8,113	3,500	3,543	1,070		0		1,070	0	5,100	1,943		0
Local Funds - City of Livermore													
Existing	1,800			300		1,500			1,500	150	150		
Change	(1,800)			(300)		(1,500)			(1,500)	(150)	(150)		
Proposed	0			0		0			0	0	0		
State Highway Operation and Protection Program (SHOPP)													
Existing	0					0			0				
Change	16,400					16,400			16,400				
Proposed	16,400					16,400			16,400				
Traffic Congestion Relief Program (TCRP)													
Existing	0								0				0
Change	7,514					7,514			5,919				1,595
Proposed	7,514					7,514			5,919				1,595
Total													
Existing	73,136	3,500	2,350	1,370		65,916		1,070	57,756	5,150	1,000		8,160
Change	16,893	0	1,193	(300)		16,000		0	16,050	(50)	943		(50)
Proposed	90,029	3,500	3,543	1,070		81,916		1,070	73,806	5,100	1,943		8,110

REVISE: I-580 Westbound HOV Lane – Isabel to Foothill (Segment 2) [PPNO 0112F]

County	District	PPNO	EA	Element	Const. Year	PM Back	PM Ahead	Route/Corridor						
Alameda	4	0112F	2908E	CO	2011-12	R14.6	R21.6	580						
Implementing Agency: (by component)		PA&ED	ACTC				PS&E	ACTC						
		R/W	ACTC				CON	Department						
RTPA/CTC:		Metropolitan Transportation Commission												
Project Title:		I-580 Westbound HOV Lane (Segment 2) - Isabel to Foothill												
Location:		In Alameda County, from Isabel Avenue (Livermore) to Foothill (Dublin)												
Description:		Construct a westbound HOV lane.												
(DOLLARS IN THOUSANDS)														
FUND	TOTAL	Project Totals by Fiscal Year						Project Totals by Component						
		Prior	08/09	09/10	10/11	11/12	12/13	R/W	CON	PA&ED	PS&E	R/W Supp	CON Supp	
State Bond - Corridor Mobility Improvement Account (CMIA)														
Existing	52,364					52,364			45,614					6,750
Change	0					0			0					0
Proposed	52,364					52,364			45,614					6,750
Local Funds - Regional Measure 2														
Existing	7,340	3,220	2,160	1,760		200		1,760	200	4,650	730			
Change	(7,340)	(3,220)	(2,160)	(1,760)		(200)		(1,760)	(200)	(4,650)	(730)			
Proposed	0	0	0	0		0		0	0	0	0			
Local Funds - Alameda County Transportation Commission														
Existing	2,686			400		2,286		0	2,286	200	200			
Change	5,184			7,470		(2,286)		1,760	(2,286)	4,650	1,060			
Proposed	7,870			7,870		0		1,760	0	4,850	1,260			
State Highway Operation and Protection Program (SHOPP)														
Existing	0					0			0					
Change	13,000					13,000			13,000					
Proposed	13,000					13,000			13,000					
Traffic Congestion Relief Program (TCRP)														
Existing	0					0			0					
Change	2,486					2,486			2,486					
Proposed	2,486					2,486			2,486					
Total														
Existing	62,390	3,220	2,160	2,160		54,850		1,760	48,100	4,850	930			6,750
Change	13,330	(3,220)	(2,160)	5,710		13,000		0	13,000	0	330			0
Proposed	75,720	0	0	7,870		67,850		1,760	61,100	4,850	1,260			6,750

Segment 3: Please note that, as described earlier, the scope of work and the associated funding of Segment 3 is being transferred to Segment 3 (PPNO 0112E) of the I-580 Eastbound HOV Lane project as part of a concurrent CMIA program amendment.

ADD: I-580 Westbound HOV Lane (Segment 4) - Follow-up Landscaping [PPNO 0112H]

County	District	PPNO	EA	Element	Const. Year	PMBack	PM Ahead	Route/Corridor					
Alameda	4	0112H	2908A	CO	2014-15	R8.4	R21.6	580					
Implementing Agency: (by component)	PA&ED	ACTC					PS&E	ACTC					
	R/W	ACTC					CON	ACTC					
RTPA/CTC:	Metropolitan Transportation Commission												
Project Title:	I-580 Westbound HOV Lane - Follow-up Landscaping												
Location	In Alameda County, from Greenville Road to Foothill Road												
Description:	Construct follow-up landscape.												
(DOLLARS IN THOUSANDS)													
FUND	TOTAL	Project Totals by Fiscal Year						Project Totals by Component					
		Prior	10/11	11/12	12/13	13/14	14/15	R/W	CON	PA&ED	PS&E	R/W Supp	CON Supp
Local Measure funds													
Existing	0	0					0		0	0	0		
Change	480	80					400		400	50	30		
Proposed	480	80					400		400	50	30		
Total													
Existing	0	0					0		0	0	0		
Change	480	80					400		400	50	30		
Proposed	480	80					400		400	50	30		

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.9b.
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Rachel Falsetti
Division Chief
Transportation Programming

Subject: **TECHNICAL CORRECTION TO PREVIOUSLY APPROVED RESOLUTION –
RESOLUTION GS1B-A-1112-002**

RECOMMENDATION:

The California Department of Transportation recommends the California Transportation Commission (Commission) approve a technical correction to Resolution GS1B-A-1112-002, originally approved February 23, 2012, to allocate \$3,738,367 for the locally administered Proposition 1B Highway-Railroad Crossing Safety Account (HRCSA) Program Broadway Brazil Grade Crossing project in Los Angeles County.

ISSUE:

A technical correction is needed to correct the Resolution on the Book Item Attachment from GS1B-A-1011-002 to GS1B-A-1112-002.

The Book Item Attachment has been revised to reflect the changes mentioned above. The changes are reflected in strikethrough and bold. There is no change to the Book Item Memorandum.

Attachment

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: February 22-23, 2012
Technically Corrected April 25-26, 2012
Reference No.: 2.5g.(9a)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR LOCALLY ADMINISTERED HIGHWAY-RAILROAD
CROSSING SAFETY ACCOUNT PROJECTS
RESOLUTION GS1B-A-1112-002**

RECOMMENDATION:

The California Department of Transportation recommends the California Transportation Commission (Commission) allocate \$3,738,367 for the locally administered Proposition 1B Highway-Railroad Crossing Safety Account (HRCSA) Program Broadway Brazil Grade Crossing project in Los Angeles County.

ISSUE:

The attached vote list describes one locally administered HRCSA project for \$3,738,367, plus \$2,092,633 from other sources. The local agency is ready to proceed with this project and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$3,738,367 be allocated from the Budget Act of 2010, Budget Act Item 2660-104-6063 for the one local Proposition 1B Highway-Railroad Crossing Safety Account Program project described in the attached vote box.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B Highway-Railroad Crossing Safety Account Program.

Attachment

2.5 Highway Financial Matters

Technically Corrected April 25-26, 2012

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Location Project Description	Program/Year Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5g.(9a) Proposition 1B – Locally Administered Highway-Rail Crossing Safety Account (HRCSA) Projects			Resolution GS1B-A-1011-002 Resolution GS1B-A-1112-002	
1 \$3,738,367 Southern California Regional Rail Authority SCRRA 07-Los Angeles	Broadway Brazil Grade Crossing Improvements. Construct highway-rail grade crossing improvements to West Broadway in the city of Glendale at the Broadway-Brazil Street crossing of the Pacific Surfliner corridor and the Antelope Valley Lane. (CEQA – Exempt – 21080(b) (11) and 21080(b) (12).) (NEPA – Exempt – Section 23 CFR 77.117(d) (9).) (Contributions from other sources: \$2,092,633.) (Concurrent HRCSA baseline amendment under Resolution GS1B-P-1112-09; February 2012) <u>Outcome/Output:</u> This project will reduce train/vehicle collisions, reduce property damage associated with collisions, potential injuries and loss of life and travel time delays. This project will also improve safety and reliability for 66 daily passenger trains (operated by Amtrak and Metrolink), 17 Union Pacific Railroad freight trains, and over 5,500 vehicles that use the crossing each day.	HRCSA/10-11 CONST \$3,738,367 0075120062 S H011BA	2010-11 104-6063 HRCSA 20.30.010.400	\$3,738,367

**STATUS UPDATE ON
CORRIDOR MOBILITY ACCOUNT (CMIA) PROJECTS**

INFORMATION ON THIS ITEM WILL BE
PROVIDED PRIOR TO THE APRIL 25-26, 2012
CALIFORNIA TRANSPORTATION COMMISSION MEETING

STATUS UPDATE ON STATE ROUTE 99 (SR 99) PROJECTS

INFORMATION ON THIS ITEM WILL BE
PROVIDED PRIOR TO THE APRIL 25-26, 2012
CALIFORNIA TRANSPORTATION COMMISSION MEETING

**UPDATE ON I-5 CARPOOL LANE AND FREEWAY WIDENING
PROJECT – ORANGE COUNTY LINE TO I-605**

A VERBAL PRESENTATION ON THIS ITEM
WILL BE MADE AT THE APRIL 25-26, 2012
CALIFORNIA TRANSPORTATION COMMISSION MEETING

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(1k)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: **FINANCIAL ALLOCATION AMENDMENT FOR PROPOSITION 1B STATE
ADMINISTERED CMIA PROJECTS ON THE STATE HIGHWAY SYSTEM
RESOLUTION CMIA-AA-1112-030, AMENDING RESOLUTION CMIA-A-1011-005**

RECOMMENDATION:

The California Department of Transportation recommends the California Transportation Commission (Commission) amend Resolution CMIA-A-1112-005 to de-allocate \$20,308,000 in Proposition 1B Corridor Mobility Improvement Account (CMIA) funds from the I-5 Carpool Lane - Orange County Line (CL) to I-605 (Segment 1) project (PPNO 4153) in Los Angeles County, thereby reducing the original CMIA construction capital allocation of \$65,555,000 to \$45,247,000, to reflect contract award savings.

BACKGROUND:

At its August 2011 meeting, the Commission approved Resolution CMIA-A-1112-005, allocating \$65,555,000 in CMIA construction capital for the I-5 Carpool Lane - Orange CL to I-605 (Segment 1) project. The construction contract was awarded on November 28, 2011 with CMIA savings of \$20,308,000.

The necessary changes are reflected in strikethrough and bold on the attached revised vote box.

RESOLUTION:

Be it Resolved, that \$65,555,000 in CMIA funds (Budget Act Item 2660-304-6055) originally allocated under Resolution CMIA-A-1112-005 for the I-5 Carpool Lane - Orange CL to I-605 (Segment 1) project (PPNO 4153) in Los Angeles County is hereby amended by \$20,308,000, reducing the original CMIA construction capital amount to \$45,247,000 in accordance with the attached revised vote box.

Attachment

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC Dist-Co-Rte Postmile	Project Title Project Description Project Funding	PPNO Program/Year Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5g.(1k) Proposition 1B – Allocation Amendment - State Administered CMIA Project on the State Highway System			Resolution CMIA-AA-1112-030 Amending Resolution CMIA-A-1112-005	
1 \$65,555,000 \$45,247,000	I-5 Carpool Lane-Orange CL to I-605 Segment 1 In Santa Fe Springs, from North Fork Coyote Creek Overcrossing to Marquardt Avenue. Reconstruct Alondra Avenue bridges, widen Interstate 5 freeway by adding two lanes in each direction (one mixed flow and one HOV), and reconstruct frontage roads.	07-4153 CMIA/10-11 CONST \$65,555,000 \$45,247,000 0700001831 4 215914	2010-11 304-6055 CMIA 20.20.721.000	\$65,555,000 \$45,247,000
Department of Transportation LACMTA Los Angeles 07S-LA-5 1.2/2.1	Final Project Development (IIP) Support Estimate: \$ 2,260,000 Programmed Amount: <u>\$ 1,027,000</u> Adjustment: \$ 1,233,000 (Debit)			
	Final Project Development (RIP) Support Estimate: \$ 83,000 Programmed Amount: <u>\$ 83,000</u> Adjustment: \$ 0			
	Final Right of Way (RIP) Right of Way Estimate: \$3,348,000 Programmed Amount: <u>\$3,348,000</u> Adjustment: \$ 0			
	(Construction savings of \$611,000 to be transferred to Construction Engineering.)			
	(Future Consideration of Funding – Resolution E-08-09, August 2008)			
	(August 2011- Baseline Amendment approved to revise the project schedule under Resolution CMIA-PA-1112-003.)			
	(August 2011 - Letter of No Prejudice request approved under Resolution LONP1B-A-1112-005.)			
	(Contributions from other sources: \$39,695,000.)			
	<u>Outcome/Output:</u> Two additional lanes in each direction (one mixed flow lane and one HOV lane).			
	<u>Amend Resolution CMIA-A-1112-005 to de-allocate \$20,308,000 CMIA CONST to reflect award savings.</u>			

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.1c.(1c)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: **CMIA PROJECT BASELINE AMENDMENT**
RESOLUTION CMIA-PA-1112-032, AMENDING RESOLUTION CMIA-PA-1011-015

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission amend the Corridor Mobility Improvement Account (CMIA) baseline agreement for the I-5 Carpool Lane – Orange County Line (CL) to I-605 (Segment 4) project (PPNO 4155) in Los Angeles County.

ISSUE:

The Department and the Los Angeles County Metropolitan Transportation Authority (LACMTA) propose to amend the CMIA baseline agreement for the I-5 Carpool Lane – Orange CL to I-605 (Segment 4) project (PPNO 4155) to:

- Transfer \$20,308,000 in CMIA award savings from the I-5 Carpool Lane – Orange CL to I-605 (Segment 1) project (PPNO 4153) for construction.
- Add \$69,571,000 in local funds to cover a cost increase in Right of Way (R/W).

BACKGROUND:

The I-5 Carpool Lane - Orange CL to I-605 project is a \$1.24 billion project and includes \$387,000,000 in Proposition 1B CMIA funding. In November 2010, the project was split into five segments for construction purposes. This Segment 4 project is located in Norwalk from Silverbow Avenue to Orr and Day Road Overhead and will widen Interstate 5 through the addition of one mixed-flow lane and one High Occupancy Vehicle (HOV) lane in each direction.

In November 2011, Segment 1 of the I-5 Carpool Lane – Orange CL to I-605 project (PPNO 4153) was awarded with a CMIA savings of \$20,308,000. It is proposed to transfer these savings to Segment 4 (PPNO 4155) to address a construction cost increase attributed to design changes to the retaining walls and drainage systems to minimize the impact to adjacent properties and help to reduce the project footprint. This action will increase the construction budget for Segment 4 from \$151,019,000 to \$171,327,000.

In addition, the projected estimate for R/W has increased by \$69,571,000. Most of this increase is attributed to costs associated with the estimate for utility relocations. When the R/W estimate was originally prepared, it was based upon assumptions of the ultimate project footprint and quantities of unknown buried utilities. The Department has now been able to update and confirm its R/W estimate which has gone from \$111,583,000 to \$181,154,000. The increase is mainly due to greater than anticipated utility location involvement and additional quantities of buried utilities. This cost alone has gone from \$7,000,000 estimated originally to now being estimated at \$74,000,000. Additionally, the ultimate design included more sound walls than originally assumed which further affects the utility relocation estimate. In total, the Department has found about 156 areas of utility relocation involvement at an average cost of about \$475,000 per location. LACMTA has agreed to increase local funding by \$69,571,000 to cover the increase consistent with terms of the CMIA baseline agreement.

RESOLUTION CMIA-PA-1112-032

Be it Resolved, that the California Transportation Commission does hereby amend the Corridor Mobility Improvement Account baseline agreement for the I-5 Carpool Lane – Orange County Line to I-605 (Segment 4) project (PPNO 4155) in Los Angeles County with the information described above and illustrated in the following table.

REVISE: I-5 CARPOOL LANE - ORANGE CL TO I-605 (SEGMENT 4) (PPNO 4155)

County	District	PPNO	EA	Element	Const. Year	PM Back	PM Ahead	Route/Corridor					
Los Angeles	7	4155	21594	CO	2011-12	3.7	6.1	5					
Implementing Agency: (by component)	PA&ED	Caltrans					PS&E	Caltrans					
	R/W	Caltrans					CON	Caltrans					
RTPA/CTC:	Los Angeles Metropolitan Transportation Commission												
Project Title:	I-5 Carpool Lane - Orange CL to I-605 (Seg 4)												
Location	In Norwalk from Silverbow Avenue to Orr and Day Road Overhead.												
Description:	Widening I-5 with HOV and mixed flow lanes. (Segment 4)												
(DOLLARS IN THOUSANDS)													
FUND	TOTAL	Project Totals by Fiscal Year						Project Totals by Component					
		Prior	10/11	11/12	12/13	13/14	14/15	R/W	CON	PA&ED	PS&E	R/W Supp	CON Supp
GF RIP													
Existing	14,845	14,845							3,798	7,437	3,610		
Change	0	0							0	0	0		
Proposed	14,845	14,845							3,798	7,437	3,610		
RIP													
Existing	85,485	85,485					85,404					81	
Change	0	0					0					0	
Proposed	85,485	85,485					85,404					81	
IIP													
Existing	2,498	2,498								2,498			
Change	0	0								0			
Proposed	2,498	2,498								2,498			
State Bond - Prop 1B CMIA													
Existing	167,712		167,712					151,019				16,693	
Change	20,308		20,308					20,308				0	
Proposed	188,020		188,020					171,327				16,693	
TCRP (Committed)													
Existing	995	995							995				
Change	0	0							0				
Proposed	995	995							995				
Local Funds													
Existing	30,624		30,624				26,179			3,480	965		
Change	69,571		0	69,571			69,571			0	0		
Proposed	100,195		30,624	69,571			95,750			3,480	965		
Total													
Existing	302,159	103,823	30,624	167,712			111,583	151,019	4,793	13,415	4,656	16,693	
Change	89,879	0	0	89,879			69,571	20,308	0	0	0	0	
Proposed	392,038	103,823	30,624	257,591			181,154	171,327	4,793	13,415	4,656	16,693	

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(1d)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR STATE ADMINISTERED CORRIDOR MOBILITY IMPROVEMENT ACCOUNT PROJECTS ON THE STATE HIGHWAY SYSTEM RESOLUTION CMIA-A-1112-030**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$335,017,000 for the State administered Proposition 1B Corridor Mobility Improvement Account (CMIA) Program Segment 3 (PPNO and Segment 4 (PPNO 4154) of the I-5 Carpool Lane and 4155) project, on the State Highway System.

ISSUE:

The attached vote list describes the two State administered CMIA projects for \$335,017,000, plus \$150,520,000 from other sources. The Department is ready to proceed with these projects and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$335,017,000 be allocated from the Budget Act of 2011, Budget Act Items 2660-004-6055 and 2660-304-6055 for two State administered Proposition 1B Corridor Mobility Improvement Account projects described on the attached vote list.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B Corridor Mobility Improvement Program.

Attachment

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.1c.(1a)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: **CMIA PROJECT BASELINE AMENDMENT**
RESOLUTION CMIA-PA-1112-033, AMENDING RESOLUTION CMIA-PA-1011-021

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission amend the Corridor Mobility Improvement Account (CMIA) baseline agreement for the I-215 Bi-County HOV Gap Closure project (PPNO 0041G) in San Bernardino and Riverside Counties.

ISSUE:

The Department, the San Bernardino Associated Governments (SANBAG) and the Riverside County Transportation Commission (RCTC) propose to amend the CMIA baseline agreement for the I-215 Bi-County HOV Gap Closure project (PPNO 0041G) to update the project funding plan and the delivery schedule.

BACKGROUND:

The project, located across the county line between San Bernardino and Riverside Counties, will construct approximately 7.5 miles of high occupancy vehicle (HOV) lanes in each direction of the I-215. The project limits are from the SR-91/SR-60/I-215 Interchange in Riverside County to the West Orange Show Road/South Auto Drive in San Bernardino County. The project scope also includes the replacement of the Burlington Northern Santa Fe (BNSF) Overhead structure and the bridge widening over the Union Pacific Railroad (UPRR) lines. Once constructed, this project will complete approximately 70 miles of the HOV lane system on I-215 and SR-91, from San Bernardino to Artesia in Los Angeles County.

Increase in construction costs

The preliminary design for the BNSF Overhead structure had assumed a single steel girder to replace the existing structure. Because of a large skew angle and a longer span length, the type of structure was changed to a steel truss. In addition, due to the limited available space in the freeway median, it was determined that three single track bridges will be required instead of a single structure that would have accommodated all three tracks. These changes have resulted in an increase in construction capital from \$134,850,000 to \$139,063,000; an increase of \$4,213,000, and construction support from \$13,484,000 to \$16,270,000; an increase of \$2,786,000.

Update project funding plan

The cost-sharing between RCTC and SANBAG has been revised after completion of the design plans. The preliminary project cost had been split based on the number of miles of roadway improvements in each county. After completion of the design plans, the construction quantities were segregated by each county. The cost sharing is now based upon actual physical improvements in each county. As a result, RCTC contribution has been reduced by \$8,039,000. These savings will go back to the Riverside County's future programming shares. SANBAG is proposing to use a combination of Regional Improvement Program (RIP) funds and local funds to cover the increase in its share of project cost.

In addition SANBAG is proposing to remove the Regional Surface Transportation Program (STP) funds from this project and replace with an equal amount of Congestion Mitigation and Air Quality (CMAQ) funds.

Update delivery schedule

The completion of the design review process has taken longer than planned due to the large size of the design package that consists of more than 1500 plan sheets. In addition, the project construction duration has increased by 19 months due to the following reasons:

- Change in type of structure for the BNSF Overhead - The original project schedule was developed very early in the Environmental (PA&ED) phase. As described above, the structure type was changed during the design phase. This change in structure type requires an off-site fabrication and transport to the project site resulting in additional construction time.
- Detour for and BNSF and UPRR tracks - A viaduct structure is needed for the construction of the detour (shoofly) for the BNSF lines. BNSF has approximately one mile of mainline track that will be realigned to allow for the new structures. A shoofly is also required for the widening of the I-215 Bridge adjacent to the UPRR tracks.
- Pavement rehabilitation project - A State Highway Operation and Protection Program (SHOPP) funded pavement rehabilitation project lies within the limits of this CMIA project. Combining the SHOPP project with this CMIA project for construction purposes will result in savings in contract administration costs, better traffic controls and less impacts to the traveling public.

The updated schedule for the key delivery milestones is tabulated below.

Milestone	Baseline	Proposed
End Right of Way	Mar 2012	Mar 2012
Ready-to-List (RTL)	Mar 2012	Apr 2012
Begin Construction	Aug 2012	Aug 2012
End Construction	Aug 2014	Mar 2016
Begin Closeout	Sep 2014	Mar 2016
End Closeout	Sep 2016	Mar 2018

A concurrent request for allocation of funds for the I-215 Bi-County HOV Gap Closure project is also included as part of this month's Commission agenda.

RESOLUTION CMIA PA-1112-033

Be it Resolved, that the California Transportation Commission does hereby amend the Corridor Mobility Improvement Account (CMIA) baseline agreements for the I-215 Bi-County HOV Gap Closure project (PPNO 0041G) in accordance with the information described above and illustrated in the following table.

REVISE: I-215 HOV Bi County HOV Gap Closure project (PPNO 0041G)

County	District	PPNO	EA	Element	Const. Year	PMBack	PMAhead	Route/Corridor					
San Bernardino/ Riverside	8	0041G	0M940	CO	2011-12	0.0 (Riv)	5.1 (SBd)	215					
Implementing Agency: (by component)	PA&ED	SANBAG				PS&E	Department						
	R/W	SANBAG				CON	Department						
RTPA/CTC:	San Bernardino Associated Governments												
Project Title:	I-215 HOV Bi County Gap HOV Closure												
Location	In Riverside and San Bernardino Counties, from 91/60/215 interchange to south of 215/Orange Show Road												
Description:	Construct one HOV lane in each direction.												
(DOLLARS IN THOUSANDS)													
FUND	TOTAL	Project Totals by Fiscal Year					Project Totals by Component						
		Prior	10/11	11/12	12/13	13/14	14/15	R/W	CON	PA&ED	PS&E	R/W Supp	CON Supp
Regional Improvement Program (RIP) - SANBAG													
Existing	45,089			45,089				45,089					
Change	6,314			6,314				6,314					
Proposed	51,403			51,403				51,403					
Regional Improvement Program (RIP) - RCTC													
Existing	22,105		2,185	19,920				17,659		2,185			2,261
Change	(8,039)		0	(8,039)				(7,542)		0			(497)
Proposed	14,066		2,185	11,881				10,117		2,185			1,764
Interregional Improvement Program (IIP)													
Existing	4,961			4,961				4,961					
Change	0			0				0					
Proposed	4,961			4,961				4,961					
Congestion Mitigation Air Quality (CMAQ)													
Existing	15,609		15,609	0			4,765	0		10,844			0
Change	34,850		0	34,850			0	31,567		0			3,283
Proposed	50,459		15,609	34,850			4,765	31,567		10,844			3,283
Local Funds - RCTC													
Existing	1,305	1,305								1,305			
Change	0	0								0			
Proposed	1,305	1,305								1,305			
Local Funds (Measure I) - SANBAG													
Existing	38,316	4,815	5,447	28,054			5,447	28,054	4,815				
Change	8,724	0	0	8,724			0	8,724	0				
Proposed	47,040	4,815	5,447	36,778			5,447	36,778	4,815				
Regional Surface Transportation Program (STP)													
Existing	34,850			34,850				34,850					
Change	(34,850)			(34,850)				(34,850)					
Proposed	0			0				0					
State Bond - Corridor Mobility Improvement Account (CMIA)													
Existing	15,460			15,460				4,237					11,223
Change	0			0				0					0
Proposed	15,460			15,460				4,237					11,223
Total													
Existing	177,695	6,120	23,241	148,334			10,212	134,850	6,120	13,029			13,484
Change	6,999	0	0	6,999			0	4,213	0	0			2,786
Proposed	184,694	6,120	23,241	155,333			10,212	139,063	6,120	13,029			16,270

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.1c.(1b)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: **CMIA PROJECT AMENDMENT**
RESOLUTION CMIA-PA-1112-034, AMENDING RESOLUTION CMIA-PA-1011-027

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission) amend the Corridor Mobility Improvement Account (CMIA) baseline agreement for the State Route 32 (SR32) Widen Phase 1 project (PPNO 2107) in Butte County.

ISSUE:

The Department and the City of Chico (City) propose to amend the CMIA baseline agreement for the State Route 32 Widen Phase 1 project (PPNO 2107) to update the project schedule for construction milestone dates.

BACKGROUND:

The SR32 Widen Phase 1 project originally proposed to widen SR32 from SR99 (PM10.1) to east of Forest Avenue (PM11.1). The project is needed to improve traffic operations on a portion of SR32 in an urbanized area of Chico feeding SR99. The completed improvements will mitigate queues of traffic, relieve congestion, increase capacity, and improve safety. The project was programmed at the Commission's May 2010 meeting to be funded with a combination of Corridor Mobility Improvement Account funding and local funding. A construction allocation was approved by the Commission at its August 2011 meeting; however a contract award has been delayed due to a recent court decision which affected the project funding.

Schedule Revisions:

The schedule changes are needed as a result of the recent California Supreme Court decision that eliminated all re-development agencies and related funding, impacting the City's financial plan for the SR32 Widen Phase 1 project. Additional time to award the contract is needed for the City to revise its financial plan in which the City will re-allocate City development impact fees and gas tax revenues to the project. Once the revised financial plan has been approved by the City Council, the City Manager will be able to move forward with awarding the contract which is anticipated by June 30, 2012.

The revised project baseline schedule is shown in the following table:

Project Milestone	Baseline	Proposed
End Environmental Phase	Sep. 2010	No Change
Begin Design Phase	Jan. 2010	No Change
End Design Phase	Feb. 2011	No Change
Begin Right of Way Phase	July 2010	No Change
End Right of Way Phase	Oct. 2010	No Change
Begin Construction Phase	Apr. 2011	June 2012
End Construction Phase	Nov. 2012	Nov. 2013
Begin Closeout Phase	Nov. 2012	Nov. 2013
End Closeout Phase	May 2013	May 2014

RESOLUTION CMIA-PA-1112-034

Be it Resolved, that the California Transportation Commission does hereby amend the Corridor Mobility Improvement Account baseline agreement for the State Route 32 (SR32) Widen Phase 1 project (PPNO 2107) in Butte County with the information described above.

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.1c.(1d)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: **CMIA PROJECT BASELINE AMENDMENT**
RESOLUTION CMIA-PA-1112-035, AMENDING RESOLUTION CMIA-P-1112-07B

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission) amend the Corridor Mobility Improvement Account (CMIA) baseline agreement for the I-5/Route 74 Interchange Improvement Project (PPNO 4102) in Orange County.

ISSUE:

The Department and Orange County Transportation Commission propose to amend the CMIA baseline agreement for the I-5/Route 74 Interchange Improvement Project (PPNO 4102) in Orange County to:

- Add an additional \$15,000,000 in CMIA funds to construction with savings from previously awarded CMIA projects.
- Split and remove landscaping scope from the baseline agreement.

BACKGROUND:

This project will reconstruct the I-5/Route 74 interchange in the city of San Juan Capistrano. The existing interchange currently experiences congestion during the morning and afternoon peak periods resulting in unacceptable levels of service. The proposed project will reconfigure the interchange to better accommodate existing and future traffic volumes and alleviate the congestion within the interchange area.

This project was programmed with CMIA funds in September 2011. The design phase is complete, and a concurrent construction allocation is being requested at the April 2012 Commission meeting. The Department and Orange County Transportation Commission propose to program an additional \$15,000,000 in CMIA funds to construction with savings from previously awarded CMIA projects; equal amounts of Regional Improvement Program (RIP) funds are proposed to return to Orange County's share balance upon allocation of the CMIA funding.

In addition, because landscaping projects have long establishment periods, the Department proposes to split the landscaping elements from the main construction project into a separate project funded solely with \$1,420,000 of RIP funds. The action to split out landscape is taken within the concurrent project allocation item but is included here in the baseline amendment for illustrative purposes. Finally, it is also proposed to remove the landscaping portion from the CMIA regular reporting requirements.

RESOLUTION:

Be it Resolved, that the California Transportation Commission does hereby amend the Corridor Mobility Improvement Account baseline agreement for the I-5/Route 74 Interchange Improvement project (PPNO 4102) as described above and illustrated in the following tables.

REVISE: I-5/ROUTE 74 INTERCHANGE IMPROVEMENT PROJECT (PPNO 4102)

County	District	PPNO	EA	Element	Const. Year	PM Back	PM Ahead	Route/Corridor					
Orange	12	4102	0E3100	CO	2012-13	0.0	0.2	74					
Implementing Agency: (by component)		PA&ED	City of San Juan Capistrano			PS&E	Caltrans						
		R/W	Caltrans			CON	Caltrans						
RTPA/CTC:		Orange County Transportation Authority (OCTA)											
Project Title:		Reconstruct I-5 / SR-74 Interchange											
Location		In San Juan Capistrano, on Route 74 from Route 5 to east of the city limit.											
Description:		Reconstruct the Route 74 and Route 5 interchange.											
(DOLLARS IN THOUSANDS)													
FUND	TOTAL	Project Totals by Fiscal Year						Project Totals by Component					
		Prior	10/11	11/12	12/13	13/14	14/15	R/W	CON	PA&ED	PS&E	R/W Supp	CON Supp
RIP													
Existing	62,014	36,626			25,388			28,753	18,814		4,873	3,000	6,574
Change	(16,420)	(210)			(16,210)			0	(16,000)		(210)	0	(210)
Proposed	45,594	36,416			9,178			28,753	2,814		4,663	3,000	6,364
Local Funds													
Existing	1,700	1,700								1,700			
Change	0	0								0			
Proposed	1,700	1,700								1,700			
Local Funds													
Existing	6,574	2,500		4,074					4,074		2,500		
Change	0	0		0					0		0		
Proposed	6,574	2,500		4,074					4,074		2,500		
Prop 1B CMIA													
Existing	15,926			15,926					15,926				
Change	15,000			15,000					15,000				
Proposed	30,926			30,926					30,926				
Total													
Existing	86,214	40,826		20,000	25,388			28,753	38,814	1,700	7,373	3,000	6,574
Change	(1,420)	(210)		15,000	(16,210)			0	(1,000)	0	(210)	0	(210)
Proposed	84,794	40,616		35,000	9,178			28,753	37,814	1,700	7,163	3,000	6,364

**REMOVE AND REPROGRAM: I-5/ROUTE 74 INTERCHANGE IMPROVEMENT -
 LANDSCAPING/REPLACEMENT PLANTING (PPNO 4102A)**

County	District	PPNO	EA	Element	Const. Year	PM Back	PM Ahead	Route/Corridor				
Orange	12	4102A	0E31A	CO	2014-15	0.0	0.2	74				
Implementing Agency: (by component)	PA&ED					PS&E	Caltrans					
	R/W					CON	Caltrans					
RTPA/CTC:	Orange County Transportation Authority (OCTA)											
Project Title:	Interstate 5/State Route 74 Interchange Improvements (Landscaping/Replacement Planting)											
Location	On State Route 74 in Orange County, in San Juan Capistrano from I-5 to east of the city limit.											
Description:	Landscape/Replacement Planting											
(DOLLARS IN THOUSANDS)												
FUND	TOTAL	Project Totals by Fiscal Year					Project Totals by Component					
		Prior	10/11	11/12	12/13	13/14	14/15	R/W	CON	PA&ED	PS&E	R/W Supp
RIP												
Existing	0				0	0	0	0	0	0		0
Change	1,420				210	1,210		1,000		210		210
Proposed	1,420				210	1,210		1,000		210		210
Total												
Existing	0				0	0		0		0		0
Change	1,420				210	1,210		1,000		210		210
Proposed	1,420				210	1,210		1,000		210		210

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.1c.(2a)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: **STATE ROUTE 99 CORRIDOR BOND PROGRAM PROJECT BASELINE AMENDMENT
RESOLUTION R99-PA-1112-007**

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission) amend the State Route 99 (SR 99) Corridor Bond Program baseline agreement for the Island Park 6-Lane project in Fresno and Madera Counties.

ISSUE:

The Department proposes to amend the SR 99 Corridor Bond Program baseline agreement for the Island Park 6-Lane project (PPNO 6274) in Fresno and Madera Counties to revise the project funding plan and increase the project limits.

BACKGROUND:

The Island Park 6-Lane project will widen 2.9 miles of SR 99 from four lanes to six lanes from 0.2 mile south of Grantland Avenue to 0.6 mile north of Avenue 7. It is programmed for construction in Fiscal Year 2011-12 with SR 99 Bond Program funding.

Revise Project Funding Plan

The construction support cost has increased from \$4,100,000 to \$7,500,000. The baseline estimate assumed the project could be constructed in two construction seasons. The replacement of the San Joaquin River Bridge is now expected to require three construction seasons.

The construction capital cost has decreased from \$54,000,000 to \$50,600,000. Roadway and bridge-related unit prices have decreased since the baseline estimate was developed, particularly for concrete, steel, aggregate, and asphalt items.

Increase Project Limits

The Island Park 6-Lane project is adjacent to and north of the North Fresno 6-Lane project (PPNO 6274A). The North Fresno 6-Lane project will widen SR 99 from four lanes to six lanes from Ashlan Avenue to 0.2 mile north of Grantland Avenue. The Commission allocated SR 99 Corridor Bond Program construction funds for the North Fresno 6-Lane project in January 2010. A construction contract was awarded in August 2010.

The North Fresno 6-Lane project did not include landscaping. The landscape replacement work was to be included in a separate project following completion of the roadway work. In lieu of a separate project for landscaping only, it is proposed to increase the limits of the Island Park 6-Lane project to include landscaping of the North Fresno 6-Lane project. The revised project limits of the Island Park 6-Lane project will be from 0.2 mile north of Ashlan Avenue to 0.6 mile north of Avenue 7. The cost of the increased scope is included in the revised construction cost described above.

A concurrent construction allocation is proposed on this month's Commission agenda.

REVISED: ISLAND PARK 6-LANE PROJECT (PPNO 6274)

County	District	PPNO	EA	Element	Const. Year	PMBack	PMAhead	Route/Corridor					
Fresno, Madera	6	6274	44262	CO	2011-12	Fre-26.730.3	Mad-1.6	99					
Implementing Agency: (by component)		PA&ED	Caltrans			PS&E	Caltrans						
		R/W	Caltrans			CON	Caltrans						
RTPA/CTC:		Council of Fresno County Governments											
Project Title:		Island Park 6-Lane											
Location		In and near the city of Fresno, from 0.2 mile south of Grantland Avenue Ashlan Avenue to 0.6 mile north of Avenue 7.											
Description:		Widen 4-lane freeway to 6-lane freeway.											
(DOLLARS IN THOUSANDS)													
FUND	TOTAL	Project Totals by Fiscal Year						Project Totals by Component					
		Prior	10/11	11/12	12/13	13/14	14/15	R/W	CON	PA&ED	PS&E	R/W Supp	CON Supp
State Bond													
Existing	71,200	13,100		58,100				6,500	54,000	2,700	3,400	500	4,100
Change	0	0		0				0	(3,400)	0	0	0	3,400
Proposed	71,200	13,100		58,100				6,500	50,600	2,700	3,400	500	7,500
Total													
Existing	71,200	13,100		58,100				6,500	54,000	2,700	3,400	500	4,100
Change	0	0		0				0	(3,400)	0	0	0	3,400
Proposed	71,200	13,100		58,100				6,500	50,600	2,700	3,400	500	7,500

RESOLUTION R99-PA-1112-007

Be it Resolved, that the California Transportation Commission does hereby amend the State Route 99 Corridor Bond Program baseline agreement for the Island Park 6-Lane project (PPNO 6274) with the information described above.

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.1c.(2b)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: **STATE ROUTE 99 CORRIDOR BOND PROGRAM PROJECT BASELINE AMENDMENT
RESOLUTION R99-PA-1112-008**

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission) amend the State Route (SR) 99 Corridor Bond Program baseline agreement for the Goshen to Kingsburg Landscape project in Tulare and Fresno Counties.

ISSUE:

The Department proposes to amend the State Route (SR) 99 Corridor Bond Program baseline agreement for the Goshen to Kingsburg Landscape project (PPNO 6480Y) in Tulare and Fresno Counties to revise the project limits and funding plan.

BACKGROUND:

The Goshen to Kingsburg Landscape project will provide replacement and mitigation landscaping for the Goshen to Kingsburg 6-Lane project (PPNO 6480). It is programmed for construction in Fiscal Year (FY) 2013-14 with SR 99 Bond Program funding.

Revise Project Limits

The current project limits are from 0.2 mile north of the North Goshen Overhead in Tulare County to 0.2 mile north of Route 201 in Fresno County. There is no need to landscape the southernmost 7 miles of the Goshen to Kingsburg project, and it is not possible to provide sufficient landscape mitigation for the Goshen to Kingsburg 6-Lane project within the current project limits. Therefore, it is proposed to move the southern project limit 7 miles to the north and extend the northern project limit 1.4 miles to the north. The revised project limits will be from 0.3 mile south of Merritt Drive in Tulare County to 0.7 mile north of Bethel Avenue in Fresno County.

Revise Funding Plan

This project is currently programmed for construction in Fiscal Year (FY) 2013-14. However, it is anticipated that this project will be ready for a construction allocation in July 2012. Therefore, it is proposed to revise the construction programming to FY 2012-13.

REVISED: GOSHEN TO KINGSBURG LANDSCAPE PROJECT (PPNO 6480Y)

County	District	PPNO	EA	Element	Const. Year	PMBack	PM Ahead	Route/Corridor						
Tulare	6	6480Y	32451	CO	2013-14- 2011-12	41.3	R53.9	99						
Implementing Agency: (by component)		PA&ED	Caltrans			PS&E	Caltrans							
		R/W	Caltrans			CON	Caltrans							
RTPA/CTC:		Tulare County Association of Governments												
Project Title:		Goshen to Kingsburg Landscape												
Location		Between Goshen and Kingsburg, from the Goshen Overhead to Route 201 0.3 mile south of Merritt Drive in Tulare County to 0.7 mile north of Bethel Avenue in Fresno County.												
Description:		Landscape planting.												
(DOLLARS IN THOUSANDS)														
FUND	TOTAL	Project Totals by Fiscal Year						Project Totals by Component						
		Prior	10/11	11/12	12/13	13/14	14/15	R/W	CON	PA&ED	PS&E	R/W Supp	CON Supp	
State Bond (SR 99)														
Existing	6,200			500		5,700			5,000		500		700	
Change	0				5,700	(5,700)			0		0		0	
Proposed	6,200			500	5,700	0			5,000		500		700	
Total														
Existing	6,200			500	0	5,700			5,000		500		700	
Change	0			0	5,700	(5,700)			0		0		0	
Proposed	6,200			500	5,700	0			5,000		500		700	

RESOLUTION R99-PA-1112-008

Be it Resolved, that the California Transportation Commission does hereby amend the State Route 99 Corridor Bond Program baseline agreement for the Goshen to Kingsburg Landscape project (PPNO 6480Y) with the information described above.

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.1c.(5a)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Ryan Chamberlain
Division Chief
Transportation Planning

Subject: **TRADE CORRIDORS IMPROVEMENT FUND-PROJECT BASELINE AMENDMENT
RESOLUTION TCIF-P-1112-30, AMENDING RESOLUTIONS TCIF-P-1011-19 AND
TCIF-P-0809-01B**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) amend the Trade Corridors Improvement Fund (TCIF) Project Baseline Agreement for Project 11, San Francisco Bay to Stockton Ship Channel Deepening Project (PPNO TC11). The Northern California Trade Corridor Coalition concurs with this amendment and the requested changes.

ISSUE:

The Port of Stockton (Port) proposes to amend the TCIF Project Baseline Agreement for Project 11, San Francisco Bay to Stockton Ship Channel Deepening Project, to down-scope the project due to a loss of federal funding; and to revise the delivery schedule, cost, and funding plan.

BACKGROUND:

The San Francisco Bay to Stockton Ship Channel Deepening Project was programmed with \$17,500,000 of TCIF funds, under the TCIF Program of Projects, adopted by the Commission on April 10, 2008. A Project Baseline Agreement executed by the Department, the Commission, and the Port was approved on August 28, 2008 under Resolution TCIF-P-0809-01B. A Project Baseline Agreement Amendment was approved March 23, 2011 under Resolution TCIF-P-1011-19, to update the project delivery schedule and funding plan.

The project scope, schedule, and cost have all changed. Specifically the project has been down-scoped to reflect dredging of the Stockton Ship Channel to a depth of (up to) 37 feet (a decrease from 45 feet) and reduced project total cost from \$141,447,000 to \$15,000,000. The amended project schedule has been accelerated to reflect a construction start in August 2012 with construction completion in November 2013.

This project will deepen the existing navigation channel from 35 feet to a depth of (up to) 37 feet to allow larger vessels and increased goods movement from the Port's East and West Complex to State Route 4 and outward to Interstate 5. A deepened channel would also remove approximately 2,100 commercial trucks from the San Francisco Bay to the Stockton transportation corridor for every bulk cargo ship calling at the Port of Stockton resulting in a significant reduction in truck trips from the coast.

The project cost is shared among the U.S. Army Corps of Engineers (Corps), the Port of Stockton, Contra Costa County, and the Western States Petroleum Association. The Corps is project-funded by Congress each fiscal year; however, no federal allocation of funds was made for the project in Fiscal Year (FY) 2010. Therefore, project tasks planned for FY 2010 were delayed and pushed out to FY 2011. Prior to FY 2010, the project received federal funds annually without interruption.

The table below lists project milestones, noting the project down-scope, with the current approved and proposed delivery schedules:

Project Milestone	Current Approved	Proposed	Change (years-months)
Begin Environmental Phase	Mar 15, 2008	-	No Change
End Environmental Phase	Oct 01, 2012	Aug 07, 2008	Completed -4 yrs, 2 mos
Begin Design Phase	Nov 01, 2012	Nov 01, 2011	-1 yr
End Design Phase	Feb 01, 2013	Feb 15, 2012	Completed -1 yr
Begin Right of Way Phase	Feb 01, 2013	---	Not Required
End Right of Way Phase	May 01, 2013	---	Not Required
Begin Construction Phase	May 01, 2013	Aug 01, 2012	-9 mos
End Construction Phase	Dec 01, 2015	Nov 30, 2013	-2 yrs, 1 mo
Begin Closeout Phase	Dec 01, 2015	Nov 30, 2013	-2 yrs, 1 mo
End Closeout Phase	Jul 01, 2016	Jun 30, 2014	-2 yrs, 1 mo

In addition to the revised total project cost, the Port also requests to update the project funding plan, to reflect a reduction of \$10,300,000 in TCIF funding. The Port is requesting that the remaining \$7,200,000 in TCIF funds be reprogrammed to FY 2011-12 to meet the updated begin construction date of August 2012. Additionally, the Port is amending the project's match funds as shown in the following project funding plan:

(DOLLARS IN THOUSANDS)										
FUND SOURCE	TOTAL	Totals by Fiscal Year					Totals by Project Phase			
		Prior	10/11	11/12	12/13	13/14	PA&ED	PS&E	R/W	CONST
State Funds (TCIF)										
Current Approved	17,500			0	17,500					17,500
Change	(10,300)			7,200	(17,500)					(10,300)
Proposed	7,200			7,200	0					7,200
Federal Funds (U.S. Army Corps of Engineers)										
Current Approved	123,947	3,422	216	530	42,050	77,729	3,668	1,000	800	118,479
Change	(116,747)	(3,422)	234	2620	(38,450)	(77,729)	(3,568)	(500)	(800)	(111,879)
Proposed	7,200	0	450	3,150	3,600	0	100	500	0	6,600
Local Funds (Port of Stockton)										
Current Approved	0				0					0
Change	600			300	300					600
Proposed	600			300	300					600
TOTAL										
Current Approved	141,447	3,422	216	530	59,550	77,729	3,668	1,000	800	135,979
Change	(126,447)	(3,422)	234	10,120	(55,650)	(77,729)	(3,568)	(500)	(800)	(121,579)
Proposed	15,000	0	450	10,650	3,900	0	100	500	0	14,400

RESOLUTION TCIF-P-1112-30

Be it Resolved, that the California Transportation Commission does hereby amend the Trade Corridors Improvement Fund baseline agreement for TCIF Project 11, San Francisco Bay to Stockton Ship Channel Deepening Project (PPNO TC11), in accordance with the changes described and illustrated above.

Attachment



METROPOLITAN
TRANSPORTATION
COMMISSION

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
TEL 510.817.5700
TTY/TDD 510.817.5769
FAX 510.817.5848
E-MAIL info@mtc.ca.gov
WEB www.mtc.ca.gov

Adrienne J. Tissier, Chair
San Mateo County

March 12, 2012

Amy Rein Worth, Vice Chair
Cities of Contra Costa County

Ms. Bimla Rhinehart, Executive Director
California Transportation Commission
1120 N Street, MS-52
Sacramento, CA 95814

Tom Azumbrado
U.S. Department of Housing
and Urban Development

Tom Bates
Cities of Alameda County

Dear Ms. ^{Bimla}Rhinehart:

David Campos
City and County of San Francisco

The Northern California Trade Corridors Coalition (Coalition) is in support of the Port of Stockton's baseline agreement amendment submitted to the Trade Corridor Improvement Fund (TCIF) program for the San Francisco Bay to Stockton Ship Channel Deepening Project.

Dave Cortese
Santa Clara County

Bill Dodd
Napa County and Cities

San Francisco Bay to Stockton Ship Channel Deepening Project ("Project"):

Dorene M. Giacopini
U.S. Department of Transportation

The Project received \$17.5 million in TCIF programming in 2008. The original project had a sizable federal funding contribution through the US Army Corps of Engineers.

Federal D. Glover
Contra Costa County

Due to the unavailability of federal funds, the Port of Stockton requests that the project be down-scoped in order to deliver tangible benefits with the funding that is available through Proposition 1B and federal sources. The new scope would deepen the ship channel by 2 feet and defer deepening around the Port of Stockton ship berths. As a result, the total cost of the project will decrease from \$141.5 million to \$15 million, and the construction start date will advance from May 2013 to August 2012. Additionally, the Port of Stockton requests that the Coalition and CTC reduce the TCIF funding commitment from \$17.5 million to \$7.2 million. The remaining scope will be delivered with federal funds once they become available.

Mark Green
Association of Bay Area Governments

Scott Haggerty
Alameda County

Anne W. Halsted
San Francisco Bay Conservation
and Development Commission

Steve Kinsey
Marin County and Cities

The Coalition supports the proposed baseline agreement amendments to update the funding plan, project scope and schedule. We respectfully request your concurrence with this change.

Sam Liccardo
Cities of Santa Clara County

Jake Mackenzie
Sonoma County and Cities

Should you have any questions or comments, please contact Kenneth Kao of my staff at (510) 817-5768 or kkao@mtc.ca.gov.

Kevin Mullin
Cities of San Mateo County

Sincerely,

Bijan Sartipi
State Business, Transportation
and Housing Agency

Alix A. Bockelman
Director, Programming and Allocations

James P. Spering
Solano County and Cities

Scott Wiener
San Francisco Mayor's Appointee

cc: Northern California Coalition agencies
Maura Twomey, CTC
Dawn Cheser, Caltrans HQ

Steve Heminger
Executive Director

Ann Flemer
Deputy Executive Director, Policy

AAB:KK

Andrew B. Fremier
Deputy Executive Director, Operations

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.1c.(5b)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Ryan Chamberlain
Division Chief
Transportation Planning

Subject: **TRADE CORRIDORS IMPROVEMENT FUND-PROJECT BASELINE AMENDMENT
RESOLUTION TCIF-P-1112-31, AMENDING RESOLUTIONS TCIF-P-1011-25 AND
TCIF-P-0809-04B**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) amend the Trade Corridors Improvement Fund (TCIF) Project Baseline Agreement for Project 35, State College Boulevard Grade Separation (PPNO TC35). The Southern California Consensus Group concurs with this amendment and the requested changes.

ISSUE:

The Orange County Transportation Authority (OCTA) proposes to amend the TCIF Project Baseline Agreement for Project 35, State College Boulevard Grade Separation (State College) to update cost, funding plan, and delivery schedule.

BACKGROUND:

The State College project is part of the Orange County Bridges Program (OCBP) which will build underpasses and overpasses at local rail crossings to improve safety and reduce delays. This project will construct a grade separation on State College Boulevard at Burlington Northern Santa Fe (BNSF) Railway tracks from Santa Fe Avenue at the northerly terminus to approximately 700 feet south of Valencia Drive at the southerly terminus. The project will provide significant benefits to vehicle and truck traffic traveling on State College Boulevard by reducing delays and traffic congestion associated with the existing at-grade crossing.

This project was adopted in the TCIF Program by the Commission on April 10, 2008. A Project Baseline Agreement was executed between the OCTA, the Department, and the Commission, and approved by the Commission on October 29, 2008, under Resolution TCIF-P-0809-04B. A Project Baseline Agreement Amendment was approved May 11, 2011 under Resolution TCIF-P-1011-25, to update the project delivery schedule, cost, and funding plan.

OCTA is requesting to update the project delivery schedule by changing the end of the environmental component from February 1, 2011 to April 14, 2011 due to a delay in obtaining signatures on the final environmental document. This delay also affected the start of the right of way component. There are no cost increases related to these delays.

The table below lists the current approved and proposed project milestones.

Project Milestone	Current Approved	Proposed	Change
Begin Environmental Phase	Apr 1, 2005	-	No Change
End Environmental Phase	Feb 1, 2011	Apr 14, 2011	Completed 2 mo, 14 days
Begin Design Phase	Apr 1, 2005	-	No Change
End Design Phase	Mar 1, 2013	-	No Change
Begin Right of Way Phase	Mar 1, 2011	Jul 25, 2011	4 mo, 24 days
End Right of Way Phase	Mar 1, 2013	-	No Change
Begin Construction Phase	Apr 13, 2013	-	No Change
End Construction Phase	Jan 1, 2016	-	No Change
Begin Closeout Phase	Jan 1, 2016	-	No Change
End Closeout Phase	Jan 1, 2019	-	No Change

OCTA is requesting to reprogram \$12,757,000 in TCIF funding from TCIF Project 39, Raymond Avenue, with the funds to be reprogrammed to three existing OCTA TCIF projects. A concurrent program amendment to delete Raymond Avenue from the TCIF Program and reprogram the funds, including baseline agreement amendments are all scheduled for this month's Commission meeting.

OCTA is proposing to use \$3,376,000 of the \$12,757,000 TCIF funds from Raymond Avenue for the State College project, thereby increasing the TCIF programmed amount from \$30,731,000 to \$34,107,000. Additionally, the City of Fullerton is reducing its contribution to the project by \$8,530,000 due to both a lack of developer funds and the State of California's recent decision to eliminate redevelopment agency funding. Therefore, OCTA has increased its Measure 2 contribution to offset the majority of the loss of City funds. The total project cost has increased by \$996,000 related to project management costs including coordination with BNSF Railway on a temporary continuous construction track (shoofly), and Right of Way coordination and process issues. Overall project costs are reflective of current design and cost data.

OCTA proposes to update the project's cost and funding plan as follows:

(DOLLARS IN THOUSANDS)										
FUND SOURCE	TOTAL	Totals by Fiscal Year					Totals by Project Phase			
		Prior	10/11	11/12	12/13	13/14	PA&ED	PS&E	R/W	CONST
State Funds (TCIF)										
Current Approved	30,731				30,731					30,731
Change	3,376				3,376					3,376
Proposed	34,107				34,107					34,107
CMAQ										
Current Approved	19,037		1,494		17,543			1,494		17,543
Change	-1,741		-461		-1,280			-461		-1,280
Proposed	17,296		1,033		16,263			1,033		16,263
Measure M2										
Current Approved	450		0		450		450	0		
Change	7,891		8,341		-450		1,525	6,366		
Proposed	8,341		8,341		0		1,975	6,366		
City – Fullerton / OCTA										
Current Approved	10,630	2,568	4,906		3,156		305	2,263	4,906	3,156
Change	-8,530	-643	-4,731		-3,156		0	-643	-4,731	-3,156
Proposed	2,100	1,925	175		0		305	1,620	175	0
Federal DEMO										
Current Approved	12,800		12,800		0				12,800	0
Change	0		-1,282		1,282				-1,282	1,282
Proposed	12,800		11,518		1,282				11,518	1,282
TOTAL										
Current Approved	73,648	2,568	19,200		51,880		305	2,713	19,200	51,430
Change	996	-643	1,867		-228		0	882	-108	222
Proposed	74,644	1,925	21,067		51,652		305	3,595	19,092	51,652

RESOLUTION TCIF-P-1112-31

Be it Resolved, that the California Transportation Commission does hereby amend the Trade Corridors Improvement Fund Baseline Agreement for Project 35, State College Boulevard Grade Separation Project (PPNO TC35), in accordance with the changes described and illustrated above.

Attachment



Metro

February 15, 2012

Ms. Bimla G. Rhinehart
Executive Director
California Transportation Commission
1120 "N" Street, Mail Stop: 52
Sacramento, CA 94273-0001

Dear Ms. Rhinehart:

The Southern California Consensus Group has discussed and approved the changes requested by our partner agency, the Orange County Transportation Authority (OCTA). It is our understanding that OCTA is requesting approval to amend six TCIF grade separation projects:

- Raymond Avenue
- State College Boulevard
- Placentia Avenue
- Orangethorpe Avenue
- Tustin Avenue/Rose Drive
- Lakeview Avenue

Please see the attached letter from OCTA detailing the requested changes. Please direct any questions or comments regarding this issue to me at (213) 922-3061. We appreciate the ongoing support and guidance provided by you and your staff.

Sincerely,

Shahrzad Amiri
Deputy Executive Director

cc: Southern California Consensus Group
Maura Twomey

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.1c.(5c)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Ryan Chamberlain
Division Chief
Transportation Planning

Subject: **TRADE CORRIDORS IMPROVEMENT FUND-PROJECT BASELINE AMENDMENT
RESOLUTION TCIF-P-1112-32, AMENDING RESOLUTIONS TCIF-P-1011-21,
TCIF-P-1011-08, AND TCIF-P 0809-04B**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) amend the Trade Corridors Improvement Fund (TCIF) Project Baseline Agreement for Project 36, Placentia Avenue Undercrossing project (PPNO TC36). The Southern California Consensus Group concurs with this amendment and the requested changes.

ISSUE:

The Orange County Transportation Authority (OCTA) proposes to amend the TCIF Project Baseline Agreement for Project 36, Placentia Avenue Undercrossing (Placentia) to update the cost and funding plan.

BACKGROUND:

The Placentia project was adopted in the TCIF Program by the Commission on April 10, 2008 under Resolution TCIF-P-0708-01. A Project Baseline Agreement was executed by the OCTA, the Department, and the Commission, and approved by the Commission on October 29, 2008, under Resolution TCIF-P-0809-04B. Two subsequent Baseline Agreement Amendments were approved by the Commission under TCIF-P-1011-08 and TCIF-P-1011-21 to update the schedule, cost and funding plan; and an allocation for the total TCIF funding of \$14,934,000 was approved on January 20, 2011 under Resolution TCIF-A-1011-01.

The project will separate the existing at-grade crossing by lowering Placentia Avenue under the Burlington Northern Santa Fe (BNSF) Railway, thus improving vehicular traffic safety and boosting local area mobility. The roadway will be lowered to construct a vehicle underpass, separating car traffic from train traffic, at the intersection of Placentia Avenue and the BNSF railway. The underpass will be located approximately 85 feet south of Crowther Avenue and 700 feet north of Fender Avenue.

This amendment proposes to shift local fund sources from local Measure M funds to Public Transportation Modernization, Improvement and Service Enhancement Account Program (PTMISEA) to preserve Measure M dollars for local projects. The total project cost remains the same at \$78,229,000. The proposed cost and funding plan changes are illustrated in the table below.

(DOLLARS IN THOUSANDS)										
FUND SOURCE	TOTAL	Totals by Fiscal Year					Totals by Project Phase			
		Prior	10/11	11/12	12/13	13/14	PA&ED	PS&E	R/W	CONST
State Funds (TCIF)										
Current Approved	14,934		14,934							14,934
Change	0		0							0
Proposed	14,934		14,934							14,934
TCRP – City of Placentia										
Current Approved	6,040	6,040							6,040	
Change	0	0							0	
Proposed	6,040	6,040							6,040	
Measure M2										
Current Approved	57,255	12,753	44,502				21	3,401	9,331	44,502
Change	-12,000	0	-12,000				0	0	0	-12,000
Proposed	45,255	12,753	32,502				21	3,401	9,331	32,502
PTMISEA – Public Transportation Modernization, Improvement and Service Enhancement Account Program										
Current Approved	0				0					0
Change	12,000				12,000					12,000
Proposed	12,000				12,000					12,000
TOTAL										
Current Approved	78,229	18,793	59,436		0		21	3,401	15,371	59,436
Change	0	0	-12,000		12,000		0	0	0	0
Proposed	78,229	18,793	47,436		12,000		21	3,401	15,371	59,436

RESOLUTION TCIF-P-1112-32

Be it Resolved, that the California Transportation Commission does hereby amend the Trade Corridors Improvement Fund Baseline Agreement for Project 36, Placentia Avenue Undercrossing (PPNO TC36), in accordance with the changes described and illustrated above.

Attachment



Metro

February 15, 2012

Ms. Bimla G. Rhinehart
Executive Director
California Transportation Commission
1120 "N" Street, Mail Stop: 52
Sacramento, CA 94273-0001

Dear Ms. Rhinehart:

The Southern California Consensus Group has discussed and approved the changes requested by our partner agency, the Orange County Transportation Authority (OCTA). It is our understanding that OCTA is requesting approval to amend six TCIF grade separation projects:

- Raymond Avenue
- State College Boulevard
- Placentia Avenue
- Orangethorpe Avenue
- Tustin Avenue/Rose Drive
- Lakeview Avenue

Please see the attached letter from OCTA detailing the requested changes. Please direct any questions or comments regarding this issue to me at (213) 922-3061. We appreciate the ongoing support and guidance provided by you and your staff.

Sincerely,

Shahrzad Amiri
Deputy Executive Director

cc: Southern California Consensus Group
Maura Twomey

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.1c.(5d)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Ryan Chamberlain
Division Chief
Transportation Planning

Subject: **TRADE CORRIDORS IMPROVEMENT FUND-PROJECT BASELINE AMENDMENT
RESOLUTION TCIF-P-1112-33, AMENDING RESOLUTIONS TCIF-P-1011-26 AND
TCIF-P-0809-04B**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) amend the Trade Corridors Improvement Fund (TCIF) Project Baseline Agreement for Project 37, Orangethorpe Avenue Grade Separation Project (PPNO TC37). The Southern California Consensus Group concurs with this amendment and the requested changes.

ISSUE:

The Orange County Transportation Authority (OCTA) proposes to amend the TCIF Project Baseline Agreement for Project 37, Orangethorpe Avenue Grade Separation (Orangethorpe) to update the cost, funding plan, and project delivery schedule.

BACKGROUND:

The Orangethorpe project is part of the Orange County's Bridges Program (OCBP) which will build underpasses and overpasses at local rail crossings to improve safety and reduce delays. The Orangethorpe project will construct a bridge to allow vehicles to pass over the Burlington Northern Santa Fe (BNSF) Railway tracks to separate rail and roadway traffic. The railroad mainline tracks will remain at-grade. Two additional structures will be constructed at Miller Street and Chapman Avenue to connect to Orangethorpe Avenue. The completed project will allow cars to cross over the railroad tracks, improving safety and reducing delays.

This project was adopted in the TCIF Program by the Commission on April 10, 2008. A Project Baseline Agreement was executed by OCTA, the Department, and the Commission, and approved by the Commission on October 29, 2008, under Resolution TCIF-P-0809-04B. A Baseline Agreement Amendment was approved on May 11, 2011, under Resolution TCIF-P-1011-26, to revise the scope, schedule and cost.

This amendment requests an additional three months to complete the Right of Way certification due to additional time needed for relocating approximately 30 tenants and an Orange County Department of Education school; transferring franchise and/or easement rights between the utilities, OCTA and the cities; and developing unanticipated processes for utility relocation and reimbursement agreements.

The following table provides a list of the project’s milestones with current approved and proposed delivery schedule:

Project Milestone	Current Approved	Proposed	Change
Begin Environmental Phase	Jan 01, 2001	-	No Change
End Environmental Phase	Sep 23, 2009	-	No Change - Complete
Begin Design Phase	Feb 06, 2009	-	No Change
End Design Phase	Jan 01, 2012	Oct 31, 2011	-3 months - Complete
Begin Right of Way Phase	Oct 01, 2010	-	No Change
End Right of Way Phase	Jan 01, 2012	Apr 01, 2012	3 Months
Begin Construction Phase	Jul 01, 2012	-	No Change
End Construction Phase	Apr 01, 2015	-	No Change
Begin Closeout Phase	Apr 01, 2015	-	No Change
End Closeout Phase	Apr 01, 2015	-	No Change

OCTA requests to reprogram \$12,757,000 in TCIF funding from TCIF Project 39, Raymond Avenue, with the funds to be reprogrammed to three existing OCTA TCIF projects. A concurrent program amendment to delete Raymond Avenue from the TCIF Program and reprogram the funds, including baseline agreement amendments are all scheduled for this month’s Commission meeting.

This amendment proposes to use \$6,354,000 of the \$12,757,000 TCIF funds from Raymond Avenue for the Orangethorpe project, thereby increasing the TCIF programmed amount from \$41,666,000 to \$48,020,000. However after final design, a refined project estimate resulted in an overall project funding decrease of \$2,400,000.

Right of way component costs decreased due to: 1) the addition of a flood control maintenance bridge over the Carbon Canyon Channel which eliminated the need to construct a land-intensive maintenance vehicle turnaround; and 2) addition of a cul-de-sac on Miller Street which will maintain access to an existing business eliminating the need to purchase the entire property and business.

The construction costs increased due to: 1) addition of the flood control maintenance bridge over the Carbon Canyon Channel; 2) an unforeseen 72-inch Orange County Water Department (OCWD) pipeline relocation that was not documented in OCWD record data and not discovered until design was nearly completed; 3) realignment of the Atwood Channel to minimize impacts to nearby residential neighborhood; and 4) addition of the Miller Street cul-de-sac.

The OCTA proposes to update the project's cost and funding plan as follows:

(DOLLARS IN THOUSANDS)										
FUND SOURCE	TOTAL	Totals by Fiscal Year					Totals by Project Phase			
		Prior	10/11	11/12	12/13	13/14	PA&ED	PS&E	R/W	CONST
State Funds (TCIF)										
Current Approved	41,666			41,666						41,666
Change	6,354			6,354						6,354
Proposed	48,020			48,020						48,020
CMAQ										
Current Approved	47,319		26,846	20,473					26,846	20,473
Change	-26,224		-5,751	-20,473					-5,751	-20,473
Proposed	21,095		21,095	0					21,095	0
Measure M										
Current Approved	12,267	8,557	1,157	2,553				8,557	1,157	2,553
Change	3,721	-265	2,611	1,375				-265	2,611	1,375
Proposed	15,988	8,292	3,768	3,928				8,292	3,768	3,928
STP –Local (RSTP)										
Current Approved	631	631		0			631			0
Change	10,649	0		10,649			0			10,649
Proposed	11,280	631		10,649			631			10,649
DEMO										
Current Approved	15,500			15,500						15,500
Change	3,100			3,100						3,100
Proposed	18,600			18,600						18,600
TOTAL										
Current Approved	117,383	9,188	28,003	80,192			631	8,557	28,003	80,192
Change	-2,400	-265	-3,140	1,005			0	-265	-3,140	1,005
Proposed	114,983	8,923	24,863	81,197			631	8,292	24,863	81,197

RESOLUTION TCIF-P-1112-33

Be it Resolved, that the California Transportation Commission does hereby amend the Trade Corridors Improvement Fund Baseline Agreements for Project 37, Orangethorpe Avenue Grade Separation (PPNO TC37), in accordance with the changes described and illustrated above.

Attachment



Metro

February 15, 2012

Ms. Bimla G. Rhinehart
Executive Director
California Transportation Commission
1120 "N" Street, Mail Stop: 52
Sacramento, CA 94273-0001

Dear Ms. Rhinehart:

The Southern California Consensus Group has discussed and approved the changes requested by our partner agency, the Orange County Transportation Authority (OCTA). It is our understanding that OCTA is requesting approval to amend six TCIF grade separation projects:

- Raymond Avenue
- State College Boulevard
- Placentia Avenue
- Orangethorpe Avenue
- Tustin Avenue/Rose Drive
- Lakeview Avenue

Please see the attached letter from OCTA detailing the requested changes. Please direct any questions or comments regarding this issue to me at (213) 922-3061. We appreciate the ongoing support and guidance provided by you and your staff.

Sincerely,

Shahrzad Amiri
Deputy Executive Director

cc: Southern California Consensus Group
Maura Twomey

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.1c.(5e)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Ryan Chamberlain
Division Chief
Transportation Planning

Subject: **TRADE CORRIDORS IMPROVEMENT FUND-PROJECT BASELINE AMENDMENT
RESOLUTION TCIF-P-1112-34, AMENDING RESOLUTIONS TCIF-P-1011-26
AND TCIF-P 0809-04B**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) amend the Trade Corridors Improvement Fund (TCIF) Project Baseline Agreement for Project 40, Lakeview Avenue Overcrossing (PPNO TC40). The Southern California Consensus Group concurs with this amendment and the requested changes.

ISSUE:

The Orange County Transportation Authority (OCTA) proposes to amend the TCIF Project Baseline Agreement for Project 40, Lakeview Avenue Overcrossing (Lakeview) to update the cost, funding plan, and project delivery schedule.

BACKGROUND:

The Lakeview project is part of the Orange County's Bridges Program (OCBP) which will build underpasses and overpasses at local rail crossings to improve safety and reduce delays. The project will build a bridge to elevate and realign Lakeview Avenue to allow vehicles to pass over the Burlington Northern Santa Fe (BNSF) Railway tracks. A ramp connecting Lakeview Avenue to Orangethorpe Avenue will be constructed, and North Bubach Street in the northeast corner of the project area will be rerouted to connect the ramp to a new signalized intersection. The project will also construct a new frontage road in the southeast corner of the project for local business access. In addition, a new road will be built in the southwest corner to connect the new frontage road to Lakeview Avenue.

The project was adopted in the TCIF Program by the Commission on April 10, 2008. Project Baseline Agreements were executed for each project by OCTA, the Department, and the Commission, and approved by the Commission on October 29, 2008, under Resolution TCIF-P-0809-04B. A Baseline Agreement Amendment was approved on May 11, 2011, under Resolution TCIF-P-1011-26, to revise the project's scope, schedule and cost.

The Lakeview project is experiencing delays due to design modifications requested by the City of Anaheim (City) and consequent additional right of way work and acquisition of a residential property. During project development, the City requested OCTA to consider design and schedule changes to the Lakeview project. The design change involved the modification of access to the industrial properties along the south end of the project. This change required a re-design of street configurations and a re-evaluation in the project’s right of way requirements causing delays in the project’s right of way acquisition.

Design modifications include: (1) utility modifications required as a result of revisions to right of way acquisitions; (2) pavement analysis of detour roads during construction; (3) Right of Way acquisition revisions for additional properties; (4) Design revisions requested by the City to relocate a power pole and widen the roadway to accommodate the Lakeview Avenue roadway width at the southern project limit; (5) hydrology study for 100-year flood as required by Orange County Flood Control and Community Development; and (6) geometric design changes requested by the Cities of Placentia and Anaheim.

Therefore, the completion of Design is proposed to be extended by 11 months. The following table provides a list of the project’s milestones with current approved and proposed delivery schedules:

Project Milestone	Current Approved	Proposed	Change
Begin Environmental Phase	Jan 01, 2001	-	No Change
End Environmental Phase	Sep 23, 2009	-	No Change - COMPLETE
Begin Design Phase	Feb 06, 2009	-	No Change
End Design Phase	Oct 01, 2011	Sep 01, 2012	11 Months
Begin Right-of-Way Phase	Apr 01, 2011	-	No Change
End Right-of-Way Phase	Jan 01, 2013	-	No Change
Begin Construction Phase	Jul 01, 2013	-	No Change
End Construction Phase	Oct 01, 2015	-	No Change
Begin Closeout Phase	Oct 01, 2015	-	No Change
End Closeout Phase	Oct 01, 2018	-	No Change

The total project cost increase is due to additional design changes related to Right of Way appraisals, tenant relocations for impacted properties, additional tenant occupancy, and actual negotiated settlement values. These increased costs have resulted in a need to adjust the budget for the project. The cost increase will be funded with local Measure M2 funds. TCIF fund remains as originally programmed at \$28,685,000.

OCTA proposes to update the project's cost and funding plan as follows:

(DOLLARS IN THOUSANDS)										
FUND SOURCE	TOTAL	Totals by Fiscal Year					Totals by Project Phase			
		Prior	10/11	11/12	12/13	13/14	PA&ED	PS&E	R/W	CONST
State Funds (TCIF)										
Current Approved	28,685				28,685					28,685
Change	0				0					0
Proposed	28,685				28,685					28,685
CMAQ										
Current Approved	2,749		2,749	0					2,749	
Change	8,007		3,783	4,224					8,007	
Proposed	10,756		6,532	4,224					10,756	
Measure M2 / CITY										
Current Approved	8,881	6,501	0	0	2,380			4,005	2,496	2,380
Change	19,037	0	1,366	12,317	5,354			3,862	9,821	5,354
Proposed	27,918	6,501	1,366	12,317	7,734			7,867	12,317	7,734
STP –Local (RSTP)										
Current Approved	14,700	631		0	14,069			631	0	14,069
Change	5,646	0		16,615	-10,969			0	16,615	-10,969
Proposed	20,346	631		16,615	3,100			631	16,615	3,100
DEMO										
Current Approved	15,158		15,158		0				15,158	0
Change	-3,100		-15,158		12,058				-15,158	12,058
Proposed	12,058		0		12,058				0	12,058
TOTAL										
Current Approved	70,173	7,132	17,907	0	45,134			631	4,005	20,403
Change	29,590	0	-10,009	33,156	6,443			0	3,862	19,285
Proposed	99,763	7,132	7,898	33,156	51,577			631	7,867	39,688

RESOLUTION TCIF-P-1112-34

Be it Resolved, that the California Transportation Commission does hereby amend the Trade Corridors Improvement Fund Baseline Agreements for Project 40, Lakeview Avenue Overcrossing project (PPNO TC40), in accordance with the changes described and illustrated above.

Attachment



Metro

February 15, 2012

Ms. Bimla G. Rhinehart
Executive Director
California Transportation Commission
1120 "N" Street, Mail Stop: 52
Sacramento, CA 94273-0001

Dear Ms. Rhinehart:

The Southern California Consensus Group has discussed and approved the changes requested by our partner agency, the Orange County Transportation Authority (OCTA). It is our understanding that OCTA is requesting approval to amend six TCIF grade separation projects:

- Raymond Avenue
- State College Boulevard
- Placentia Avenue
- Orangethorpe Avenue
- Tustin Avenue/Rose Drive
- Lakeview Avenue

Please see the attached letter from OCTA detailing the requested changes. Please direct any questions or comments regarding this issue to me at (213) 922-3061. We appreciate the ongoing support and guidance provided by you and your staff.

Sincerely,

Shahrzad Amiri
Deputy Executive Director

cc: Southern California Consensus Group
Maura Twomey

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.1c.(5f)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Ryan Chamberlain
Division Chief
Transportation Planning

Subject: **TRADE CORRIDORS IMPROVEMENT FUND-PROJECT BASELINE AMENDMENT
RESOLUTION TCIF-P-1112-35, AMENDING RESOLUTIONS TCIF-P-1011-26 AND
TCIF-P-0809-04B**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) amend the Trade Corridors Improvement Fund (TCIF) Project Baseline Agreement for Project 41, Tustin Avenue/Rose Drive Overcrossing Project (PPNO TC41). The Southern California Consensus Group concurs with this amendment and the requested changes.

ISSUE:

The Orange County Transportation Authority (OCTA) proposes to amend the TCIF Project Baseline Agreement for Project 41, Tustin Avenue/Rose Drive Overcrossing (Tustin/Rose) to update the cost, funding plan, and project delivery schedule.

BACKGROUND:

The Tustin/Rose Project is part of the Orange County's Bridges Program (OCBP) which will build underpasses and overpasses at local rail crossings to improve safety and reduce delays. The project will construct a vehicle overpass at the intersection of Tustin Avenue/Rose Drive and Orangethorpe Avenue, along the Burlington Northern Santa Fe (BNSF) Railway track. Approximately 2,100 feet of Tustin/Rose will be elevated and realigned to pass over Orangethorpe Avenue and the railroad tracks. The completed project will allow cars to safely cross over the railroad tracks and eliminate use of train horns at this rail crossing.

The project was adopted in the TCIF Program by the Commission on April 10, 2008. A Baseline Agreement was executed between OCTA, the Department, and the Commission, and approved by the Commission on October 29, 2008, under Resolution TCIF-P-0809-04B. A Project Baseline Agreement Amendment was approved May 11, 2011 under Resolution TCIF-P-1011-26, to update the project delivery schedule, cost, and funding plan.

OCTA requests to reprogram \$12,757,000 in TCIF funding from TCIF Project 39, Raymond Avenue, with the funds to be reprogrammed to three existing OCTA TCIF projects. A concurrent program amendment to delete Raymond Avenue from the TCIF Program and reprogram the funds, including baseline agreement amendments are all scheduled for this month's Commission meeting.

This amendment proposes to use \$3,027,000 of the \$12,757,000 TCIF funds from Raymond Avenue for the Tustin/Rose project, thereby increasing the TCIF programmed amount from \$31,387,000 to \$34,414,000. However after final design, a refined project estimate resulted in an overall project funding decrease of \$11,266,000. This is due to adjustments of the unit prices for reinforcing bar (rebar) for the railroad, roadway bridges and retaining walls. In addition, the construction cost for the bypass road was lower than originally anticipated for the project.

The OCTA proposes to update the project's cost and funding plan as follows:

(DOLLARS IN THOUSANDS)										
FUND SOURCE	TOTAL	Totals by Fiscal Year					Totals by Project Phase			
		Prior	10/11	11/12	12/13	13/14	PA&ED	PS&E	R/W	CONST
State Funds (TCIF)										
Current Approved	31,387			31,387						31,387
Change	3,027			3,027						3,027
Proposed	34,414			34,414						34,414
Measure M										
Current Approved	12,759	10,233		2,526				6,432	3,801	2,526
Change	2,144	2,557		-413				653	1,904	-413
Proposed	14,903	12,790		2,113				7,085	5,705	2,113
STP –Local (RSTP)										
Current Approved	58,847	601	32,714	25,532			601		32,714	25,532
Change	-20,425	0	-6,174	-14,251			0		-6,174	-14,251
Proposed	38,422	601	26,540	11,281			601		26,540	11,281
CMAQ										
Current Approved	0			0						0
Change	3,988			3,988						3,988
Proposed	3,988			3,988						3,988
TOTAL										
Current Approved	102,993	10,834	32,714	59,445			601	6,432	36,515	59,445
Change	-11,266	2,557	-6,174	-7,649			0	653	-4,270	-7,649
Proposed	91,727	13,391	26,540	51,796			601	7,085	32,245	51,796

The Right of Way certification completion will be delayed for five months due to longer than expected property acquisition and utility relocation activities for the project. This delay will also be reflected in subsequent Construction and Closeout components by five months. The table below lists the current approved and proposed project milestones.

Project Milestone	Current Approved	Proposed	Change
Begin Environmental Phase	Jan 1, 2010	-	No Change
End Environmental Phase	Sep 23, 2009	-	Completed No Change
Begin Design Phase	Feb 6, 2009	-	No Change
End Design Phase	Jan 1, 2012	Jul 1, 2011	Completed -6 Months
Begin Right of Way Phase	Oct 1, 2010	-	No Change
End Right of Way Phase	Apr 1, 2012	Sep 1, 2012	5 Months
Begin Construction Phase	Oct 1, 2012	Mar 1, 2013	5 Months
End Construction Phase	Apr 1, 2015	Sep 1, 2015	5 Months
Begin Closeout Phase	Apr 1, 2015	Sep 1, 2015	5 Months
End Closeout Phase	Apr 1, 2018	Sep 1, 2018	5 Months

RESOLUTION TCIF-P-1112-35

Be it Resolved, that the California Transportation Commission does hereby amend the Trade Corridors Improvement Fund Baseline Agreement for Project 41, Tustin Avenue/Rose Drive Overcrossing project (PPNO TC41), in accordance with the changes described and illustrated above.

Attachment



Metro

February 15, 2012

Ms. Bimla G. Rhinehart
Executive Director
California Transportation Commission
1120 "N" Street, Mail Stop: 52
Sacramento, CA 94273-0001

Dear Ms. Rhinehart:

The Southern California Consensus Group has discussed and approved the changes requested by our partner agency, the Orange County Transportation Authority (OCTA). It is our understanding that OCTA is requesting approval to amend six TCIF grade separation projects:

- Raymond Avenue
- State College Boulevard
- Placentia Avenue
- Orangethorpe Avenue
- Tustin Avenue/Rose Drive
- Lakeview Avenue

Please see the attached letter from OCTA detailing the requested changes. Please direct any questions or comments regarding this issue to me at (213) 922-3061. We appreciate the ongoing support and guidance provided by you and your staff.

Sincerely,

Shahrzad Amiri
Deputy Executive Director

cc: Southern California Consensus Group
Maura Twomey

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.1c.(5g)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Ryan Chamberlain
Division Chief
Transportation Planning

Subject: **TRADE CORRIDORS IMPROVEMENT FUND-PROJECT BASELINE AMENDMENT
RESOLUTION TCIF-P-1112-36, AMENDING RESOLUTIONS TCIF-P-1112-11
AND TCIF-P-0809-04B**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) amend the Trade Corridors Improvement Fund (TCIF) Project Baseline Agreement for Project 45, Iowa Avenue Grade Separation (PPNO 1121). The Southern California Consensus Group concurs with this amendment and the requested changes.

ISSUE:

The Riverside County Transportation Commission (RCTC) and the City of Riverside (City) propose to amend the TCIF Project Baseline Agreement for TCIF Project 45, Iowa Avenue Grade Separation (Iowa Avenue), in the City of Riverside, to update the project delivery schedule.

BACKGROUND:

The Iowa Avenue project will grade separate the mainline of the Burlington Northern Santa Fe Railway Company (BNSF) San Bernardino Subdivision at Iowa Avenue in the City of Riverside. The project will construct a four lane roadway bridge over the existing BNSF tracks. These tracks also carry the Union Pacific Railroad mainline. The completed project will eliminate impacts from the existing at-grade crossing, improve public safety and vehicle circulation, increase reliability and throughput on the railway system, and bring environmental benefits to the local area.

The Commission adopted the project into the TCIF Program on April 10, 2008. The Baseline Agreement was executed between the City, RCTC, the Department, and the Commission; and approved by the Commission on October 29, 2008, under Resolution TCIF-P-0809-04B. An amendment to the baseline agreement to update the schedule and funding plan was approved by the Commission on October 26, 2011, under Resolution TCIF-P-1112-11.

This amendment will update the project schedule. Advertisement of the project has been delayed pending receipt of the Authorization to Proceed (E-76) from Caltrans. The City is on schedule to award the construction contract on June 26, 2012. However, since the schedule is contingent upon the E-76, the City is requesting a 4 month time extension from the Commission to allow adequate time for the bidding process, to obtain the E-76, and to award the construction contract. The project currently is certified for Right of Way and Design is complete.

Project Milestone	Current Approved	Proposed	Change
Begin Environmental Phase	Aug 01, 2007	-	No Change
End Environmental Phase	Jul 01, 2008	-	No Change - COMPLETE
Begin Design Phase	Aug 01, 2008	-	No Change
End Design Phase	Sep 01, 2011	-	No Change - COMPLETE
Begin Right of Way Phase	Nov 01, 2008	-	No Change
End Right of Way Phase	Aug 01, 2011	-	No Change - COMPLETE
Begin Construction Phase	Feb 01, 2012	Jun 26, 2012	4 Months
End Construction Phase	Jun 01, 2013	Nov 01, 2013	5 Months
Begin Close Out Phase	Jul 01, 2013	Nov 01, 2013	4 Months
End Close Out Phase	Jan 01, 2014	May 01, 2014	4 Months

RESOLUTION TCIF-P-1112-36

Be it Resolved, that the California Transportation Commission does hereby amend the Trade Corridors Improvement Fund Baseline Agreement for Project 45, Iowa Avenue Grade Separation (PPNO 1121), in accordance with the changes as described and illustrated.

Attachment



Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000 Tel
metro.net

March 1, 2012

Ms. Bimla G. Rhinehart
Executive Director
California Transportation Commission
1120 "N" Street, Mail Stop: 52
Sacramento, CA 94273-0001

Dear Ms. Rhinehart:

The Southern California Consensus Group has discussed and approved the changes requested by our partner agency. It is our understanding that the Riverside County Transportation Commission and the city of Riverside are requesting approval of an amendment of their Baseline Agreement for the Iowa Avenue grade separation project.

- For the Construction Phase, extend contract award milestone from February 29, 2012 to June 26, 2012;
- Extend the End of Construction milestone from June 30, 2013 to November 1, 2013; and
- Extend the End Closeout Phase from November 2013 to May 2014.

Please see the attached letter from RCTC detailing the requested changes. Please direct any questions or comments regarding this issue to me at (213) 922-3061. We appreciate the ongoing support and guidance provided by you and your staff.

Sincerely,

Shahrzad Amiri
Deputy Executive Director

cc: Southern California Consensus Group
Maura Twomey

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.1a.
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: **TRAFFIC CONGESTION RELIEF PROGRAM –PROJECT AMENDMENT**
RESOLUTION TAA-11-07, AMENDING RESOLUTION TA-01-09

RECOMMENDATION:

The California Department of Transportation recommends the California Transportation Commission (Commission) approve this Traffic Congestion Relief Program (TCRP) project amendment for TCRP Project 126 Watt Avenue at Route 50 Interchange Improvements Project (PPNO 0127A), as described below.

ISSUE:

Sacramento County, with concurrence from the Sacramento Area Council of Governments, is requesting that TCRP Project 126 (PPNO 0127A) be amended to program the remaining \$6,280,000 of TCRP funds allotted to this project to the construction phase in Fiscal Year (FY) 2011-12.

BACKGROUND:

The funding application for TCRP Project 126 was approved on June 6, 2001 for the Watt Ave at Route 50 Interchange. Along with the TCRP application, the Commission approved an allocation in the amount of \$720,000 for the Environmental phase. The Environmental phase of this project is now complete. Design and Right of Way (R/W) were funded with local funds and are now nearing completion.

Sacramento County is now proposing to program the remaining amount of un-programmed TCRP funding of \$6,280,000 from Design and R/W for the project to the construction phase. This is done with the understanding that these funds are presently categorized under the Tier 2 category of the Commission's TCRP Allocation Plan which means there is presently no underlying cash for an actual allocation. Under statute, by programming these TCRP funds to construction, should the TCRP program be funded again then Sacramento County would be eligible for reimbursement of any funds it spent to construct the project in lieu of the TCRP.

RESOLUTION TAA-11-07:

Be it Resolved, that the California Transportation Commission does hereby amend TCRP Project 126 Watt Avenue at Route 50 Interchange Improvements Project (PPNO 0127A) in accordance with the information described above and illustrated in the following table.

REVISES:

County	District	PPNO	EA	Element	Const. Year	PM Back	PM Ahead	Route/Corridor					
Sacramento	3	0127A	37120	CO	2013-14	5.0	5.6	50					
Implementing Agency: (by component)	PA&ED	Sacramento County				PS&E							
	R/W					CON	Sacramento County						
RTPA/CTC:	Sacramento Area Council of Governments												
Project Title:	Watt Ave @ Route 50 Interchange Improvements												
Location	In the city of Sacramento, on Route 50 at Watt Avenue from La Riviera Drive, to Kiefer Boulevard.												
Description:	Modify the interchange, widen Watt Avenue, and add bike/pedestrian and public transit facilities.												
(DOLLARS IN THOUSANDS)													
FUND	TOTAL	Project Totals by Fiscal Year						Project Totals by Component					
		Prior	12/13	13/14	14/15	15/16	16/17	R/W	CON	PA&ED	PS&E	R/W Supp	CON Supp
RIP													
Existing	17,300		17,300					17,300					
Change	0							0					
Proposed	17,300		17,300					17,300					
TCRP (Committed)													
Existing	720	720							720				
Change	6,280	0	6,280					6,280	0				
Proposed	7,000	720	6,280					6,280	720				
RSTP													
Existing	1,500	1,500					1,000		500				
Change	0	0					(1,000)		1,000				
Proposed	1,500	1,500					0		1,500				
Demo													
Existing	3,200				3,200			3,200					
Change	(320)	2,880			(3,200)			(3,200)		2,880			
Proposed	2,880	2,880			0			0		2,880			
Prop 1B SLPP													
Existing	0												
Change	8,586		8,586					8,586					
Proposed	8,586		8,586					8,586					
Local Funds													
Existing	13,248			13,248				13,248					
Change	(138)	3,202	9,908	(13,248)			2,111	(3,340)	195	896			
Proposed	13,110	3,202	9,908	0			2,111	9,908	195	896			
TCRP (Proposed)													
Existing	6,280	4,800			1,480		1,100	1,480		3,700			
Change	(6,280)	(4,800)			(1,480)		(1,100)	(1,480)		(3,700)			
Proposed	0	0			0		0	0		0			
Total													
Existing	42,248	7,020	17,300	13,248	4,680		2,100	35,228	1,220	3,700			
Change	8,128	1,282	24,774	(13,248)	(4,680)		11	6,846	1,195	76			
Proposed	50,376	8,302	42,074	0	0		2,111	42,074	2,415	3,776			

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 4.11
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: **APPROVAL OF STATE ROUTE 108 LOCAL ALTERNATIVE STATE HIGHWAY PROJECT
IN STANISLAUS COUNTY**

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission) approve the request from the Stanislaus Council of Governments (StanCOG), and Stanislaus County to designate the North County Corridor State Route 108 East Route Project as the local highway alternative to the Northern State Route 120 Oakdale Bypass Project.

ISSUE:

More than a decade ago, a consensus was reached to construct a Northern Oakdale Bypass freeway on new alignment to bypass the City of Oakdale. Since that time, changing traffic patterns and a realization that a southern bypass of the Cities of Riverbank and Oakdale is more critical and a higher priority than a Northern Oakdale Bypass have resulted in a community and Department agreement to drop the pursuit of the Northern Oakdale Bypass in favor of an alternative route. The County of Stanislaus, the Cities of Modesto, Riverbank and Oakdale, StanCOG, and the Department have identified the North County Corridor State Route 108 East Route project as the alternative.

BACKGROUND:

On December 11, 2002, the Commission adopted the State Route 120 location west of Valley Home Road to east of Lancaster Road, also known as the Northern Oakdale Bypass as a freeway. Following the adoption of the Northern Oakdale Bypass, changing traffic patterns in Stanislaus County were fostering a growing realization that a southern bypass of the Cities of Riverbank and Oakdale was a more critical need and should be given higher priority than the Northern Oakdale Bypass. As a result, StanCOG, the Cities of Modesto, Riverbank, and Oakdale, and the County of Stanislaus concurred that a southern bypass of the Cities of Riverbank and Oakdale was more critical and a higher priority. In 2008, the Commission redirected the programmed Northern Oakdale Bypass project Interregional Transportation Improvement Program (ITIP) funds under the authority of the resolution approving the 2008 State Transportation Improvement Program (STIP), with the understanding these funds would be restored to a viable replacement project in the future. In May 2010, the Commission adopted the North County Corridor State Route 108 East Route project

location as a freeway from State Route 219 and McHenry Avenue to Albers Road and as a controlled access highway from Albers Road to State Route 120 approximately six miles east of the City of Oakdale under resolutions HRA 10-2 and HRA 10-03. At the April 2012 Commission meeting, the Department is requesting rescission of the Northern State Route 120 Oakdale Bypass adoption pursuant to Government Code Section 14528.7.

Attachment

STANISLAUS COUNCIL OF GOVERNMENTS
RESOLUTION 11-54

To Designate the North County Corridor State Route 108 East Route as the Alternative to the State Highway Project known as the Northern State Route 120 Oakdale Bypass and Request the Rescission of the State Highway Route Location of the Northern State Route 120 Oakdale Bypass per Government Code 14528.7.

WHEREAS, the Stanislaus Council of Governments (StanCOG) is a Regional Transportation Planning Agency and a Metropolitan Planning Organization (MPO), pursuant to State and Federal designation; and

WHEREAS, the Northern State Route 120 Oakdale Bypass is no longer needed due to changes in traffic patterns, and;

WHEREAS, it is further realized by the regional agencies that a southern bypass of Riverbank and Oakdale, known as the North County Corridor State Route 108 East Route, is more critical and a higher priority than the northern State Route 120 Oakdale Bypass,

NOW, THEREFORE BE IT RESOLVED that the North County Corridor State Route 108 East Route is the locally chosen alternative to the state highway project known as the Northern State Route 120 Oakdale Bypass is hereby adopted.

BE IT FURTHER RESOLVED that StanCOG request that the California Transportation Commission also adopt the North County Corridor State Route 108 East Route as the alternative to the state highway project known as the Northern State Route 120 Oakdale Bypass, and;

BE IT FURTHER RESOLVED that StanCOG request that the California Transportation Commission rescind the state highway route location of the Northern State Route 120 Oakdale Bypass per Government Code Section 14528.7.

The foregoing Resolution was introduced at a regular meeting of the Stanislaus Council of Governments, on the 21st day of March, 2012. A motion was made and seconded to adopt the foregoing Resolution. Motion carried and the Resolution was adopted.

MEETING DATE: March 21, 2012



WILLIAM O'BRIEN, CHAIR

ATTEST:



VINCENT J. HARRIS, EXECUTIVE DIRECTOR

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.3a.(2)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Terry L. Abbott
Division Chief
Design

Subject: **NOTICE OF INTENTION TO CONSIDER RESCINDING FREEWAY ADOPTION
10-STA-120 PM 3.0/R13.3
RESOLUTION NIU 12-01**

RECOMMENDATION:

Submitted for transmittal to the California Transportation Commission (Commission) is the Notice of Intention to Consider Rescinding Freeway Adoption Resolution NIU 12-01. The Department of Transportation (Department) recommends that the Commission approve Resolution NIU 12-01 to initiate recycling procedures to consider rescinding a portion of the freeway adoption for the State Highway Route 120 in the county of Stanislaus from Valley Home Road to 2.8 miles east of Lancaster Road in accordance with the recommendation of the Acting Chief Engineer.

ISSUE:

This report describes the current status of the unconstructed freeway and summarizes the support from the local agencies to rescind the proposed bypass. The procedures for recycling, notifying the Commission's intention to consider rescinding a freeway route adoption and disposing of acquired right of way, were established by the Commission in Resolution No. G-15 which was adopted on November 17th, 1978 and amended on February 29th, 1980. According to the Resolution, the recycling process cannot be initiated without consent from the Commission. With the Commission's approval of Resolution NIU 12-01, the Department will notify all affected local, regional and State agencies of the rescission proposal, and ask the agencies for any additional pertinent information that might be helpful to the Commission in making a final decision.

Recommended by: _____
ROBERT PIEPLOW
Acting Chief Engineer

BACKGROUND:

A decade ago a consensus was reached to construct a freeway on a new alignment along State Route (SR) 120 to bypass the City of Oakdale, also known as the Oakdale Bypass/Expressway. On December 11, 2002, the California Transportation Commission (Commission) adopted the current SR 120 corridor. Numerous parcels, but not all, were purchased to obtain the necessary right of way for the adopted SR 120 Oakdale Bypass. Since that time a lack of funding and changing traffic patterns have resulted in community and the Department has agreed to drop pursuit of the Oakdale Bypass in favor of an alternative route. Consequently, the Department is proposing to rescind the SR 120 freeway route adoption, from Valley Home Road to a point approximately 2.8 miles east of Lancaster Road in Stanislaus County. With the approval of the route rescission, the Department will proceed with the clearance and disposal process for the right of way parcels previously purchased for the Oakdale Bypass.

In the late 1960's, the California Highway Commission adopted State Highway Route 120 between SR 5 in San Joaquin County and the four-lane expressway section in Tuolumne County.

Existing SR 120 is a major east/west route that begins east of Tracy at its junction with SR 5 (Interstate 5), extending eastward through Manteca, Escalon, Oakdale, and Yosemite National Park, ending in the community of Benton near the California/Nevada border. SR 120 meets with SR 108 in downtown Oakdale and continues east toward SR 49 as coincident routing for both Routes 120 and SR 108 for approximately 25 miles until separating just west of the City of Sonora in Tuolumne County. SR 120 and SR 108 are the main routes to the fast growing Tuolumne County, carrying a diverse mixture of commercial, agricultural, recreational, commuter, truck and local traffic.

Traffic on both SR 120 and SR 108 into and through Oakdale has been growing for several decades which led to a growing traffic congestion problem. The Department and the local community have been struggling to address it for many years. Congestion is most severe on weekends due to recreational traffic traveling to Yosemite National Park, the Jamestown and Sonora areas, and points east. The elevated interregional traffic demand often conflicts with local demand resulting in congestion, increased noise and air pollution. The area most severely affected is at the junction of SR 120 and SR 108 (Yosemite Avenue and F Street) in downtown Oakdale, where the level of service in 2001 was classified as "F"; representing heavily congested traffic with long delays. The level of service was projected to continue to degrade to 'very high delays' by the year 2020 in the absence of any system improvements.

In 1984, the Stanislaus Area Council of Governments (StanCOG) requested the Department to complete a Project Study Report for an Oakdale Bypass to address the severe interregional traffic congestion on SR 120.

In 1990, a Value Engineering study for the SR 120 Oakdale Bypass project identified a need to further study the development of a SR 108 southern bypass as well as the need for the SR 120 Oakdale Bypass itself. The Department and local entities identified the preferred alternative for the Oakdale Bypass as a northern corridor expressway starting across the Stanislaus River near Twenty Six Mile Road and ending eight miles east of Oakdale. The SR 120 Oakdale Bypass was adopted by the Commission in 2002.

During this same time period, changing traffic patterns in Stanislaus County were fostering a growing realization that a southern bypass of Riverbank and Oakdale (i.e. the NCC) was in critical need and should perhaps be given a higher priority than the northern Oakdale Bypass. As a result, StanCOG, the Cities of Modesto, Riverbank, and Oakdale, and the County of Stanislaus identified the NCC as a priority corridor. In 2007, following several years of project delay due to inadequate funding of the Oakdale Bypass, the Commission redirected the Oakdale Bypass project Interregional Transportation Improvement Program (ITIP) funds under the authority of the resolution approving the 2006 State Transportation Improvement Program (STIP) Augmentation, with the understanding these funds would be restored to a viable replacement project in the future.

The three cities and county formulated a Joint Powers Authority referred to as the North County Corridor Transportation Expressway Authority (NCCTEA), executed in 2008. The NCCTEA remained committed to the development of a multi-modal transportation corridor with regional and interregional significance between SR 99 and SR 120. Two studies were completed to document the feasibility, scope, and funding needs for the NCC project. The NCC Feasibility Study was completed in January 2008. In February 2008, the Department provided documentation in support of a corridor solution and to remain committed to providing ITIP funds in the future once an ITIP eligible project was identified. As a result in April 2008 StanCOG completed the NCC Preliminary Design Report. In May 2008 the Commission deleted all programming from the Oakdale Bypass project under the authority of resolution (Commission Resolution G-08-08) approving the 2008 State Transportation Improvement Program adoption and recognizing the NCC project as the viable replacement project. In May 2010, the Commission approved the Route Adoption of the NCC SR 108 East under authority of Resolution HRA 10-02 and HRA 10-03.

The 2011 Regional Transportation Plan adopted by StanCOG indicates that initial portions of the NCC project will be in construction by the year 2020.

Rescission of the adopted SR 120 Oakdale Bypass is appropriate for several reasons. The route segment is not needed for system continuity. Traffic patterns for the area have changed over the last decade. The Department and its local partners have identified a viable alternative to replace this route segment and have begun development of that alternative. The SR 120 Oakdale Bypass project is not currently funded since the Commission rescinded funding programming for this project and there are no plans to build this project. Thirteen parcels were purchased for the Oakdale Bypass, approximately 50 acres, which will need to be disposed of as excess lands. With the Commission's approval of the route rescission the Department can dispose of the properties that are no longer needed for the bypass project. Therefore, the Department recommends the route adoption be rescinded immediately.

With the Commissions' approval of Resolution NIU 12-01, the Department will notify all affected local and regional agencies of the rescission proposal and ask the agencies for any additional pertinent information that might be helpful to the Commission in making a final decision. The Department will also notify the State Clearinghouse so that other State agencies may be notified. Following a 60-day comment period, a follow up meeting will be scheduled with the Commission to present the Department's recommendation for final disposition.

Attachments

Resolution NIU 12-01
Vicinity Map
Rescission map

CALIFORNIA TRANSPORTATION COMMISSION

**Notice of Intention to Consider Rescinding Freeway Adoption
10-Sta-120 PM 3.0/R13.3**

Resolution NIU 12-01

WHEREAS, a location for State Highway Route 120 was previously adopted and declared a freeway on December 11, 2002, between Valley Home Road and 2.8 miles east of Lancaster Road in Stanislaus County; and

WHEREAS, the aforementioned freeway portion of SR 120, also known as the Oakdale Bypass, will not be constructed as a State highway within the foreseeable future because of lack of operational need, local support and funding; and

WHEREAS, in May 2008, the California Transportation Commission (Commission) deleted all programming from the Oakdale Bypass project and redirected the Interregional Transportation Improvement Program funds to the North County Corridor (NCC) SR 108 project recognizing it as the viable replacement project; and

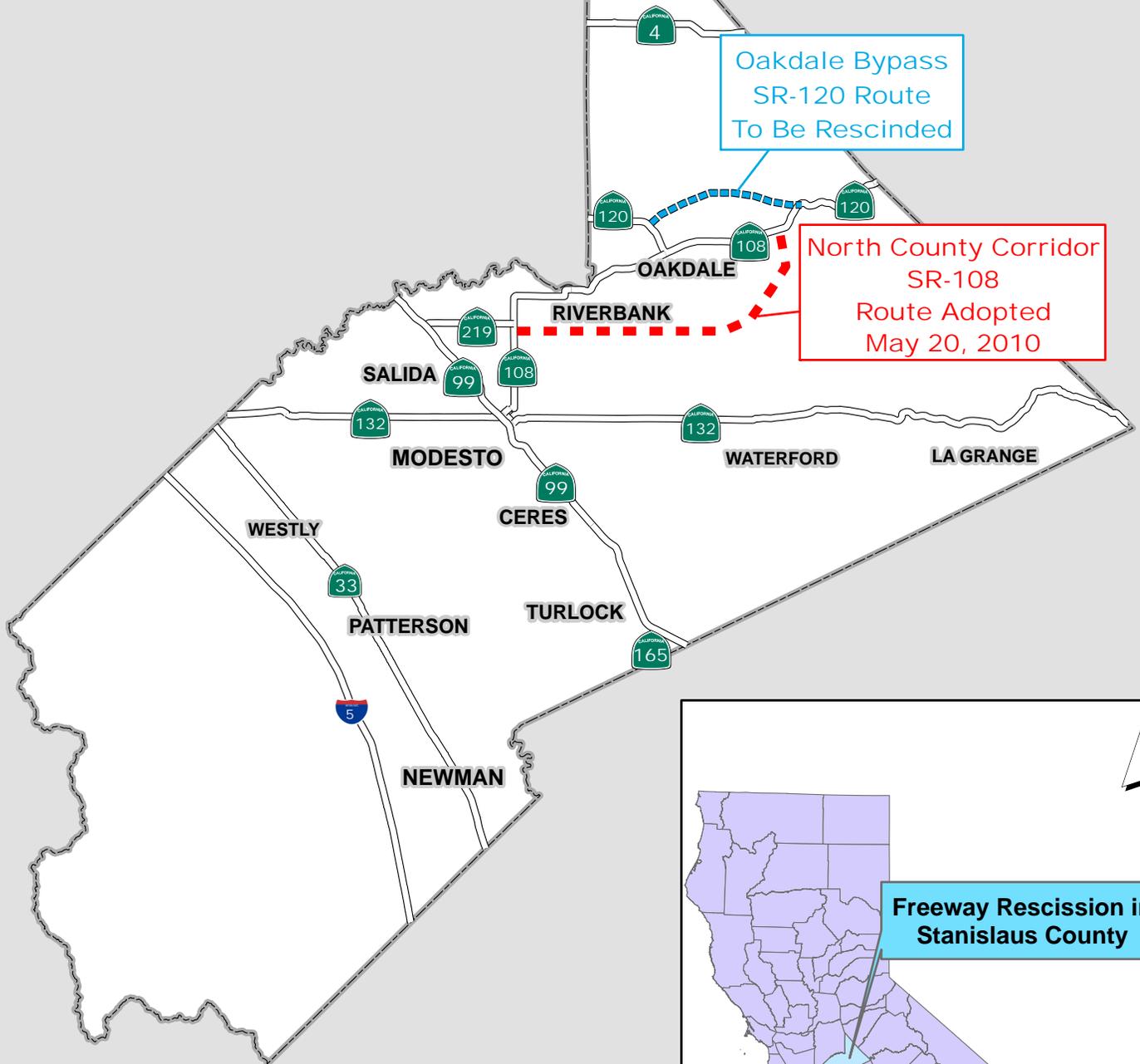
WHEREAS, the NCC freeway route adoption was adopted by the Commission on May 20, 2010, to bypass the Cities of Riverbank and Oakdale; and

WHEREAS, retention of the SR 120 freeway adoption may not be desirable and would subject the Commission to possible future expense for acquisition and maintenance of property or future expense for acquisition of property on a hardship basis; and

WHEREAS, there is excess rights of way to dispose of.

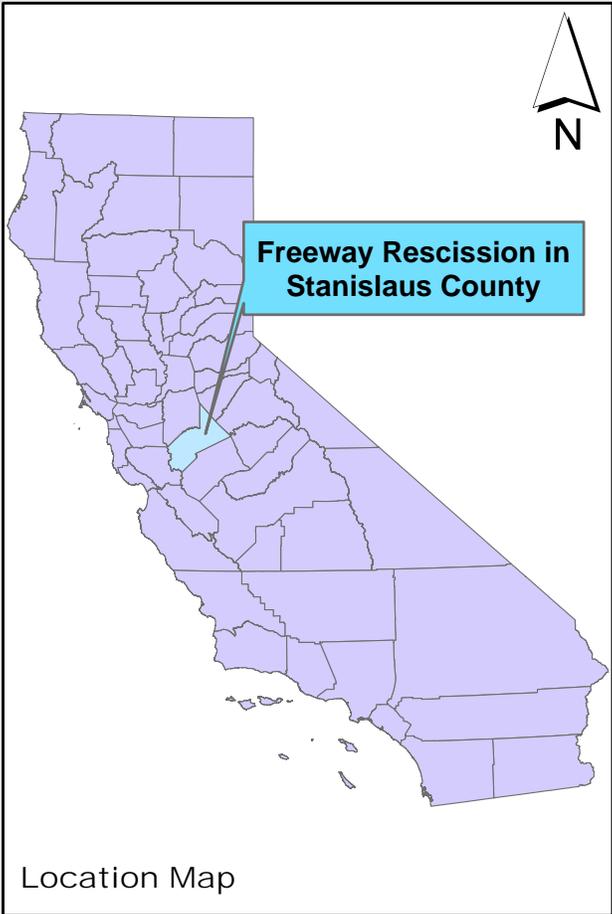
NOW, THEREFORE, BE IT RESOLVED by the Commission that pursuant to the authority vested in it by law, this Commission does hereby authorize and direct the Department of Transportation to give public notice of the Commission's intention to consider rescinding the freeway adoption of State Highway Route 120 in the county of Stanislaus, from Valley Home Road and 2.8 miles east of Lancaster Road, as shown on the Route Rescission Map, and to give notice to local and regional agencies, and other affected State agencies, of such intention; and agencies so notified are to be requested to furnish within 60 days any additional information that the Commission should have prior to final consideration of the Route 120 Freeway Rescission.

SR-120 Oakdale Bypass Rescission Map



Oakdale Bypass
SR-120 Route
To Be Rescinded

North County Corridor
SR-108
Route Adopted
May 20, 2010



Freeway Rescission in
Stanislaus County

Location Map

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.3d.
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Terry L. Abbott
Chief Division of Design

Subject: **VACATION – STATE HIGHWAY - 11-SD-76-PM 17.9/18.7**
RESOLUTION No. A888
(Request No. V31132) - 2 Segments

RECOMMENDATION:

Submitted for transmittal to the California Transportation Commission (Commission) is the Route Vacation Resolution A888. The California Department of Transportation (Department) recommends that the Commission approve the resolution to vacate right of way (prescriptive easement) in the county of San Diego along State Route (SR) 76 between Pankey Road and 0.8 mile easterly thereof.

ISSUE:

It has been determined that the facility along SR 76 between Pankey Road and 0.8 mile easterly thereof, consisting of superseded highway right of way is not essential to the proper functioning of the State Highway System and may be disposed of by vacation. Upon the recording of the approved vacation resolution in the county where the facility is located, the public's right of use of the facility will be abandoned. This vacation complies with Sections 892, 8313 and 8330.5 of the Streets and Highways Code.

BACKGROUND:

In September 2009, a portion of SR 76 was realigned by a private developer as part of the Palomar Aggregates Quarry. The quarry developer was required to improve this portion of the two lane conventional highway per developer agreement. As a result of that realignment a segment of the old road was superseded and is no longer needed for State highway purposes.

This vacation request was originally included as a part of the Commission's March consent calendar, but was subsequently removed and rescheduled to the April meeting at the request of the California Native American Heritage Commission (NAHC). The NAHC had requested additional information regarding the boundaries of the vacation and the results of archeological surveys that the Department had conducted for this segment. The requested information was provided as described in the attached letter to Ms. Cynthia Gomez, Executive Secretary, Tribal Advisor to Governor, California Native American Heritage Commission.

As the easement was for transportation purposes, once the Department stops using it for those purposes (with no intent on using it in the future), and once action is taken consistent with nonuse, the easement extinguishes as a matter of law. This is consistent with Streets and Highways Code 8330.5.2. Once the transportation use ceases, the Commission action is a formal confirmation of the fact and is a ministerial action. It should also be noted that this road vacation was also addressed in the 1997 Environmental Impact Report for the Palomar Aggregates Quarry.

The County of San Diego was given a 90-day notice of intent to vacate, without protesting such action.

Attachments:

Letter to the California Native American Commission with enclosures
(For Final Environmental Impact Reports, cover sheets only.)

DEPARTMENT OF TRANSPORTATION

DISTRICT 11

4050 TAYLOR STREET, M.S. 120

SAN DIEGO, CA 92110

PHONE (619) 688-6668

FAX (619) 688-3122

TTY 711

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April 10, 2012

Ms. Cynthia Gomez, Executive Secretary
Tribal Advisor to Governor
California Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

Mail Log 2012-954

Dear Ms. Gomez:

This is to inform you that the California Department of Transportation (Caltrans) is in receipt of your letter sent to the Honorable Joseph Tavaglione, Chairman of the California Transportation Commission dated March 29, 2012 requesting information as it pertains to the Caltrans Easement along State Route 76 (SR-76). The letter was forwarded to us to assist in providing you with this information.

In a subsequent phone call to Acting District Director Bill Figge, you also requested information pertaining to studies covering the easement location and Fact Sheet for the Caltrans SR-76 Middle and East projects. At your request, we have enclosed the mapping showing the easement location, along with the SR-76 Fact Sheets that cover the Middle and East Projects. Also enclosed is the Historic Property Survey Report (HPSR) dated October 24, 2006. Included in the HPSR is the Area of Potential Effect (Map 4) along with the Archaeological Survey Report (ASR) for the Realignment of State Route 76. The ASR was prepared by Mooney, Jones & Stokes in September 2006 for Granite Construction for the Palomar Aggregates Quarry project. The relocation and vacation of the SR-76 alignment was covered in the Final Environmental Impact Report (FEIR) for the Palomar Aggregates Quarry, dated April 10, 1997. In addition, the vacation area was covered in the June 2008 FEIR for the Palomar Community College-North Education Center.

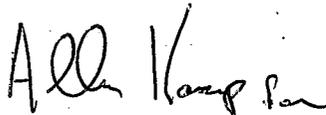
The summary of the HPSR noted that the records search revealed that 38 archaeological studies had been previously conducted within one-mile of the Area of Potential Effect (APE). Numerous cultural resources had been recorded within the same record search boundary, including six that are adjacent to the APE. While these six sites are in close proximity, none of these resources will be affected.

Ms. Cynthia Gomez
April 10, 2012
Page 2

Since March 2011, Caltrans Construction Liaison, Lauren Kemp, has had contact with Cami Mojado with the organization Saving Sacred Sites, along with Merri Keifer-Lopez, Legal Counsel for the San Luis Rey Band of Mission Indians. Caltrans has, and will continue to coordinate with various organizations and tribes interested in this issue.

Should you have any questions or additional requests, please contact Allan Kosup, Corridor Project Director for the Interstate 5 (I-5) and SR-76 at (619) 688-3611.

Sincerely,



LAURIE BERMAN
District Director

Enclosures

1. Mapping for Easement Location along SR-76
2. State Route 76 East South Mission Road to Interstate 15 Fact Sheet
3. State Route 76 Project Melrose Drive to South Mission Road Fact Sheet
4. Historic Property Survey Report
5. Final Environmental Impact Report for Palomar Aggregates Quarry
6. Palomar Community College-North Education Center Final Environmental Impact Report

c: Mary Beth Herritt, Chief, Office of State Projects Development Procedures, Caltrans
Stephen Maller, Deputy Director, California Transportation Commission
Bruce L. April, Deputy District Director, Environmental, Caltrans District 11
Allan Kosup, Corridor Project Director, I-5 and SR-76, Caltrans District 11

(Note to user -- Click on field and Use F1 for help)

REQUEST FOR SURVEY

California
Department of Transportation
District 11

Request Number: 2012-178

Date: 2/24/2012

Co. SD Rte. 76 PM 17.8 to 17.9

Pr. ID#: 0000000838 Phase: N

EA: 911679 Reporting Code:

Request by: Lauren Kemp

Division: Const/Geotech

Ph: 858-518-2116

Project Desc: Flag Segment 1 vacation

Job Location: Horse Ranch Crk Rd east of Pankey Rd.

Project. Mgr:

Ph:

Units: Feet Meters

Descriptions and Limits of Work:

R/W - Flag boundary of Segment 1 on Vacation Map V31132. Mike Wartenberg to calc using metric values found on V31132. 2010 imagery from Karen Koklich.

Attachments and/or References:

Desired Completion Date: _____

Approved by (Project Engineer or above)

FOR SURVEYS USE ONLY

Date Received:

Sub-Object: 042

Activity

Horiz.Datum: Spec.

NAD83 (HPGN)

NAD83 (2007)

Vert.Datum: Spec.

NAVD88 +328.08'

NAVD88

NAVD88 (CGPS)

COUNTY OF SAN DIEGO

BPR. REG. NO.	STATE	FEDERAL PROJECT NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
7	CALIF.				

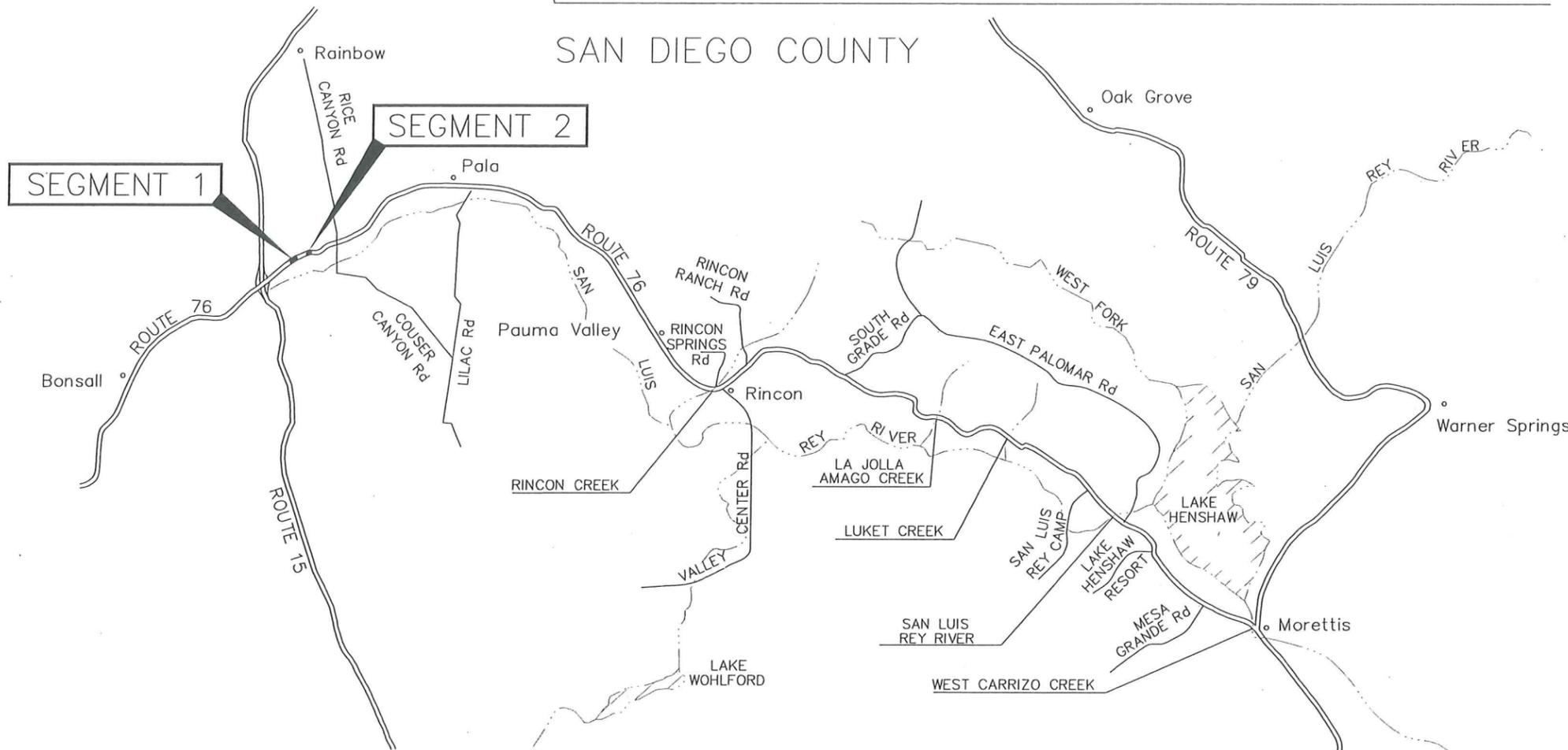
DISTRICT 11 RIGHT OF WAY ENGINEER

DATE



COUNTY OF RIVERSIDE

SAN DIEGO COUNTY



NOTES:
 VACATION INTENT:
 STATE RIGHTS TO PORTIONS OF SEGMENT 1 AND ALL OF SEGMENT 2, SHOWN HEREON, WERE ACQUIRED BY IMPLIED DEDICATION, RATHER THAN RECORDED DOCUMENTS. IT IS THE INTENT OF THIS DOCUMENT TO VACATE STATE RIGHTS TO THE AREAS OF IMPLIED DEDICATION THAT ARE NORTHERLY OF THE DEDICATED PORTION OF RE-ALIGNED STATE ROUTE 76. THE GENERAL AREA OF THE VACATION IS SHOWN AS SEGMENT 1 AND SEGMENT 2.

RESERVATION:
 THE EASEMENT AND RIGHTS NECESSARY TO MAINTAIN, OPERATE, REMOVE OR RENEW PUBLIC FACILITIES THAT EXIST AS OF DECEMBER 11, 2010 ARE RESERVED AND EXCEPTED FROM THIS VACATION.

CTC RESOLUTION:
 STATE'S RIGHTS ARE NOT EXTINGUISHED UNTIL RECORDATION OF RELATED CTC RESOLUTION.

CALIFORNIA TRANSPORTATION COMMISSION
 RESOLUTION DATE: - -

CTC NO.:

CTC RESOLUTION RECORDING DATA

REC. DATE: - -
 FILE NO.:

STATE HIGHWAY MAP RECORDING DATA

FILE NO.:
 FILE AT THE REQUEST OF THE STATE OF CALIFORNIA,
 BUSINESS AND TRANSPORTATION AGENCY,
 DEPARTMENT OF TRANSPORTATION, DISTRICT 11,

THIS ___ DAY OF _____, 2011, AT ___ .M.

COUNTY RECORDER FEE: 0

ERNEST J. DRONENBURG, JR., COUNTY RECORDER

BY: _____
 DEPUTY COUNTY RECORDER



THESE MAPS WERE PREPARED BY HOOPER LAND COMPANY
 1642 MOON ROCK ROAD, FALLBROOK, CA 92028

-0°29'58" @ SDGPS 03
 CGF=0.9999446
 ELEV=308.26' NAVD88



Caltrans
Metric

SCALE
 METERS 0 10 50
 FEET 0 10 50

K.P. LIMITS: 29.6-31.0
 PROJECT E.A.: 231501

LEGEND

- ACCESS DENIED
- () ACCESS OPENING
- PREVIOUS RECORD DATA
- ⊙ Excludes exist. street
- ⊙ Includes easement, take
- ⊙ INSTRUMENT: A=access rights only
- E=easement; F=fence; L=lease;
- M=Mineral Rights; P=Permits;
- DD=Director's Deed;
- DE=Director's Easement Deed;
- DK=Director's Quitclaim Deed
- FOC=Final Order of Condemnation
- GD=Grant Deed; QC=quitclaim;
- HE=Highway Easement Deed;
- TCE=Temp. Construction Easement
- ⊙ OFFICIAL RECORDS
- ⊙ INSTRUMENT NO.: Document or Instrument number

NOTES

FOR FOUND MONUMENTS:
 SEE PROP. RETRACEMENT
 SURVEY MAP NO.
 FOR HIGHWAY MONUMENTS:
 SEE MAP NO.
 * COUNTY ENG. MAP NO.

Coordinates, bearings and distances are based on the California Coordinate System of 1983, zone 6, HPGN Epoch 1991.35.

DISTANCES ARE IN METERS unless otherwise noted. Multiply distances by 0.9999935 to obtain ground level distances. To convert meters to the U.S. Survey Foot multiply distances by 3937/1200.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION DISTRICT 11			
VACATION KEY MAP			
Vacation No. V31132			
RIGHT OF WAY MAP NO.		CLO 25503m	
COUNTY	ROUTE	KILOMETER POST	SCALE
SD	76	29.6-31.0	NONE
SD	76	PM 18.4-19.3	SHEET 1 OF 4

COUNTY OF SAN DIEGO

BPR. REC. NO.	STATE	FEDERAL PROJECT NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
7	CAUF.				

DISTRICT 11 RIGHT OF WAY ENGINEER

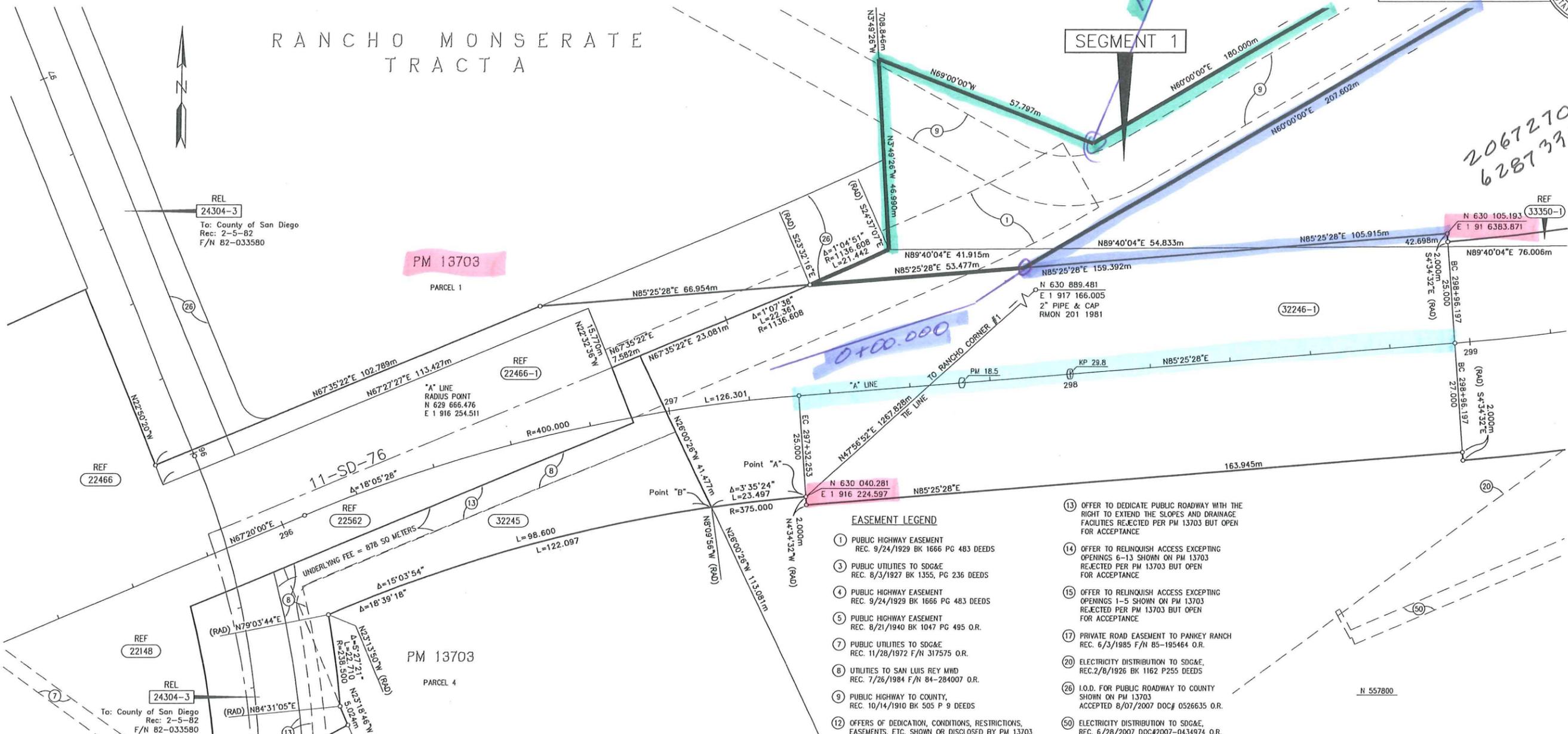
DATE



RANCHO MONSERATE TRACT A

SEGMENT 1

2067270.12
6287396.08



REL 24304-3
To: County of San Diego
Rec: 2-5-82
F/N 82-033580

REL 24304-3
To: County of San Diego
Rec: 2-5-82
F/N 82-033580

PM 13703

PM 13703

- EASEMENT LEGEND**
- 1 PUBLIC HIGHWAY EASEMENT REC. 9/24/1929 BK 1666 PG 483 DEEDS
 - 2 PUBLIC UTILITIES TO SDG&E REC. 8/3/1927 BK 1355, PG 236 DEEDS
 - 3 PUBLIC HIGHWAY EASEMENT REC. 9/24/1929 BK 1666 PG 483 DEEDS
 - 4 PUBLIC HIGHWAY EASEMENT REC. 8/21/1940 BK 1047 PG 495 O.R.
 - 5 PUBLIC UTILITIES TO SDG&E REC. 11/28/1972 F/N 317575 O.R.
 - 6 UTILITIES TO SAN LUIS REY MWD REC. 7/26/1984 F/N 84-284007 O.R.
 - 7 PUBLIC HIGHWAY TO COUNTY, REC. 10/14/1910 BK 505 P 9 DEEDS
 - 8 OFFERS OF DEDICATION, CONDITIONS, RESTRICTIONS, EASEMENTS, ETC. SHOWN OR DISCLOSED BY PM 13703
 - 9 OFFER TO DEDICATE PUBLIC ROADWAY WITH THE RIGHT TO EXTEND THE SLOPES AND DRAINAGE FACILITIES REJECTED PER PM 13703 BUT OPEN FOR ACCEPTANCE
 - 10 OFFER TO RELINQUISH ACCESS EXCEPTING OPENINGS 6-13 SHOWN ON PM 13703 REJECTED PER PM 13703 BUT OPEN FOR ACCEPTANCE
 - 11 OFFER TO RELINQUISH ACCESS EXCEPTING OPENINGS 1-5 SHOWN ON PM 13703 REJECTED PER PM 13703 BUT OPEN FOR ACCEPTANCE
 - 12 PRIVATE ROAD EASEMENT TO PANKEY RANCH REC. 6/3/1985 F/N 85-195464 O.R.
 - 13 ELECTRICITY DISTRIBUTION TO SDG&E, REC. 2/8/1926 BK 1162 P255 DEEDS
 - 14 I.O.D. FOR PUBLIC ROADWAY TO COUNTY SHOWN ON PM 13703 ACCEPTED 8/07/2007 DOC# 0526635 O.R.
 - 15 ELECTRICITY DISTRIBUTION TO SDG&E, REC. 6/28/2007 DOC#2007-0434974 O.R.

FOR THIS AREA SEE SHEET 3

PARCEL NUMBER	VESTEE	① AREAS (SQ. M. OR NOTED)			① AREAS (SQ. FT. OR NOTED)			ACQUIS. CODE ③	DATE	RECORDATION	
		R/W	EXC. ②	REM. ②	R/W	EXC. ②	REM. ②			O.R. ④	INST. NO. ⑤
33245	PAPPAS, LOUIE & VOULA	1,345		17,431	14,479		187,630	F	7/29/08	O.R.	0403485
33246-1	PANKEY RANCH	63,764		1,776,600	686,348		439 acres	F	7/29/08	O.R.	0403484

LEGEND & NOTES

AREA TO BE VACATED

ACCESS VACATED

ACCESS DENIED



METERS SCALE

0 10 50

FEET

K.P. LIMITS: 29.6-31.0

PROJECT E.A.: 231501

LEGEND

ACCESS OPENING PREVIOUS RECORD DATA

Excludes exist. street
Includes exist. take
INSTRUMENT: A=access rights only
E=easement; F=fee; L=lease;
M=Mineral Rights; P=Permits;
DD=Director's Deed;
DE=Director's Easement Deed;
DK=Director's Outclaim Deed
FOC=Final Order of Condemnation
GD=Grant Deed; GC=quitclaim;
HE=Highway Easement Deed;
TCE=Temp. Construction Easement
⑧ OFFICIAL RECORDS
⑨ INSTRUMENT NO.: Document or Instrument number

NOTES

FOR FOUND MONUMENTS: SEE PROP. RETRACEMENT SURVEY MAP NO. FOR HIGHWAY MONUMENTS: SEE MAP NO. COUNTY ENG. MAP NO.

Coordinates, bearings and distances are based on the California Coordinate System of 1983, zone 6, HPGN Epoch 1991.35. DISTANCES ARE IN METERS unless otherwise noted. Multiply distances by 0.999935 to obtain ground level distances. To convert meters to the U.S. Survey Foot multiply distances by 3937/1200.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION DISTRICT 11			
VACATION MAP			
Vacation No. V31132			
RIGHT OF WAY MAP NO.		CLO 25500m	
COUNTY	ROUTE	KILOMETER POST	SCALE
SD	76	29.8	1:500
SD	76	PM 18.5	SHEET 2 OF 4

COUNTY OF SAN DIEGO

RANCHO MONSERATE TRACT A

= "V31132 SIRI"
 = "V31132 SILI"
 = "76 RWLT 15"

BPR. REG. NO.	STATE	FEDERAL PROJECT NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
	CALIF.				

DISTRICT 11 RIGHT OF WAY ENGINEER

DATE

LICENSED LAND SURVEYOR

KENNETH J. MCGRAW

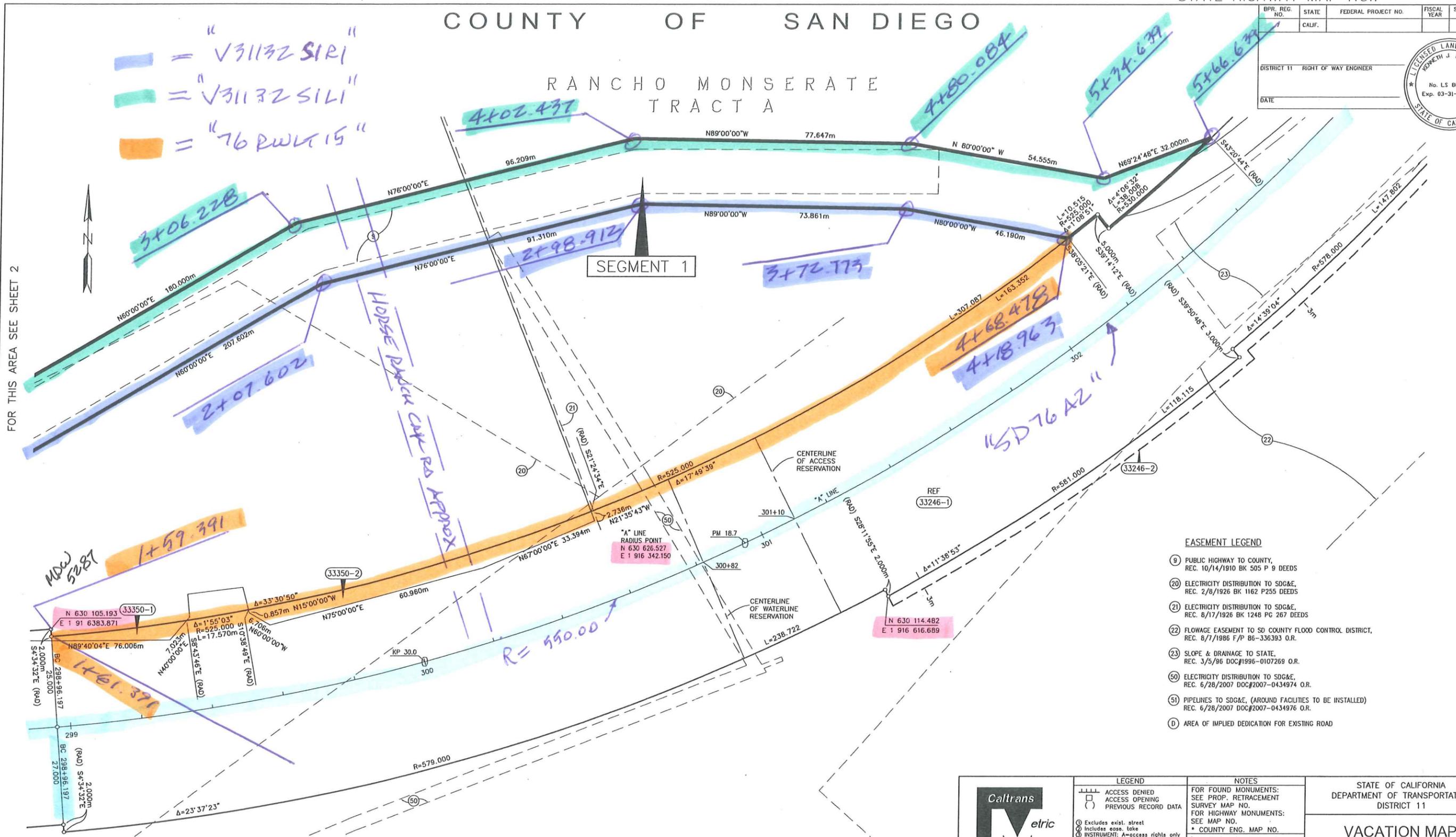
No. LS 8089

Exp. 03-31-2012

STATE OF CALIFORNIA

FOR THIS AREA SEE SHEET 2

FOR THIS AREA SEE SHEET 4



- EASEMENT LEGEND**
- (9) PUBLIC HIGHWAY TO COUNTY, REC. 10/14/1910 BK 505 P 9 DEEDS
 - (20) ELECTRICITY DISTRIBUTION TO SDG&E, REC. 2/8/1926 BK 1162 P255 DEEDS
 - (21) ELECTRICITY DISTRIBUTION TO SDG&E, REC. 8/17/1926 BK 1248 PG 267 DEEDS
 - (22) FLOWAGE EASEMENT TO SD COUNTY FLOOD CONTROL DISTRICT, REC. 8/7/1986 F/P B6-336393 O.R.
 - (23) SLOPE & DRAINAGE TO STATE, REC. 3/5/96 DOC#1996-0107269 O.R.
 - (50) ELECTRICITY DISTRIBUTION TO SDG&E, REC. 6/28/2007 DOC#2007-0434974 O.R.
 - (51) PIPELINES TO SDG&E, (AROUND FACILITIES TO BE INSTALLED) REC. 6/28/2007 DOC#2007-0434976 O.R.
 - (D) AREA OF IMPLIED DEDICATION FOR EXISTING ROAD

PARCEL NUMBER	VESTEE	① AREAS (SQ. M. OR NOTED)			① AREAS (SQ. FT. OR NOTED)			ACQUIS. CODE ③	RECORDATION		
		R/W	EXC. ②	REM. ②	R/W	EXC. ②	REM. ②		DATE	O.R. ④	INST. NO. ⑤
33246-2	PANKEY RANCH	2,680			28,844			E	7/29/08	O.R.	0403484
33350-1	PARDEE HOMES	170		1,400,200	1,829		346 acres	F	7/29/08	O.R.	0403486
33350-2	PARDEE HOMES	400			4,305			F	7/29/08	O.R.	0403486

LEGEND & NOTES

AREA TO BE VACATED
 ACCESS VACATED
 ACCESS DENIED

Caltrans Metric

SCALE

METERS 0 10

FEET 0 10

K.P. LIMITS: 29.6-31.0
PROJECT E.A.: 231501

LEGEND

ACCESS DENIED
 ACCESS OPENING
 PREVIOUS RECORD DATA
 Excludes exist. street
 Includes eas. take
 INSTRUMENT: A=access rights only
 E=easement; F=fee; L=lease; M=Mineral Rights; P=Permits; DD=Director's Deed; DE=Director's Easement Deed; DK=Director's Quitclaim Deed; FOC=Final Order of Condemnation; GD=Grant Deed; QC=quitclaim; HE=Highway Easement Deed; TCE=Temp. Construction Easement
 OFFICIAL RECORDS
 INSTRUMENT NO.: Document or Instrument number

NOTES

FOR FOUND MONUMENTS: SEE PROP. RETRACEMENT SURVEY MAP NO. FOR HIGHWAY MONUMENTS: SEE MAP NO. * COUNTY ENG. MAP NO.

Coordinates, bearings and distances are based on the California Coordinate System of 1983, zone 6, HPGN Epoch 1981.35.

DISTANCES ARE IN METERS unless otherwise noted. Multiply distances by 0.9999935 to obtain ground level distances. To convert meters to the U.S. Survey Foot multiply distances by 3937/1200.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
DISTRICT 11

VACATION MAP
Vacation No. V31132

RIGHT OF WAY MAP NO. CLO 25501m

COUNTY ROUTE	SD 76	KILOMETER POST	30.0	SCALE	1:500
	SD 76		PM 18.7		SHEET 3 OF 4

COUNTY OF SAN DIEGO

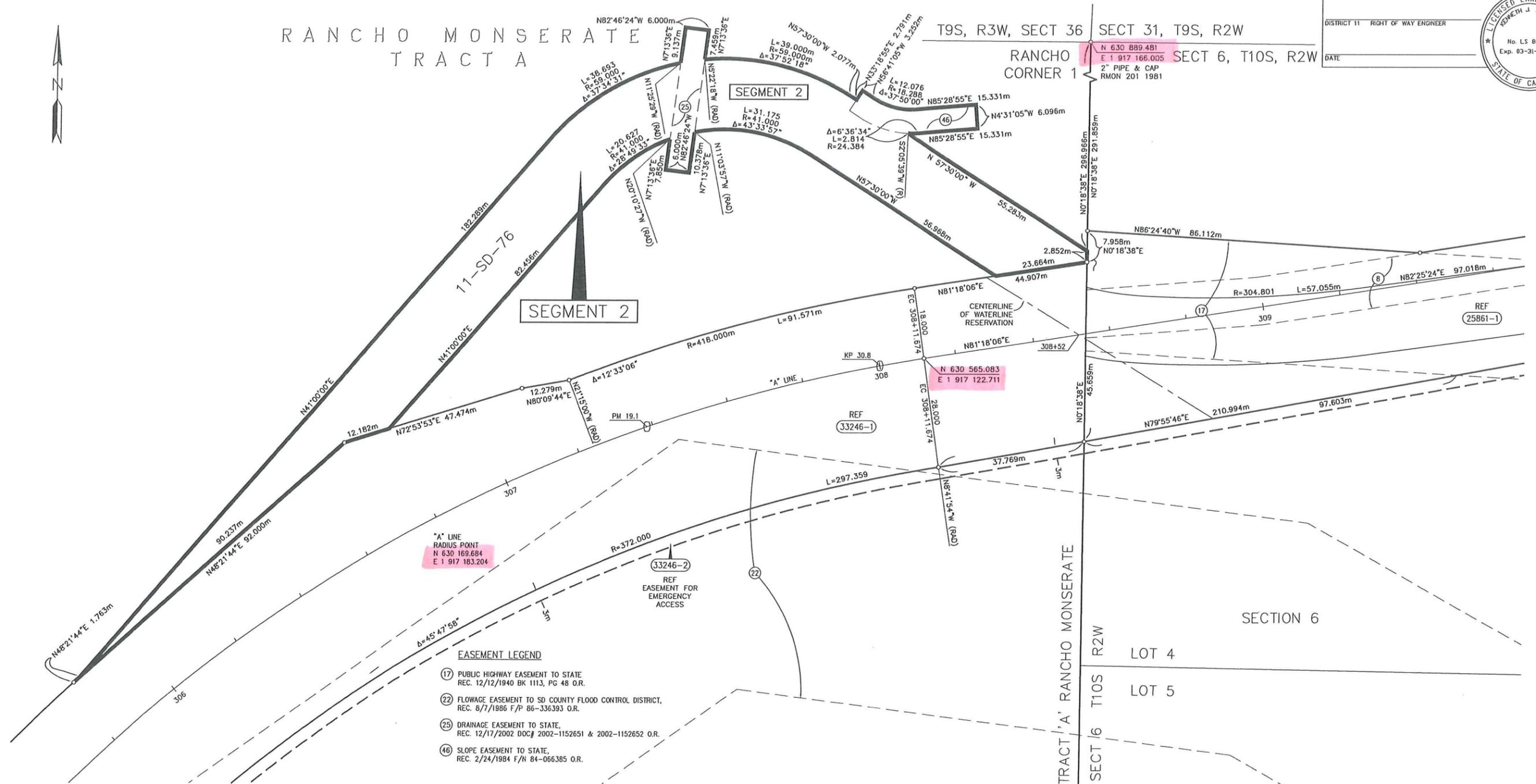
RANCHO MONSERATE TRACT A

BPR. REC. NO.	STATE	FEDERAL PROJECT NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
7	CALIF.				



DISTRICT 11 RIGHT OF WAY ENGINEER
DATE

FOR THIS AREA SEE SHEET 3



- EASEMENT LEGEND**
- (17) PUBLIC HIGHWAY EASEMENT TO STATE
REC. 12/12/1940 BK 1113, PG 48 O.R.
 - (22) FLOWAGE EASEMENT TO SD COUNTY FLOOD CONTROL DISTRICT,
REC. 8/7/1986 F/P 86-336393 O.R.
 - (25) DRAINAGE EASEMENT TO STATE,
REC. 12/17/2002 DOC# 2002-1152651 & 2002-1152652 O.R.
 - (46) SLOPE EASEMENT TO STATE,
REC. 2/24/1984 F/N 84-066385 O.R.

PARCEL NUMBER	VESTEE	① AREAS (SQ. M. OR NOTED)			① AREAS (SQ. FT. OR NOTED)			ACQUIS. CODE ③	RECORDATION		
		R/W	EXC. ②	REM. ②	R/W	EXC. ②	REM. ②		DATE	O.R. ④	INST. NO. ⑤
33246-1	PANKEY RANCH	63,764		1,776,600	686,348		439 acres	F	7/29/08	O.R.	0403484

LEGEND & NOTES

- AREA TO BE VACATED
- ▨ ACCESS VACATED
- ▧ ACCESS DENIED

Caltrans Metric

SCALE
METERS 0 10 50
FEET 0 30 150

K.P. LIMITS: 29.6-31.0
PROJECT E.A.: 231501

LEGEND

- ▧ ACCESS DENIED
- ACCESS OPENING
- () PREVIOUS RECORD DATA

① Excludes exist. street
② Includes eas. take
③ INSTRUMENT: A=access rights only
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④ OFFICIAL RECORDS
⑤ INSTRUMENT NO.: Document or Instrument number

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
DISTRICT 11

VACATION MAP
Vacation No. V31132

RIGHT OF WAY MAP NO. CLO 25503m

COUNTY	ROUTE	KILOMETER POST	SCALE
SD	76	30.8	1:500
SD	76	PM 19.1	SHEET 4 OF 4





State Route 76 East

South Mission Road to Interstate 15

FACT SHEET

GOALS

Relieve existing and future traffic congestion; improve motorist safety; and protect and enhance natural resources.

FUNDING

The project is \$201 million. Anticipated funding for the project includes Federal, TransNet, developer, county of San Diego Transportation Impact Fee, and Tribal contributions.

CONTACT

Project Manager
Ann Fox at
(619) 688-6803
or by e-mail at
Ann.Fox@dot.ca.gov

Department of Transportation
4050 Taylor Street
San Diego, CA 92110
Ph: (619) 688-6670
Fax: (619) 688-3695
www.dot.ca.gov/dist11



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@SDCaltrans

THE PROJECT

The current proposal is to develop a four-lane conventional highway from South Mission Road to just east of Interstate 15 (I-15) as well as widen and improve the SR-76/I-15 interchange. This segment completes the major link between Interstate 5 and I-15 and is one of the high-priority transportation projects included in the region's TransNet Early Action Program.

PROGRESS

In January, Caltrans completed its Final Environmental Impact Report/Final Environmental Impact Statement (EIR/EIS) for the SR-76 East Segment. This document supports the Existing Alignment, which runs mostly along the current roadway, as the Preferred Alternative for improving the corridor.

Construction of the East Segment will occur in two phases: the I-15/SR-76 Interchange improvements and the roadway from South Mission Road to Old Highway 395. The interchange improvements are in final design and will begin construction in summer of this year. The remaining roadway improvements design has begun and it's anticipated to begin construction in summer of 2013.

TRAFFIC

The current traffic volume on SR-76 between South Mission Road and I-15 is approximately 20,000 average daily trips. Planned growth will increase the traffic volume to approximately 46,000 average daily trips by the year 2030. Within the study limits, a transportation project will need to be implemented to safely and efficiently handle the traffic increase. Rail transit is not planned for the corridor.





State Route 76

CALIFORNIA DEPARTMENT OF TRANSPORTATION

STATE ROUTE 76 PROJECT – MELROSE DRIVE TO SOUTH MISSION ROAD FACT SHEET – FEBRUARY 2012

The Project

State Route 76 will be expanded to include a four-lane conventional highway that can accommodate widening to six lanes, from Melrose Drive in Oceanside to South Mission Road in the unincorporated community of Bonsall.

The Need

Population growth along the SR-76 corridor will likely double the traffic volume from approximately 30,000 average daily trips to more than 60,000 average daily trips by the year 2030. The collision rate also meets or exceeds the statewide average compared to similar two-lane routes. The project would reduce the potential for collisions in the future.

Jobs

Construction of SR-76 from Melrose Drive to South Mission Road will generate jobs for the San Diego Region and California.

Partnership

The project is developed through a partnership with the

California Department of Transportation (Caltrans), the Federal Highway Administration (FHWA) and the San Diego Association of Governments.

Project Status

The Environmental Document was approved in November 2008 and construction began in January 2010. Caltrans is making use of the design sequencing process, which involves designing portions of the project as construction is underway on other portions, saving time and money.

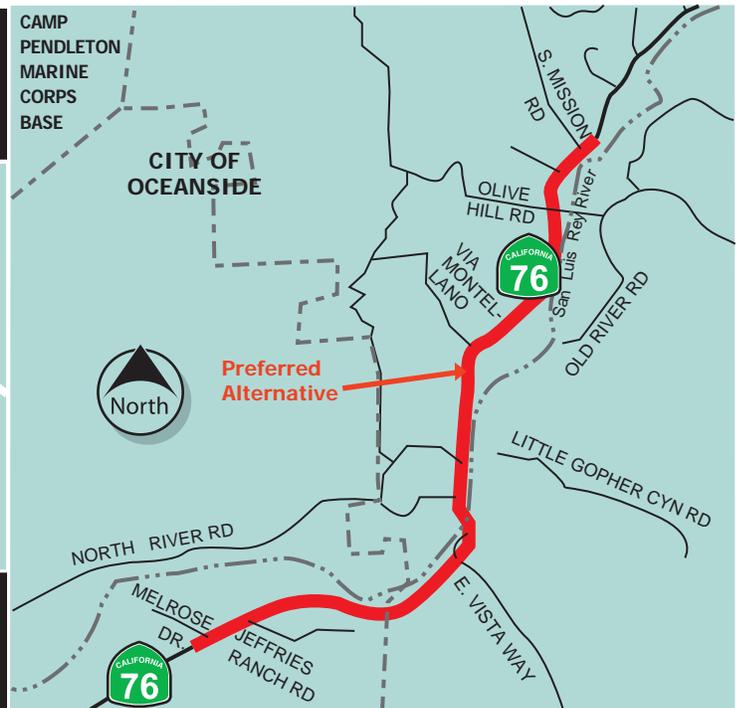
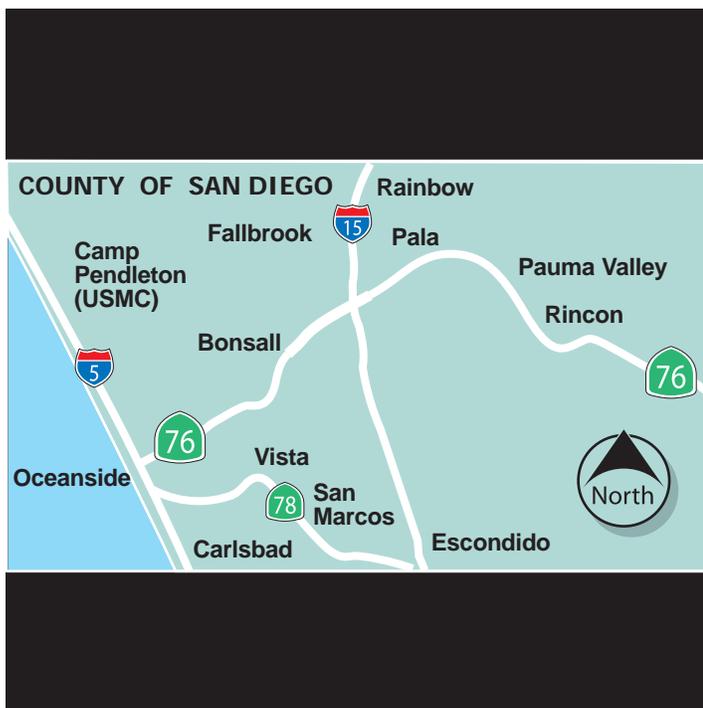
Project Costs

The estimated project cost is \$171.4 million. Funding sources include \$75.6 million from the American Reinvestment and Recovery Act and \$16.8 million from Federal Demonstration. State funds are contributing \$13.5 million and the TransNet sales tax measure approved by San Diego County voters in 2004 is contributing \$65.5 million.

Project Schedule

Start Construction: January 2010

Complete: December 2012



HISTORIC PROPERTY SURVEY REPORT

California Department of Transportation

1. UNDERTAKING DESCRIPTION AND LOCATION						
District	County	Route <i>(Local Agency)</i>	Kilo Posts <i>(Project prefix)</i>	Post Miles <i>(Project No.)</i>	Charge Unit <i>(Agreement)</i>	Expenditure Authorization <i>(Location)</i>
11	SD	76		R17.4/R19.8	173	231500

(Both kilometer posts and post miles must be completed above. For Local Assistance projects off the highway system, use headers in italics)

Project Description: *(Insert project description below; refer reader to location and vicinity maps in HPSR)*

The proponent activity for the realignment of SR-76 is the Rosemary's Mountain Quarry Project, located on the north side of SR-76, approximately 1.25 miles east of I-15 (Figure 1). The portion of SR-76 included in this undertaking begins at I-15 on the west and continues east for 2.4 miles (Figure 2). The community of Fallbrook is approximately 14 miles to the west, and the smaller community of Pala is centered on SR-76 at Pala-Temecula Road, approximately 5.5 miles to the east. The quarry site has a peak elevation of 992 feet and a base elevation at SR-76 of approximately 300 feet above MSL. Directly to the south, across SR-76 lies the San Luis Rey River. The Rosemary's Mountain Quarry Project involves the operation of a rock quarry and processing plant on a 96.4-acre site. An estimated 22 million tons of rock would be mined over a 20-year period, down to a depth of approximately 200 feet MSL. The quarry project also includes the realignment and widening of SR-76.

SR-76 will be realigned to eliminate existing short radius curves just west of the quarry site. The segment of the highway between I-15 and the western boundary of the quarry site will also be widened from two to four lanes. SR-76 would then transition from four lanes to three lanes at the western quarry boundary and then back to two lanes just east of P.M. R19.8. Road construction will require 250,000 cubic yards of material, which will be excavated from the quarry site. A 10' by 9' concrete box culvert will be installed under realigned SR-76, approximately 1,500 feet east of Pankey Road/Shearer Crossing, to allow for movement of agricultural equipment and goods under the highway. Also included in this project are two parcels to mitigate for biological impacts resulting from highway construction (Figures 2 and 3).

2. AREA OF POTENTIAL EFFECTS

The APE is defined as existing and future SR-76 from I-15 on the west, then easterly 2.4 miles (Figure 4). The APE also includes to parcels for biological mitigations (Figures 5 and 6). The APE maps were reviewed and approved by Shawn Sorourbakhsh, Caltrans District 11 Project Engineer, and myself on August 22 and 31, 2006.

3. CONSULTING PARTIES / PUBLIC PARTICIPATION

(For the following, check the appropriate line, list names, dates, and locations and results of contacts, as appropriate. List organizations/persons contacted and attach correspondence and summarize verbal comments received as appropriate.)

- Local Government *(Head of local government, Preservation Office / Planning Department)*
- Native American Tribes, Groups and Individuals
 - A Native American/Interested Parties contact program was conducted for this phase of the project. Please refer to the attached archaeological survey report for information regarding the results of this consultation (Attachment 1).
- Native American Heritage Commission. See Attachment 1.
- Local Historical Society / Historic Preservation Group *(also if applicable, city archives, etc.)*
- Public Information Meetings *(list locations, dates below and attach copies of notices)*
- Other

For the federal undertaking described in Part 1: To minimize redundancy and paperwork for the California Department of Transportation and the State Historic Preservation Officer, and in the spirit intended under the federal Paperwork Reduction Act (U.S.C. 44 Chapter 35), this document also satisfies consideration under California Environmental Quality Act Guidelines Section §15064.5(a) and, as appropriate, Public Resources Code §5024 (a)(b) and (d).

HISTORIC PROPERTY SURVEY REPORT

California Department of Transportation

4. SUMMARY OF IDENTIFICATION EFFORTS

- √ National Register of Historic Places Month & Year: 1979-2006 & supplements
- √ California Register of Historical Resources Year: 1992 & supplemental information to date
- √ California Inventory of Historic Resources Year: 1976
- √ California Historical Landmarks Year: 1995 & supplemental information to date
- √ California Points of Historical Interest Year: 1992 & supplemental information to date
- √ State Historic Resources Commission Year: 1980-present, minutes from quarterly meetings
- √ Caltrans Historic Highway Bridge Inventory Year:
- √ Archaeological Site Records [*List names of Institutions & date below*]
 - South Coastal Information Center, San Diego State University, 3/24/06 & 6/8/06
- √ Other sources consulted [*e.g., historical societies, city archives, etc., list names and dates below*]
 - Please refer to Attachment 1 for information on sources consulted.
- √ **Results:** (*provide a brief summary of records search and research results, as well as inventory findings*)
 - The records search revealed that 38 archaeological studies had been previously conducted within one-mile of the undertaking. Numerous cultural resources had been recorded within this same record search boundary, including six that are adjacent to the APE. While these six are in close proximity, given the APE limits, the local geography, and the planned proposed construction, none of these resources will be affected. Please refer to Attachment 1 for additional information.

5. PROPERTIES IDENTIFIED

(Check the appropriate category, list properties, or refer reader to appropriate technical study attached, according to their National Register status. Provide, as appropriate, complete address, period and level of significance, criteria, map reference, and any existing state or local designation. Do not include properties that are not within the APE. Attach previous SHPO determinations, as applicable.)

- √ **No cultural resources** within APE.
- [*Name*], [*Indicate whether person is Caltrans or consultant architectural historian or archaeologist*], who meets the Professionally Qualified Staff Standards in Section 106 Programmatic Agreement (Section 106 PA) Attachment 1 as a(n) [*Indicate applicable PQS level*], has determined that the only other properties present within the APE meet the criteria for Section 106 PA Attachment 4 (**Properties Exempt from Evaluation**).
- **Bridges listed as Category 5** in the Caltrans Historic Highway Bridge Inventory. Appropriate pages from the Caltrans Historic Bridge Inventory are attached.
- Properties **previously determined not eligible** (*include date of determination*):
- On behalf of FHWA, Caltrans has **determined** the following properties are **not eligible**:
- Caltrans, on behalf of FHWA, has determined that the following **archaeological sites** shall be considered eligible for the National Register without conducting subsurface testing or surface collection within the APE, for which the **establishment of an ESA** will protect the sites from any potential effects, in accordance with Section 106 PA Stipulation VIII.C.
- Properties **previously listed or determined eligible** (*include date of listing or determination*):
- On behalf of FHWA, Caltrans has determined the following properties are **eligible**:
- **State-owned** historical buildings and structures **to be added to the Master List**, per PRC §5024(d):
- **State-owned** buildings and structures that are **not eligible** for the National Register or as a State Historical Landmark:

HISTORIC PROPERTY SURVEY REPORT

California Department of Transportation

6. LIST OF ATTACHED DOCUMENTATION

(Provide the author/date and peer reviewer/date of the technical report)

- ✓ Project Vicinity, Location, and APE Maps
- California Historic Bridge Inventory sheet
- Historical Resources Evaluation Report (HRER)
- ✓ Archaeological Survey Report (ASR) (Attachment 1)
 - October 2006, *Archaeological Survey Report of the Betsworth Mitigation Site, San Diego County, California*; by Patrick McGinnis, Tierra Environmental Services
- Archaeological Evaluation Report (CARIDAP, XPI, PII, PIII)
- Other (*Specify below*)

7. FINDINGS – HPSR to File

(Check all that apply. Do not transmit to SHPO; file copy to CCSO)

- ✓ **No properties requiring evaluation** are present within the project's APE.
- Properties **previously determined not eligible** in consultation with the SHPO, or formally determined not eligible by the Keeper of the National Register are present within the project's APE. Copy of SHPO/Keeper correspondence is attached.
- Properties **previously determined eligible** in consultation with the SHPO, or formally determined eligible by the Keeper of the National Register are present within the project's APE, but **will not be affected** by the undertaking. Copy of SHPO/Keeper correspondence is attached.
- Under the authority of FHWA, Caltrans has determined a Finding of **No Historic Properties Affected**, according to Section 106 PA Stipulation IX.A and 36 CFR 800.4(d)(1), is appropriate for this undertaking.

8. FINDINGS – HPSR to SHPO

(Check all that apply. Transmit to SHPO, copy to FHWA and CCSO)

- Under the authority of FHWA, Caltrans has determined that there are properties evaluated as a result of the project that are **not eligible** for inclusion in the National Register within the project's APE. Under Section 106 PA Stipulation VIII.C, Caltrans requests SHPO's concurrence in this determination.
- Under the authority of FHWA, Caltrans has determined that there are properties evaluated as a result of the project that are **eligible** for inclusion in the National Register within the project's APE. Under Section 106 PA Stipulation VIII.C, Caltrans requests SHPO's concurrence in this determination.
- Under the authority of FHWA, Caltrans has determined a Finding of **No Historic Properties Affected**, according to Section 106 PA Stipulation IX.A and 36 CFR 800.4(d)(1), is appropriate for this undertaking.
- Under the authority of FHWA, Caltrans has determined a **Finding of No Adverse Effect with Standard Conditions - ESAs**, according to Section 106 PA Stipulation X.B(2) and 36 CFR 800.5(b), is appropriate for this undertaking.
- Under the authority of FHWA, Caltrans has determined a **Finding of No Adverse Effect with Standard Conditions – Rehabilitation**, according to Section 106 PA Stipulation X.B(2) and 36 CFR 800.5(b), is appropriate for this undertaking. *[Name]*, who meets the Professionally Qualified Staff Standards in Section 106 PA Attachment 1 as Principal Architectural Historian, and has the appropriate education and experience, has reviewed the rehabilitation documentation and determined that the rehabilitation meets the Secretary of the Interior's Standards for the Treatment of Historic Properties.

FINDINGS FOR STATE-OWNED PROPERTIES

HISTORIC PROPERTY SURVEY REPORT

California Department of Transportation

No Historical Resources are located within the project APE.

9. HPSR PREPARATION AND DEPARTMENT APPROVAL

Reviewed by: *(sign on line)*

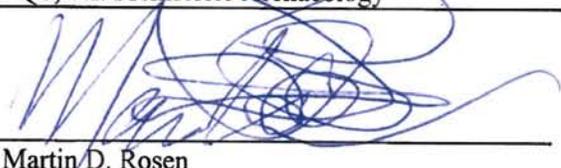
District 11 Caltrans PQS Discipline/
Level/Branch:


Kevin Hovey
Senior Environmental Planner
PQS, P.I. Prehistoric Archaeology

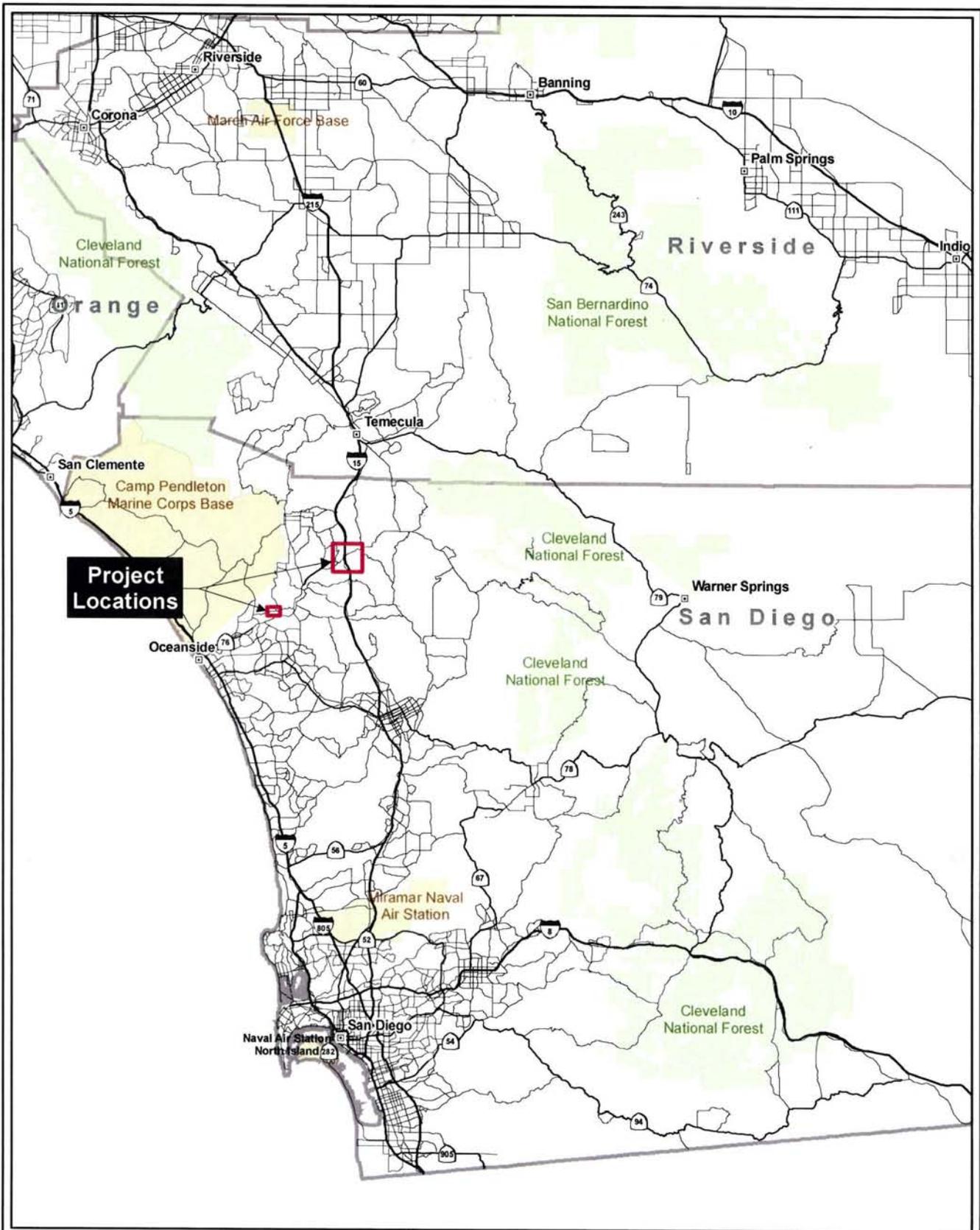
10/24/06
Date

Prepared and approved by: *(sign on line)*

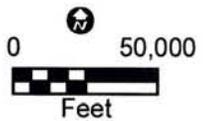
District 11 Caltrans PQS Discipline/
Level/Branch:

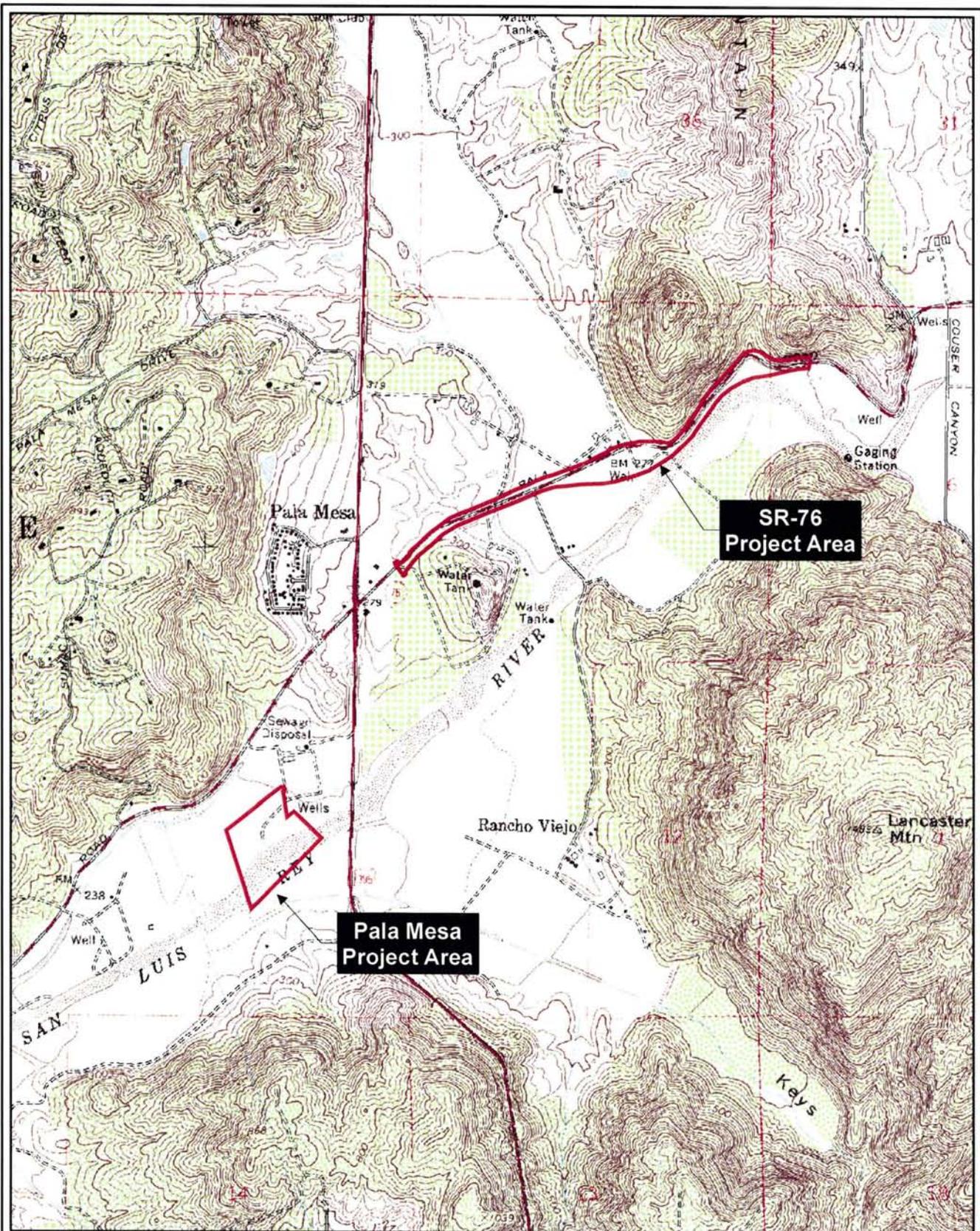

Martin D. Rosen
Senior Environmental Planner
PQS, P.I. Prehistoric Archaeology

10/24/06
Date



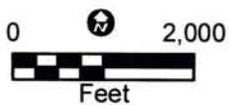
Project Locations





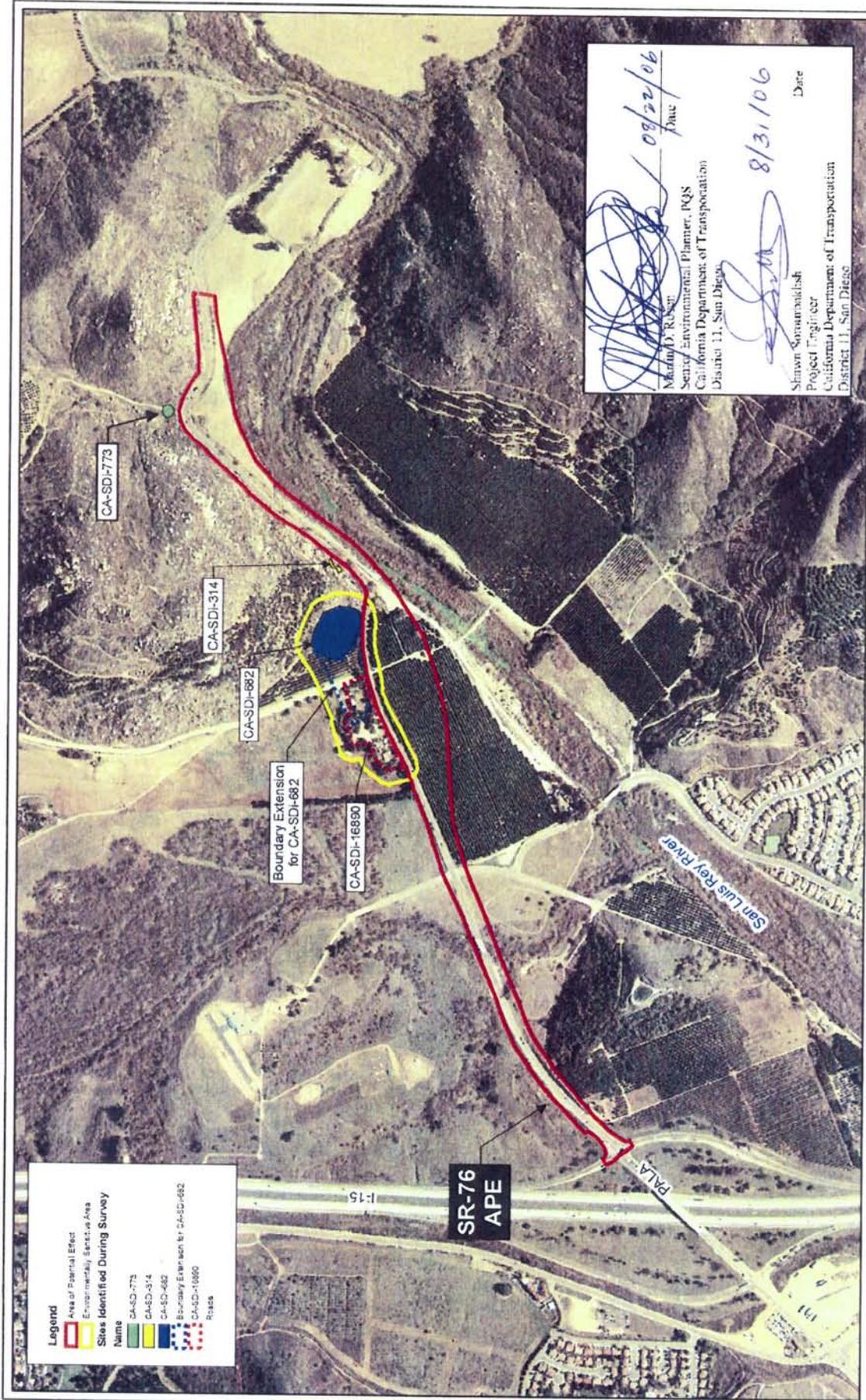
Source: USGS Bonsall 7.5' Quadrangle

Mooney Jones & Stokes



Vicinity Map
Map 2

Date: 7/06/06; I:\GIS\238\mxd\Archv_070606\fig_2.mxd



Legend

- Area of Potential Effect
- Environmentally Sensitive Area
- Sites Identified During Survey

Name	Color
CA-SD-773	Yellow
CA-SD-314	Green
CA-SD-482	Blue
Boundary Extension for CA-SD-882	Red
CA-SD-16890	Blue

Roads

**Area of Potential Effect
Map 4**

11-SD-76
PM R17.4/R19.8
EA 231500

Source: SLR aerial Med res.tif, South Coastal Information Center



Date: 7/26/06 10:52:28 AM v:\proj\070606\fig_4.mxd

**FINAL
ENVIRONMENTAL IMPACT REPORT
FOR
PALOMAR AGGREGATES QUARRY
(P87-021, RP87-001, Log #87-2-13)**

SCH # 91081061

Prepared for:

Palomar Aggregates, Inc.
2150 N. Centre City Parkway
Escondido, California 92026

Prepared by:

Brian F. Mooney Associates
9903-B Businesspark Avenue
San Diego, California 92131

Lead Agency:

County of San Diego
Department of Planning and Land Use
5201 Ruffin Road, Suite B
San Diego, California 92123

February 1997

III. ENVIRONMENTAL ANALYSIS

A. Traffic/Circulation

The following is a summary of a Traffic Analysis prepared for the Proposed Project by Willdan Associates dated May 19, 1990 and revised October, 1990 and January 1996. The 1996 revised report is included in this FEIR as Appendix E.

1. Existing Conditions

Regional access to the site is provided via I-15, an eight-lane freeway, to SR-76. Interstate 15 (I-15) currently carries 64,000 average daily trips (ADT) north and 63,000 ADT south of its interchange with SR-76 (Figure 19).

Primary access to the project site is provided by State Route 76 (SR-76) which is an east-west two-lane rural highway running from Interstate 5 on the west, to State Highway 79 east of Lake Henshaw. The County of San Diego has designated SR-76 as a prime arterial (six lanes, divided) west of I-15 and as a major road (four lanes, divided) east of I-15. The latest available traffic counts done by Caltrans (1994) indicate that this roadway carries 4,800 ADT east of I-15, 16,000 ADT west of I-15 and 12,400 ADT west of Old Highway 395 (Figure 19). In 1990, Caltrans indicated that the heavy vehicle composition was above average (15 percent) due to the number of mining operations located along the San Luis Rey River. It should also be noted that several short radius curves exist on this roadway just east of the project site. Sight distance and driving conditions on this segment of SR-76 would be improved by realigning a short radius curve along the project's frontage and widening the roadway.

As part of the project, Highway 76 would be realigned and widened from two lanes to four lanes between I-15 and the western project boundary. The highway would transition to three lanes including two westbound lanes and one eastbound lane, at the western boundary and then back to two lanes just the east of the project. Geometrics at the project driveway would also incorporate an eastbound left turn pocket and a westbound right turn only lane. The project driveway would accommodate a shared outbound left and right turn lane. Westbound traffic leaving the site would enter the westbound auxiliary lane allowing them to enter the traffic stream without disturbing westbound traffic. This widening (illustrated on Figure 20) would be constructed by Palomar Aggregates during the initial phase of the project and available for use prior to any export of material from the site.

Other roadways in the vicinity of the project site include Old Highway 395 and Rice Canyon Road. Old Highway 395 runs north-south, parallel to and west of I-15 serving as a frontage road to the freeway. Although designated as a collector roadway (four lanes, undivided), it currently exists as a rural two-lane highway. This roadway forms a four-way intersection with SR-76, and has recently been signalized. Currently, this roadway carries 5,900 ADT north of SR-76 and 1,800 to the south.

Access (long-term)

The project is proposing access to SR-76 approximately 1 mile east of I-15. The project, in conjunction with Caltrans, is proposing to realign a short radius curve along this segment of highway.

During the critical AM peak hour, approximately 96 trucks would enter and exit the project site, splitting evenly between inbound and outbound movements. Since most project-related traffic would orient to and from the west it would be necessary to widen SR-76 at the project access to allow for a left-turn pocket (eastbound) and an acceleration lane (westbound) to minimize interruption of flow and enhance safety on this facility. Appropriate warning signs and/or lights should also be installed on SR-76 in advance of the project access to warn motorists of slower moving vehicles.

Because traffic safety is a major concern on this segment of SR-76, accident statistics compiled by Caltrans have been examined. The Caltrans statistics show that there were five accidents between I-15 and Cole Grade Road (12 miles east of project access drive) with zero fatalities. According to Caltrans the expected rate was 2.16 accidents per million vehicle miles (ACC/MVM) while the actual rate was 3.20 ACC/MVM. This appears to be substantial, however, only one of the five accidents involved more than one vehicle. This suggests that the primary cause of the accidents was not vehicle volumes but other factors, such as travel speed, short radius curves, or other roadway conditions. Therefore, realigning the curve along the project frontage may help to decrease the overall accident rate and enhance safety on this roadway in the project vicinity.

3. Summary of Impact Significance

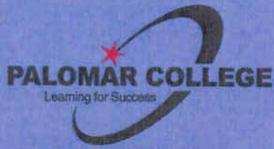
Impacts to Traffic/Circulation are considered significant but mitigable. Road improvements included in the design of the project will increase capacity and safety along SR-76 from the project site to the I-15 interchange. The improvement will accommodate the truck trips associated with the project.

4. Mitigation Measures

The following measures shall be incorporated into the project:

- A-1. During the initial stage of the project and prior to export of material from the site, SR-76 shall be widened from two lanes to four lanes between I-15 and the western boundary of the project. The highway would transition to three lanes at the western boundary and then back to two lanes just east of the project. This widening (illustrated on Figure 20) shall be constructed by the applicant and available for use prior to any export of material from the site.
- A-2. Prior to project operation, five-hundred and fifty (550) feet of intersectional sight distance shall be provided along SR-76 from the proposed driveway entrance to the satisfaction of Caltrans.

- A-3. During the initial stage of the project and prior to export of material from the site, State Highway 76 will be improved from I-15 to the project entrance to a four-lane road with bike lanes, asphaltic concrete pavement over approved base, asphaltic concrete dikes, asphaltic concrete acceleration/deceleration lanes, asphaltic concrete widening to accommodate a left turn lane at the project entrance, and asphaltic concrete taper to existing pavement at the eastern boundary of the project, to the satisfaction of the Director of Public Works and Caltrans.
- A-4. Prior to commencement of work in the State right-of-way, an encroachment permit shall be obtained from Caltrans.
- A-5. Prior to the realignment of SR-76, the right-of-way for the existing on-site alignment of SR-76 shall be vacated to the satisfaction of the Director of Public Works and Caltrans.
- A-6. Prior to construction, all proposed improvements shall be coordinated with both Caltrans and the County Traffic Engineer and all necessary permits shall be secured.
- A-7. Prior to the commencement of quarry operations, appropriate warning signs shall be installed east and west of the project's access onto SR-76 to warn motorists of slow moving vehicles.
- A-8. Prior to commencement of construction, in accordance with County policy, the project shall contribute its fair share towards future improvements to the I-15 northbound and southbound SR-76 on and off-ramps (including signalization of the ramps), widening of SR-76, and for maintenance and repair of SR-76 due to damage from project-related heavy truck traffic. Caltrans shall determine, during its feasibility analysis for the road widening, the appropriate amount of money or other assurance to be provided for maintenance of SR-76 and other Caltrans requirements.
- A-9. As a condition of the Major Use Permit and prior to construction, the applicant shall enter into a Secured Agreement with the County of San Diego for funding a Project Study Report (PSR) with Caltrans for the construction of SR-76 relocation environmental approval and the design of the relocated segment.
- A-10. Prior to quarry operations, all parking areas and driveways shown on the plot plan shall be improved with a minimum of one and one-half inches of road oil mix, asphaltic concrete or PCC concrete, and parking spaces shall be delineated.
- A-11. During quarry operations, average daily trips generated by the Proposed Project shall not exceed a monthly average of 514 ADTs or reach exeeed 1,028 ADTs for more than five consecutive days. The project proponent (Palomar Aggregates Inc.) shall keep a daily log of truck and automobile trips and make it available to the Department of Planning and Land Use on an on-call basis.



June 2008

Palomar Community College –
North Education Center

Final Environmental Impact Report

SCH#2007011136

Prepared for:
Palomar Community College
Facilities Planning
1140 West Mission Road
San Marcos, CA 92069
Contact: Kelly Hudson Maclsaac,
Project Manager
(760) 744-1150 Ext. 2772

Prepared by:
RBF Consulting
9755 Clairemont Mesa Blvd., Suite 100
San Diego, CA 92124-1324
JN: 25102230.001

**Palomar Community College – North Education Center
FINAL
ENVIRONMENTAL IMPACT REPORT**

SCH #2007011136

Prepared For:

Palomar Community College District
Facilities Planning
1140 West Mission Road
San Marcos, California 92069
Contact: Kelley Hudson MacIsaac, Project Manager
(760) 744-1150 Ext. 2772

Prepared By:

RBF Consulting
9755 Clairemont Mesa Boulevard, Suite 100
San Diego, California 92124
(858) 614-5000
FAX (858) 614-5001
RBF JN 25-102230.001

June 2008

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5b.(1)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR SHOPP PROJECTS**
RESOLUTION FP-11-48

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission allocate \$22,500,000 for six projects programmed in the 2010 State Highway Operation and Protection Program (SHOPP) and \$29,511,000 for eight additional projects amended into the SHOPP by Department action.

ISSUE:

The attached vote list describes 14 SHOPP projects totaling \$52,011,000. The Department is ready to proceed with these projects and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$52,011,000 be allocated from the Budget Act of 2011, Budget Act Items 2660-302-0042 and 2660-302-0890 for 14 SHOPP projects described on the attached vote list.

The Department has complied with the National Environmental Policy Act and the California Environmental Quality Act requirements in preparing these projects.

Attachment

2.5 Highway Financial Matters

Project # Allocation Amount County Dist-Co-Rte Postmile	Location Project Description	PPNO Program/Year Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5b.(1) SHOPP Projects		Resolution FP-11-48		
1 \$8,000,000 Santa Clara 04-SCI-85 R18.0/R23.9	Near Cupertino from Route 280 to Route 101. <u>Outcome/Output:</u> Install ramp metering and Intelligent Transportation System (ITS) at various locations to enhance safety, maximize the efficient use of the highway system and improve travel times. (FCO only to CMIA project, PPNO 0024.)	04-0440E SHOPP/11-12 \$7,000,000 0400020481 4 154204	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.315	\$160,000 \$7,840,000
2 \$588,000 Los Angeles 07-LA-605 R0.1/R16.6	In Los Angeles County through various cities, from Coyote Creek Bridge to Peck Road. <u>Outcome/Outputs:</u> Construct 11,500 feet of metal beam guardrail, and 2,000 feet of concrete barrier at locations of high embankments, trees, and fixed objects. The project will improve safety by reducing the severity of run-off-the road collisions. Additional contributions: \$1,200,000 – Office of Traffic Safety (OTS) federal grant.	07-3661 SHOPP/11-12 \$3,966,000 0700000445 4 250504	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.015	\$12,000 \$576,000
3 \$12,258,000 Riverside 08-Riv-215 43.9/45.3	In and near the city of Riverside, from Columbia Avenue to the San Bernardino County line; also in Colton and Grand Terrace from the county line to south of the Route 10 interchange. <u>Outcome/Outputs:</u> Rehabilitate 32.7 roadway lane miles to extend pavement service life and improve ride quality. Project will grind pavement and overlay with rubberized asphalt. (For construction purposes, this contact will be combined with CMIA projects 08-0M940 and 08-0P510 under EA 08-0M94U)	08-0252T SHOPP/11-12 \$15,392,000 0800000249 4 0H3304	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.121	\$245,000 \$12,013,000
4 \$365,000 San Bernardino 08-SBd-95 57.0/57.3	In Needles, from Safari Drive to east of Route 40. <u>Outcome/Output:</u> Construct 2,500 linear feet of sidewalk, curb, and gutter with 18 curb ramps that comply with Americans with Disabilities Act (ADA) standards.	08-0238M SHOPP/11-12 \$835,000 0800000493 4 0M6904	2011-12 302-0042 SHA 20.20.201.378	\$365,000
5 \$271,000 Riverside 08-Riv-60 Var.	In the cities of Moreno Valley, Riverside and San Bernardino, on Routes 60, 91 and 215 at various locations. <u>Outcome/Outputs:</u> Construct new curb ramps, replace existing curb ramps, and upgrade pedestrian signal buttons at 29 locations to comply with Americans with Disabilities Act (ADA) standards.	08-0044K SHOPP/11-12 \$673,000 0800000474 4 0M3104	2011-12 302-0042 SHA 20.20.201.361	\$271,000
6 \$1,018,000 Inyo 09-INY-190 R65.9/R66.5	Near Panamint Springs, from 8.0 miles east of Panamint Valley Road to 10 miles west of Wildrose Road. <u>Outcome/Output:</u> Realign roadway to allow the construction of a shoulder catchment area for falling rocks and minimize the potential of traffic collisions. Additional contributions: \$3,500,000 – Office of Traffic Safety (OTS) federal grant.	09-0388 SHOPP/11-12 \$1,018,000 0900000045 4 287504	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.015	\$20,000 \$998,000

2.5 Highway Financial Matters

Project # Allocation Amount County Dist-Co-Rte Postmile	Location Project Description	PPNO Program/Year Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5b.(1) Projects Amended into the SHOPP by Department Action				
Resolution FP-11-48				
7 \$5,097,000 Humboldt 01-Hum-299 R8.5	Near Blue Lake at 1.8 miles east of Buckley Road and 0.1 mile west of Old Three Creeks Road. <u>Outcome/Output:</u> Repair slide damaged roadway and upgrade drainage at two locations.	01-2347 SHOPP/11-12 \$5,000,000 0112000162 4 474414	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.131	\$585,000 \$4,512,000
8 \$1,434,000 Alameda 04-Ala-92 4.1/6.0	On Route 92, from Clawiter Road to Hesperian Boulevard; also on Route 880 at Decoto Road on-ramps. <u>Outcome/Output:</u> Install ramp metering and Intelligent Transportation System (ITS) at various locations to enhance safety, maximize the efficient use of the highway system and improve travel times. (FCO only to CMIA project, PPNO 0024.)	04-0024E SHOPP/11-12 \$2,000,000 0400020302 4 153004	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.315	\$29,000 \$1,405,000
9 \$525,000 Alameda 04-Ala-880 4.5/4.9	In Fremont, from 0.5 mile north of Fremont Boulevard Overcrossing to 0.3 mile north of Auto Mall Parkway Overcrossing. <u>Outcome/Output:</u> Resurface the northbound and southbound off-ramps for skid resistance to reduce vehicle collisions.	04-0025 SHOPP/11-12 \$735,000 0400002017 4 1G2004	2011-12 302-0890 FTF 20.20.201.010	\$525,000
10 \$13,000,000 Alameda 04-Ala-580 R14.6/R21.6	Near Livermore, from 0.1 mile west of Greenville Road to 0.2 mile west of San Ramon-Foothill Road. <u>Outcome/Output:</u> Rehabilitate 38.5 lane miles of pavement to improve ride quality, prevent further deterioration of the road surface, minimize the costly roadway repairs, and extend the pavement life. (FCO only to CMIA project, PPNO 0112F.)	04-0106B SHOPP/11-12 \$13,000,000 0400020601 4 0G1004	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.120	\$260,000 \$12,740,000
11 \$1,785,000 Santa Cruz 05-SCr-1 17.4/26.0	Near the City of Santa Cruz, from San Lorenzo River Bridge to Laguna Road. <u>Outcome/Output:</u> Extend and reconstruct metal beam guard rail (MBGR), and upgrade MBGR end treatments, crash cushions, and drainage features to reduce the number and severity of traffic collisions at 39 locations.	05-1963 SHOPP/11-12 \$2,769,000 0500000203 4 0M9704	2011-12 302-0890 FTF 20.20.201.015	\$1,785,000
12 \$4,000,000 Santa Cruz 05-SCr-17 11.0	Near Scotts Valley, north of Glenwood Drive. <u>Outcome/Output:</u> Construct retaining wall to stabilize roadway embankment and reconstruct northbound Number 2 lane at one location.	05-2332 SHOPP/11-12 \$3,980,000 0512000010 4 1A7104	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.131	\$459,000 \$3,541,000
13 \$2,995,000 Los Angeles 07-LA-1 7.1/56.1	In Los Angeles County, at various locations on Routes 1, 5, 90 and 405. <u>Outcome/Output:</u> Repair bridge decks, replace joint seals, repair vehicle hits, paint minor spot locations and minor repairs to railing on 28 bridges to extend the service life of the structures.	07-4384 SHOPP/11-12 \$3,170,000 0700001094 4 4Y1504	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.119	\$60,000 \$2,935,000
14 \$675,000 Riverside 08-Riv-15 34.9/35.5	Near Corona, from 1.4 miles north of Temescal Canyon Road to south of Weirick Road. <u>Outcome/Output:</u> Construct a barrier on southbound outside shoulder to improve safety by reducing collisions with parallel frontage road traffic.	08-0022H SHOPP/11-12 \$681,000 0800000518 4 0N2604	2011-12 302-0042 SHA 302-0890 FTF 20.20.201.010	\$13,000 \$662,000

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5c.(2a)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR LOCALLY ADMINISTERED STIP PROJECTS ON THE STATE HIGHWAY SYSTEM RESOLUTION FP-11-49**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$1,000,000 for the locally administered State Transportation Improvement Program (STIP) I-10 HOV Lane Extension (PPNO 0134K) project in San Bernardino County, on the State Highway System.

ISSUE:

The attached vote list describes one locally administered STIP project on the State Highway System totaling \$1,000,000, plus \$10,560,000 from other sources. The Department is ready to proceed with this project and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$1,000,000 be allocated from the Budget Act of 2011, Budget Act Item 2660-301-0042 for one locally administered STIP project described on the attached vote list.

Attachment

2.5 Highway Financial Matters

Project # Allocation Amount Recipient <u>RTPA/CTC</u> County Dist-Co-Rte Postmile	Project Title Location Project Description Project Support Expenditures	PPNO Program/Year Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5c.(2a) Locally Administered STIP Projects on the State Highway System				Resolution FP-11-49
1 \$1,000,000 San Bernardino Associated Governments <u>SANBAG</u> San Bernardino 08S-SBd-10 8.2/33.4	I-10 HOV Lane Extension from Haven Avenue to Ford Street. In Ontario and Redlands, on Route 10 from Haven Avenue to Ford Street. Add a carpool lane. (San Bernardino Associated Governments is requesting to reprogram and allocate \$1,000,000 to PA&ED. Savings of \$6,314,000 RIP will go to San Bernardino County's shares.) (Contributions from other sources: \$10,560,000.) <u>Outcome/Output:</u> To complete PA&ED activities.	08-0134K RIP / 11-12 PA&ED \$1,000,000 PS&E \$7,314,000 \$0 0800000040 4PSEL 0C2504	2011-12 301-0042 SHA 20.20.075.600	\$1,000,000

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5c.(2b)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR STATE ADMINISTERED STIP TRANSPORTATION ENHANCEMENT PROJECTS ON THE STATE HIGHWAY SYSTEM (ADVANCEMENT) RESOLUTION FP-11-52**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$373,000 for the State administered State Transportation Improvement Program (STIP) Transportation Enhancement (TE) Castella Vista Point (PPNO 3369) project in Shasta County, on the State Highway System.

ISSUE:

The attached vote list describes one State administered STIP TE project on the State Highway System programmed in Fiscal Year (FY) 2012-13 totaling \$373,000. The Department is ready to proceed with this project and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$373,000 be allocated from the Budget Act of 2011, Budget Act Items 2660-301-0042 and 2660-301-0890 for one State administered STIP TE project described on the attached vote list.

Attachment

2.5 Highway Financial Matters

Project #	Allocation Amount	Recipient	Project Title	PPNO Program/Year	Budget Year	Amount by
RTPA/CTC	County	Location	Project Description	Prgm'd Amount	Item #	Fund Type
Dist-Co-Rte	Postmile	Project Support Expenditures	EA	Fund Type	Program Code	Fund Type
2.5c.(2b) State Administered STIP Transportation Enhancement Projects on the State Highway System (ADVANCEMENT)					Resolution FP-11-52	
1	\$373,000	Department of Transportation Shasta RTPA Shasta 02N-Sha-5 62.3	Castella Vista Point. Near Castella, at the Castella Vista Point. Construct viewing area. Final Project Development Support Estimate: \$241,000 Programmed Amount: <u>\$140,000</u> Adjustment: 101,000 (Debit) Final Right of Way Right of Way Estimate: \$ 6,000 Programmed Amount: <u>\$ 6,000</u> Adjustment: \$ 0 (CEQA – CE, 08/11/2010.) (NEPA – CE, 08/11/2010.) <u>Outcome/Output:</u> Construct vista point.	02-3369 IIP TE/12-13 CONST ENG \$7,000 CONST \$370,000 \$366,000 0200020142 4 0E4004	2011-12 301-0042 SHA 301-0890 FTF 20.20.025.700	\$7,000 \$366,000

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5c.(3)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR LOCALLY ADMINISTERED STIP PROJECTS
OFF THE STATE HIGHWAY SYSTEM
RESOLUTION FP-11-50**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission allocate \$2,801,000 for eight locally administered State Transportation Improvement Program (STIP) projects off the State Highway System, as follows:

- o \$254,000 for one STIP project; and
- o \$2,053,000 for five STIP Transportation Enhancement projects; and
- o \$494,000 for two STIP Programming, Planning, and Monitoring projects.

ISSUE:

The attached vote list describes eight locally administered STIP projects off the State Highway System totaling \$2,801,000, plus \$518,000 from other sources. The local agencies are ready to proceed with these projects and are requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$2,801,000 be allocated from the Budget Act of 2010 and 2011, Budget Act Items 2660-101-0042 and 2660-101-0890 for eight locally administered STIP projects described on the attached vote list.

Attachment

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Location Project Description	PPNO Program/Year Phase Prgm'd Amount Project ID	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5c.(3) Locally Administered STIP Projects off the State Highway System				Resolution FP-11-50
1 \$254,000 Humboldt County HCAOG 01-Humboldt	Central Ave Shoulder Widening. In McKinleyville, on Central Avenue between US 101 and Bartow Road. Widen Shoulder. <u>Outcome/Output:</u> This project will construct 5-foot wide shoulders along a 1,200 foot long section of Central Avenue. This will enhance vehicular and pedestrian safety along this heavily traveled arterial road.	01-2099 RIP / 11-12 CONST \$254,000 010000031	2011-12 101-0042 SHA 20.30.600.620	\$254,000
2 \$25,000 Humboldt County HCAOG 01-Humboldt	Sidewalk Construction at Redway School. In Redway on Empire, Humboldt and Whitmore Avenues and on Briceland Road at the Redway School. Construct sidewalks and pedestrian improvements. <u>Outcome/Output:</u> This project will improve pedestrian safety because pedestrians will not have to walk between moving and/or parked vehicles and pedestrians will have enhanced sight visibility at intersections.	01-2291 RIP TE / 11-12 PS&E \$25,000 0112000099	2010-11 101-0890 FTF 20.30.600.731	\$25,000
3 \$977,000 City of El Cerrito MTC 04-Contra Costa	Improvements to Moeser and Ashbury Pedestrian. In El Cerrito, along Moeser Lane and Ashbury Avenue. Construct new sidewalks including closing sidewalk gaps, striping bicycle lanes, and construction traffic calming devices. (A 10-month time extension was approved at the May 2011 CTC meeting and expires on April 30, 2012.) (Contributions from other sources: \$168,000.) <u>Outcome/Output:</u> Pedestrian and bicycle improvements to improve access.	04-2025F RIP TE / 10-11 CONST \$977,000 0412000442	2010-11 101-0890 FTF 20.30.600.731	\$977,000
4 \$282,000 City of Mill Valley MTC 04-Marin	Sycamore Avenue Improvement Project. In the city of Mill Valley, construct a five-foot wide pedestrian sidewalk, a Class I bike path, signage, markings, and landscaping along Sycamore Avenue, between Camino Alto and Bay Front Park. (Contributions from other sources: \$57,000.) <u>Outcome/Output:</u> This project will provide 1,320 linear feet of pathway to provide enhanced usability and safety in all weather conditions. By connecting with another multi-use pathway (Mill Valley/Sausalito), it will encourage reduction of automobile usage by parents and students, promoting pedestrian and bicycle activity and reduce traffic congestion.	04-2127R RIP TE / 11-12 CONST \$282,000 0400020928	2011-12 101-0042 SHA 101-0890 FTF 20.30.600.731	\$32,346 \$249,654
5 \$408,000 San Francisco Department of Public Works MTC 04-San Francisco	Point Lobos Streetscape Improvements. In the city of San Francisco, from 42nd Avenue to Great Highway. Construct sidewalk and streetscape enhancements along with various traffic calming measures on Point Lobos Avenue. <u>Outcome/Output:</u> This project will be completed in conjunction with a paving project and coordinated with a bicycle project to give residents and visitors a complete street enhancement. The completed project will give the area a sense of place and aesthetic improvements for pedestrians and motorists. Furthermore, the streetscape improvements will provide traffic calming and aesthetic improvements to enhance the transportation experience.	04-9098H RIP TE / 11-12 CONST \$408,000 0400020252	2011-12 101-0042 SHA 101-0890 FTF 20.30.600.731	\$46,798 \$361,202

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Location Project Description	PPNO Program/Year Phase Prgm'd Amount Project ID	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5c.(3) Locally Administered STIP Transportation Enhancement Projects off the State Highway System				Resolution FP-11-50
6 \$361,000 City of Tehachapi KCOG 09-Kern	Tehachapi Boulevard Enhancements Phase IV. In Tehachapi, on Tehachapi Boulevard from Hayes Street to Robinson Street. Streetscape improvements. (Contributions from other sources: \$293,000.) <u>Outcome/Output:</u> This project will install streetlights and bollards, enhance crosswalks, upgrade sidewalks, and retrofit curb ramps.	06-6561 RIP TE / 11-12 CONST \$361,000 0912000058	2010-11 101-0890 FTF 20.30.600.731	\$361,000

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Location Project Description	PPNO Program/Year Phase Prgm'd Amount Project ID	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5c.(3) Local STIP Planning, Programming and Monitoring Projects				Resolution FP-11-50
7 \$130,000 Modoc County Transportation Commission Modoc CTC 02-Modoc	Planning, Programming and Monitoring	02-2051 RIP/11-12 CONST \$130,000 0212000103	2011-12 101-0042 SHA 20.30.600.670	\$130,000
8 \$364,000 Shasta County Regional Transportation Planning Agency Shasta RTPA 02-Shasta	Planning, Programming and Monitoring	02-2368 RIP/11-12 CONST \$364,000 0212000109	2011-12 101-0042 SHA 20.30.600.670	\$364,000

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5c.(4)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR LOCALLY ADMINISTERED STIP TRANSPORTATION ENHANCEMENT PROJECTS OFF THE STATE HIGHWAY SYSTEM (ADVANCEMENT) RESOLUTION FP-11-51**

RECOMMENDATION:

The California Department of Transportation recommends the California Transportation Commission (Commission) allocate \$2,362,000 for three locally administered State Transportation Improvement Program (STIP) Transportation Enhancement (TE) projects off the State Highway System.

ISSUE:

The attached vote list describes three locally administered STIP TE projects off the State Highway System totaling \$2,362,000, plus \$359,000 from other sources. The local agencies are ready to proceed with these projects and are requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$2,362,000 be allocated from the Budget Act of 2010 and 2011, Budget Act Items 2660-101-0042 and 2660-101-0890 for three locally administered STIP TE projects described on the attached vote list.

Attachment

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Location Project Description	PPNO Program/Year Phase Prgm'd Amount Project ID	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5c.(4) Locally Administered STIP Transportation Enhancement Projects off the State Highway System (ADVANCEMENT)				Resolution FP-11-51
1 \$1,455,000 University of California, Davis SACOG 03-Yolo	UC Davis Hutchison Corridor Project. At UC Davis campus, along Hutchison Drive between California Avenue and A Street. Construct landscaping, pedestrian enhancements, and bike parking. (Contributions from other sources: \$168,000.) <u>Outcome/Output:</u> Improve traffic operations and pedestrian safety. Install landscape/streetscape improvements to revitalize the corridor.	03-3193 RIP TE/14-15 CONST \$1,455,000 0300020750	2011-12 101-0042 SHA 101-0890 FTF 20.30.600.731	\$166,889 \$1,288,111
2 \$489,000 City of Laguna Beach OCTA 12-Orange	Broadway Gateway Beautification. From Acacia/Cliff Drive to Forest Avenue. Landscaping, (Contributions from other sources: \$66,000.) (Allocation funded from 2012-13 TE Reserve PPNO 2134.) <u>Outcome/Output:</u> Provide 0.1 mile of landscaping and pedestrian enhancements.	12-2135X RIP TE/12-13 CONST \$489,000 1212000026	2010-11 101-0890 FTF 20.30.600.731	\$489,000
3 \$418,000 City of Mission Viejo OCTA 12-Orange	Marguerite Parkway Median Island/Civic Center. From Pacific Place to Via Floreecer. Landscaping. (Contributions from other sources: \$125,000.) (Allocation funded from 2012-13 TE Reserve PPNO 2134.) <u>Outcome/Output:</u> Provide 0.8 mile of landscaping enhancements.	12-2135Y RIP TE/12-13 CONST \$418,000 1212000134	2010-11 101-0890 FTF 20.30.600.731	\$418,000

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(1a)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR LOCALLY ADMINISTERED CORRIDOR MOBILITY IMPROVEMENT ACCOUNT PROJECTS OFF THE STATE HIGHWAY SYSTEM RESOLUTION CMIA-A-1112-027**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$3,700,000 for the locally administered Proposition 1B Corridor Mobility Improvement Account (CMIA) Program San Mateo Smart Corridors (PPNO 2140V) project in San Mateo County, off the State Highway System.

ISSUE:

The attached vote list describes one locally administered CMIA project for \$3,700,000. The local agency is ready to proceed with this project and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$3,700,000 be allocated from the Budget Act of 2010, Budget Act Item 2660-104-6055 for one locally administered Proposition 1B Corridor Mobility Improvement Account project described on the attached vote list.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B Corridor Mobility Improvement Program.

Attachment

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(1b)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR LOCALLY ADMINISTERED CORRIDOR MOBILITY IMPROVEMENT ACCOUNT PROJECTS ON THE STATE HIGHWAY SYSTEM RESOLUTION CMIA-A-1112-028**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$31,500,000 for three locally administered Proposition 1B Corridor Mobility Improvement Account (CMIA) Program projects, on the State Highway System.

ISSUE:

The attached vote list describes three locally administered CMIA projects for \$31,500,000, plus \$27,943,000 from other sources. The Department is ready to proceed with these projects and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$31,500,000 be allocated from the Budget Act of 2011, Budget Act Items 2660-304-6055 for three locally administered Proposition 1B Corridor Mobility Improvement Account projects described on the attached vote list.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B Corridor Mobility Improvement Program.

Attachment

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC Dist-Co-Rte Postmile	Project Title Project Description Project Funding	PPNO Program/Year Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5g.(1b) Proposition 1B – Locally Administered CMIA Projects on the State Highway System			Resolution CMIA-A-1112-028	
3 \$10,000,000 San Bernardino Association of Governments SANBAG 08-SBd-10 25.3/26.3	I-10/Tippecanoe Interchange Improvements-Phase 1. In the cities of Loma Linda and San Bernardino, from 1 mile west of Tippecanoe Avenue to Tippecanoe Avenue. Construct eastbound auxiliary lane, eastbound off ramp, retaining walls, reinforced concrete box culvert, and widen San Timoteo Bridge. Final Project Development: N/A Final Right of Way: N/A (Project scope is consistent with concurrent CMIA baseline proposed for approval under Resolution CMIA-P-1112-014B; April 2012.) (Future Consideration of Funding – Resolution E-11-32, May, 2011) (Contributions from local sources: \$27,943,000) (All CMIA funding will be used for Construction Capital only.) <u>Outcome/Output:</u> When completed, the I-10/Tippecanoe Interchange Improvements – Phase 1 project will result in daily vehicle hours of delay savings of about 14,571 hours.	08-0154F CMIA/11-12 CONST \$10,000,000 0800020451 4CONL 448114	2011-12 304-6055 CMIA 20.20.721.000	\$10,000,000

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(1e)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR LOCALLY ADMINISTERED MULTI-PROGRAMMED PROJECTS ON THE STATE HIGHWAY SYSTEM**
RESOLUTION CMIA-A-1112-031
RESOLUTION SLP1B-A-1112-17

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$25,886,000 for the locally administered multi-programmed Proposition 1B Corridor Mobility Improvement Account (CMIA)/State-Local Partnership Program (SLPP) Watt Avenue at Route 50 Interchange Improvements (PPNO 30127A) project in Sacramento County, on the State Highway System.

ISSUE:

The attached vote list describes one locally administered CMIA/SLPP project for \$25,886,000, plus \$16,188,000 from other sources. The Department is ready to proceed with this project and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$25,886,000 be allocated from the Budget Act of 2011, Budget Act Item 2660-304-6055 and 2660-304-6060 for the locally administered Proposition 1B Corridor Mobility Improvement Account and State-Local Partnership Program project described on the attached vote list.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B Corridor Mobility Improvement Program.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B SLPP.

Attachment

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC Dist-Co-Rte Postmile	Project Title Project Description Project Funding	PPNO Program/Year Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5g.(1e) Proposition 1B – Locally Administered Multi-Funded CMIA/SLPP Project on the State Highway System			Resolution CMIA-A-1112-031 Resolution SLP1B-A-1112-17	
1 \$25,886,000 Sacramento County SACOG 03-Sac-50 5.0/5.6	Watt Ave @ Route 50 Interchange Improvements. In the city of Sacramento, on Route 50 at Watt Avenue from La Riviera Drive to Kiefer Boulevard. Modify the interchange, widen Watt Avenue, and add bike/pedestrian and public transit facilities. Final Project Development: N/A Final Right of Way: N/A (Project scope is consistent with concurrent CMIA baseline proposed for approval under Resolution CMIA-P-1112-014B; April 2012.) (Contributions from other sources: \$16,188,000 with \$6,280,000 to replace TCRP funding.) (The remaining RIP programming of \$17,300,000 to return to Sacramento County regional share balance.) (Concurrent Consideration of Funding under Resolution E-12-15; April 2012) <u>Outcome/Output:</u> Construction of new Overcrossing, ramps and bicycle/pedestrian pathway.	03-0127A TCRP / 11-12 CONST \$6,280,000 RIP / 13-14 CONST \$17,300,000 \$0 CMIA/11-12 CONST \$17,300,000 SLPP/11-12 CONST \$8,586,000 0300000425 4CONL 371204	2011-12 304-6055 CMIA 20.20.721.000 2011-12 304-6060 SLPP 20.20.724.000	\$17,300,000 \$8,586,000

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(1n)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR STATE ADMINISTERED CORRIDOR MOBILITY
IMPROVEMENT ACCOUNT PROJECTS ON THE STATE HIGHWAY SYSTEM
RESOLUTION CMIA-A-1112-038**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$44,012,000 for three State administered Proposition 1B Corridor Mobility Improvement Account (CMIA) Program projects, on the State Highway System.

ISSUE:

The attached vote list describes three State administered CMIA projects for \$44,012,000. The Department is ready to proceed with these projects and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$44,012,000 be allocated from the Budget Act of 2010 and 2011, Budget Act Items 2660-004-6055 and 2660-304-6055 for eight State administered Proposition 1B Corridor Mobility Improvement Account projects described on the attached vote list.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B Corridor Mobility Improvement Program.

Attachment

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC Dist-Co-Rte Postmile	Project Title Project Description Project Funding	PPNO Program/Year Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5g.(1n) Proposition 1B – State Administered CMIA Project on the State Highway System			Resolution CMIA-A-1112-038	
1 \$6,098,000 Department of Transportation SBCAG Santa Barbara 05S-SB-101 83.1/83.9	Union Valley Parkway Interchange. In Santa Maria at Union Valley Parkway. Construct interchange. Final Project Development Support Estimate: \$5,004,000 Programmed Amount: <u>\$4,932,000</u> Adjustment: \$ 0 (< 20%) Final Right of Way Right of Way Estimate: \$1,528,000 Programmed Amount: <u>\$1,552,000</u> Adjustment: \$ 0 (< 20%) The Union Valley Parkway Interchange Landscaping project (PPNO 4638Y) will be split off as follows, funded from Santa Barbara County regional shares: PS&E \$ 305,000 FY 2011-12 R/W Support \$ 5,000 FY 2011-12 Const Support \$ 400,000 FY 2013-14 Const <u>\$ 650,000</u> FY 2013-14 Total \$1,360,000 (CONST savings of \$2,589,000 to be returned to Santa Barbara County regional shares. The additional \$100,000 of CON ENG to come from Santa Barbara County regional shares.) (Future Consideration of Funding under Resolution E-12-12; March 2012.) (Contributions from other sources: \$6,098,000.) (Project scope is consistent with concurrent CMIA baseline proposed for approval under Resolution CMIA-P-1112-014B; April 2012.) <u>Outcome/Output:</u> Daily travel time savings: 935 hours. Peak period time savings: 5,610 minutes.	05-4638 RIP / 11-12 CON ENG \$1,800,000 \$1,900,000 CONST \$3,949,000 \$0 CMIA/11-12 CONST \$6,098,000 0500000550 4 463804	2011-12 304-6055 CMIA 20.20.721.000	\$6,098,000
2 \$3,088,000 Department of Transportation SANBAG 08-SBd-215 1.78	I-215 Newport Avenue Bridge Replacement Project. In the City of Grand Terrace at the Newport Avenue Overcrossing bridge. Remove and replace the existing OC structure at Newport Avenue in the City of Grand Terrace. Final Project Development: N/A Final Right of Way: N/A (Project scope is consistent with concurrent CMIA baseline proposed for approval under Resolution CMIA-P-1112-014B; April 2012.) (CEQA – CE 10/27/2011) (NEPA – CE 10/27/2011) (Contributions from local sources: \$0) (For construction purposes, this contact will be combined with 08-0M940 and 08-0H330 under EA 08-0M94U). <u>Outcome/Outputs:</u> When completed, the I-215 Newport Avenue Bridge Replacement project will result in daily vehicle- hours of delay savings of about 4,000 hours.	08-0243E CMIA/11-12 CONST \$3,088,000 0800020109 4 0P5104	2010-11 304-6055 CMIA 20.20.721.000	\$3,088,000

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2011

Reference No.: 2.5g.(1o)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR STATE ADMINISTERED MULTI-FUNDED CMIA/STIP
PROJECTS ON THE STATE HIGHWAY SYSTEM
RESOLUTION CMIA-A-1112-039
RESOLUTION STIP1B-A-1112-011**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$30,825,000 for the State administered multi-funded Proposition 1B Corridor Mobility Improvement Account (CMIA)/State Transportation Improvement Program (STIP) San Juan Road Interchange (PPNO 0058E) project in Monterey County, on the State Highway System.

ISSUE:

The attached vote list describes the State administered Proposition 1B CMIA/STIP project for \$30,825,000, plus \$17,875,000 from other sources. The Department is ready to proceed with this project, and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$30,825,000 be allocated from the Budget Act of 2010 and 2011, Budget Act Items 2660-304-6055 and 2660-304-6058, for the State administered Proposition 1B Corridor Mobility Improvement Account/State Transportation Improvement Program project described on the attached vote list.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B Corridor Mobility Improvement Program/State Transportation Improvement Program.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B State Transportation Improvement Program, Transportation Facilities Account Program.

Attachment

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2011

Reference No.: 2.5g.(1p)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR STATE ADMINISTERED MULTI-FUNDED CMIA/STIP
PROJECTS ON THE STATE HIGHWAY SYSTEM
RESOLUTION CMIA-A-1112-040
RESOLUTION STIP1B-A-1112-012**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$33,740,000 for the State administered multi-funded Proposition 1B Corridor Mobility Improvement Account (CMIA)/State Transportation Improvement Program (STIP) Reconstruct I-5/SR74 Interchange (PPNO 4102) project in Orange County, on the State Highway System.

ISSUE:

The attached vote list describes the State administered Proposition 1B CMIA/STIP project for \$33,740,000, plus \$4,074,000 from other sources. The Department is ready to proceed with this project, and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$33,740,000 be allocated from the Budget Act of 2011, Budget Act Items 2660-304-6055 and 2660-304-6058, for the State administered Proposition 1B Corridor Mobility Improvement Account/State Transportation Improvement Program project described on the attached vote list.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B Corridor Mobility Improvement Program/State Transportation Improvement Program.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B State Transportation Improvement Program, Transportation Facilities Account Program.

Attachment

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(1c)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR STATE ADMINISTERED CORRIDOR MOBILITY
IMPROVEMENT ACCOUNT PROJECTS ON THE STATE HIGHWAY SYSTEM
RESOLUTION CMIA-A-1112-029**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$147,242,000 for five State administered Proposition 1B Corridor Mobility Improvement Account (CMIA) Program projects, on the State Highway System.

ISSUE:

The attached vote list describes five State administered CMIA projects for \$147,242,000, plus \$15,860,000 from other sources. The Department is ready to proceed with these projects and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$147,242,000 be allocated from the Budget Act of 2010 and 2011, Budget Act Items 2660-004-6055 and 2660-304-6055 for eight State administered Proposition 1B Corridor Mobility Improvement Account projects described on the attached vote list.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B Corridor Mobility Improvement Program.

Attachment

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC Dist-Co-Rte Postmile	Project Title Project Description Project Funding	PPNO Program/Year Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type														
2.5g.(1c) Proposition 1B – State Administered CMIA Project on the State Highway System			Resolution CMIA-A-1112-029															
<p>1</p> <p>\$28,969,000</p> <p>Department of Transportation MTC 04-Ala-80 1.99/13.49</p>	<p>I-80 ICM Active Traffic Management. In Alameda and Contra Costa Counties. This project will construct various system management components, including dynamic message signs, closed-circuit television cameras, variable advisory speed signs, and other sign structures.</p> <p>Final Project Development: N/A</p> <p>Final Right of Way: N/A</p> <p>(Project Scope is consistent with the baseline amendment approved under Resolution CMIA-PA-1112-026 in January 2012.)</p> <p>(Future Consideration of Funding – Resolution E-11-69; October 2011.)</p> <p><u>Outcome/Outputs:</u> When combined with other contracts (PPNO's 0062J, 0062I, 0062G, and 0062H), the overall Interstate 80 Integrated Corridor Mobility project will result in daily vehicle-hours of delay savings of about 5,800 hours.</p>	<p>04-0062E CMIA/11-12 CON ENG \$3,675,000 CONST \$25,294,000 0400002044 4 3A77744</p>	<p>004-6055 CMIA 2011-12 304-6055 CMIA 20.20.721.000</p>	<p>\$3,675,000</p> <p>\$25,294,000</p>														
<p>2</p> <p>\$4,680,000</p> <p>Department of Transportation MTC 04-Ala-92/880 4.1/6.0 10.0/33.9</p>	<p>Freeway Performance Initiative - TOS and Ramp Metering. At various locations in Alameda, Santa Clara, and Solano Counties. Install ramp metering and traffic operations system (TOS) elements along various routes.</p> <p>Final Project Development: N/A</p> <p>Final Right of Way: N/A</p> <p>(CEQA – CE 07/29/2011) (NEPA – CE 07/29/2011)</p> <p>(Project Scope is consistent with the baseline amendment approved under Resolution CMIA-PA-1112-025 in January 2012.)</p> <p>The overall project scope will be delivered with five construction contracts:</p> <table border="1"> <thead> <tr> <th>Contract</th> <th>CMIA Funding for Construction</th> </tr> </thead> <tbody> <tr> <td>#1 04-15300</td> <td>\$828,000 (Support) \$3,852,000 (Capital)</td> </tr> <tr> <td>#2 04-15420</td> <td>\$1,097,000 (Support) \$1,532,000 (Capital)</td> </tr> <tr> <td>#3 04-15113</td> <td>\$1,546,000 (Support) \$2,375,000 (Capital)</td> </tr> <tr> <td>#4 04-15320</td> <td>\$1,964,000 (Support) \$6,245,000 (Capital)</td> </tr> <tr> <td>#5 04-15350</td> <td>\$2,518,000 (Support) \$21,000,000 (Capital)</td> </tr> <tr> <td>Total</td> <td>\$6,953,000 (Support) \$35,004,000 (Capital)</td> </tr> </tbody> </table> <p>The current allocation request is for Contract #1. There is a concurrent request to allocate \$2,000,000 SHOPP funds to this contract.</p> <p>(There is also a concurrent allocation request for Contract #2.)</p> <p><u>Outcome/Outputs:</u> When completed, the overall Freeway Performance Initiative project will result in daily vehicle-hours of delay savings of about 4,000 hours.</p>	Contract	CMIA Funding for Construction	#1 04-15300	\$828,000 (Support) \$3,852,000 (Capital)	#2 04-15420	\$1,097,000 (Support) \$1,532,000 (Capital)	#3 04-15113	\$1,546,000 (Support) \$2,375,000 (Capital)	#4 04-15320	\$1,964,000 (Support) \$6,245,000 (Capital)	#5 04-15350	\$2,518,000 (Support) \$21,000,000 (Capital)	Total	\$6,953,000 (Support) \$35,004,000 (Capital)	<p>04-0024 CMIA/11-12 CON ENG \$828,000 CONST \$3,852,000 04000020302 4 153004</p>	<p>004-6055 CMIA 2011-12 304-6055 CMIA 20.20.721.000</p>	<p>\$828,000</p> <p>\$3,852,000</p>
Contract	CMIA Funding for Construction																	
#1 04-15300	\$828,000 (Support) \$3,852,000 (Capital)																	
#2 04-15420	\$1,097,000 (Support) \$1,532,000 (Capital)																	
#3 04-15113	\$1,546,000 (Support) \$2,375,000 (Capital)																	
#4 04-15320	\$1,964,000 (Support) \$6,245,000 (Capital)																	
#5 04-15350	\$2,518,000 (Support) \$21,000,000 (Capital)																	
Total	\$6,953,000 (Support) \$35,004,000 (Capital)																	

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(1f)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR STATE ADMINISTERED MULTI-FUNDED CMIA/SLPP
PROJECTS ON THE STATE HIGHWAY SYSTEM
RESOLUTION CMIA-A-1112-032
RESOLUTION SLP1B-A-1112-18**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$24,108,000 for the State administered, multi-programmed Proposition 1B Corridor Mobility Improvement Account (CMIA)/State-Local Partnership Program (SLPP) North B-Sonoma Highway 101 Airport Interchange (PPNO 0749D) project in Sonoma County, on the State Highway System.

ISSUE:

The attached vote list describes one State administered CMIA/SLPP project for \$24,108,000, plus \$10,392,000 from other sources. The Department is ready to proceed with this project and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$24,108,000 be allocated from the Budget Act of 2011, Budget Act Item 2660-004-6055, 2660-304-6055, and 2660-304-6060 for the State administered Proposition 1B Corridor Mobility Improvement Account and State-Local Partnership Program project described on the attached vote list.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B Corridor Mobility Improvement Program.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B SLPP.

Attachment

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2011

Reference No.: 2.5g.(1g)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR STATE ADMINISTERED MULTI-FUNDED CMIA/STIP
PROJECTS ON THE STATE HIGHWAY SYSTEM
RESOLUTION CMIA-A-1112-033
RESOLUTION STIP1B-A-1112-006**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$29,664,000 for the State administered multi-funded Proposition 1B Corridor Mobility Improvement Account (CMIA)/State Transportation Improvement Program (STIP) Route 101 Marin-Sonoma Narrows – Southerly Interchange at Redwood Landfill Road (Contract B1) (PPNO 0360J) project, on the State Highway System.

ISSUE:

The attached vote list describes the State administered Proposition 1B CMIA/STIP project for \$29,664,000. The Department is ready to proceed with this project, and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$29,664,000 be allocated from the Budget Act of 2010 and 2011, Budget Act Items 2660-304-6055 and 2660-304-6058, for the State administered Proposition 1B Corridor Mobility Improvement Account/State Transportation Improvement Program project described on the attached vote list.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B Corridor Mobility Improvement Program/State Transportation Improvement Program.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B State Transportation Improvement Program, Transportation Facilities Account Program.

Attachment

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2011

Reference No.: 2.5g.(1h)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR STATE ADMINISTERED MULTI-FUNDED
CMIA/STIP/SLPP PROJECTS ON THE STATE HIGHWAY SYSTEM
RESOLUTION CMIA-A-1112-034
RESOLUTION STIP1B-A-1112-007
RESOLUTION SLP1B-A-1112-19**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$81,977,000 for the State administered Multi-programmed Proposition 1B Corridor Mobility Improvement Account (CMIA)/State Transportation Improvement Program (STIP)/State-Local Partnership Program (SLPP) Route 101 Marin Sonoma Narrows – Petaluma Boulevard South Interchange & Petaluma River Bridge Replacement (Contract B2) (PPNO 0360H) project, on the State Highway System.

ISSUE:

The attached vote list describes one State administered CMIA/STIP/SLPP project for \$81,977,000, plus \$6,065,000 from other sources. The Department is ready to proceed with this project, and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$81,977,000 be allocated from the Budget Act of 2010 and 2011, Budget Act Items 2660-004-6055, 2660-304-6055, 2660-304-6058, and 2660-304-6060, for one State administered Proposition 1B Corridor Mobility Improvement Account/State Transportation Improvement Program/ State-Local Partnership Program project described on the attached vote list.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B Corridor Mobility Improvement Program/State Transportation Improvement Program.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B State Transportation Improvement Program, Transportation Facilities Account Program.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B State-Local Partnership Program.

Attachment

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC County Dist-Co-Rte Postmile	Project Title Project Description Project Funding	PPNO Program/Year Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5g.(1h)	Proposition 1B – State-Administered Multi-Funded CMIA/STIP/SLPP Project on the State Highway System		Resolution CMIA-A-1112-034 Resolution STIP1B-A-1112-007 Resolution SLP1B-A-1112-19	
1 \$81,977,000 Department of Transportation MTC Sonoma 04-Son-101 0.9/3.6	Route 101 Marin Sonoma Narrows - Petaluma Boulevard South Interchange and Petaluma River Bridge Replacement, (Contract B2). Near Petaluma, at Petaluma Boulevard South and Route 101. Construct new interchange, frontage roads, and equipment for ramp metering. Also construct a new bridge structure over the Petaluma River Bridge (TCRP 18) Final Project Development (IIP) Support Estimate: \$4,500,000 Programmed Amount: <u>\$4,500,000</u> Adjustment: \$ 0 Final Right of Way (RIP) Right of Way Estimate: \$10,810,000 Programmed Amount: <u>\$10,810,000</u> Adjustment: \$ 0 (Future Consideration of Funding – Resolution E-09-70, September 2009.) (Project Scope is consistent with the baseline agreement approved under Resolution CMIA-P-1112-05B in October 2011.) (A 12-month time extension for RIP funds for CON was approved at the August 2011 CTC meeting and expires on June 30, 2012.) (Contributions from other sources: \$6,065,000.) <u>Outcome/Output:</u> When combined with other segments (PPNO 0360F and 0360J), the Marin Sonoma Narrows project will result in daily vehicle-hours of delay savings of about 10,368 hours.	04-0360H RIP / 10-11 CONST \$7,395,000 CMIA/11-12 CON ENG \$11,042,000 CONST \$61,675,000 SLPP/11-12 CONST \$1,865,000 0412000195 4 2640U4	2010-11 304-6058 TFA 20.20.075.600 004-6055 CMIA 2011-12 304-6055 CMIA 20.20.721.000 2011-12 304-6060 SLPP 20.20.724.000	\$7,395,000 \$11,042,000 \$61,675,000 \$1,865,000

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2011

Reference No.: 2.5g.(1q)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR STATE ADMINISTERED MULTI-FUNDED CMIA/STIP
PROJECTS ON THE STATE HIGHWAY SYSTEM
RESOLUTION CMIA-A-1112-037
RESOLUTION STIP1B-A-1112-010**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$33,740,000 for the State administered multi-funded Proposition 1B Corridor Mobility Improvement Account (CMIA)/State Transportation Improvement Program (STIP) Reconstruct I-5/SR74 Interchange (PPNO 4102) project in Orange County, on the State Highway System.

ISSUE:

The attached vote list describes the State administered Proposition 1B CMIA/STIP project for \$33,740,000, plus \$4,074,000 from other sources. The Department is ready to proceed with this project, and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$33,740,000 be allocated from the Budget Act of 2011, Budget Act Items 2660-304-6055 and 2660-304-6058, for the State administered Proposition 1B Corridor Mobility Improvement Account/State Transportation Improvement Program project described on the attached vote list.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B Corridor Mobility Improvement Program/State Transportation Improvement Program.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B State Transportation Improvement Program, Transportation Facilities Account Program.

Attachment

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.1c.(1e)/2.5g.(1i)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: ALLOCATION FOR RESERVE FUNDS FOR PREVIOUSLY VOTED PROJECT AND CORRIDOR MOBILITY IMPROVEMENT ACCOUNT BASELINE AMENDMENT RESOLUTION CMIA-PA-1112-036, AMENDING CMIA-PA-0809-009 RESOLUTION CMIA-A-1112-035,

RECOMMENDATION:

The Department of Transportation (Department) recommends that the California Transportation Commission (Commission) allocate \$11,043,000 in Corridor Mobility Improvement Account (CMIA) funds from the project contingency reserve and amend the CMIA baseline agreement to update the project funding plan for the State Route 24 Caldecott Tunnel Fourth Bore project (PPNO 0057A) in Alameda and Contra Costa Counties.

ISSUE:

Additional funds from the project contingency reserve are needed for this previously allocated CMIA project in order to complete construction.

PROJECT DESCRIPTION:

The State Route 24 Caldecott Tunnel Fourth Bore project is located in Alameda and Contra Costa Counties, from Route 13 to Wilder Road (former Gateway Boulevard). The project will

- Construct a two-lane bore north of the three existing Caldecott bores.
- Construct cross passages between the new bore and the existing northern bore.
- Replace existing Operations and Maintenance Control (OMC) building.

BACKGROUND AND FUNDING STATUS:

Construction capital was originally programmed with \$157,400,000 in CMIA, \$25,700,000 in Regional Improvement Program (RIP), and \$126,600,000 in local funds. At the time of original allocation in May 2009, the Commission allocated \$90,000,000 in CMIA funds and Regional American Recovery and Reinvestment Act of 2009 (Recovery Act) funds were used to replace the remaining CMIA and all RIP funds on the project. Furthermore, a project contingency reserve consisting of \$11,043,000 in CMIA and \$6,557,000 in local Measure J funds was established to deal with unforeseen cost increases during construction.

The project was awarded in November 2009 with savings. At its June 2010 meeting, the Commission approved Resolution CMIA-AA-0910-014 to de-allocate \$16,561,000 in CMIA to reflect award savings.

However, during excavation of the top-heading, ground conditions varied along about 40 percent of the tunnel length resulting in a cost overrun. This cost overrun is related to different site conditions and unit price adjustments for the various tunnel cross-section support categories. The project is now 60 percent complete. As a result of these differing geological conditions encountered during the tunnel excavation, \$27,000,000 in additional funds are needed to complete the project. This total shortfall of \$27,000,000 will be covered with \$11,043,000 in CMIA from the project contingency reserve, \$3,000,000 in Regional Recovery Act savings from construction support that will be transferred to construction capital, and \$12,957,000 in local funds.

At the time the CMIA funds were de-allocated to reflect award savings, the corresponding reductions in the local funds were not made to the funding plan. The project funding plan is now being updated to reflect those changes to local funds due to award savings.

RESOLUTION:

Resolved, that \$11,043,000 be allocated from the Budget Act of 2011, Budget Act Item 2660-304-6055 to provide additional funds for the project identified below, and that the Corridor Improvement Mobility Account Baseline Agreement be amended as shown on the following pages:

Dist-Co-Rte	Current Budget (All Funds)	Budget Adjustment	Revised Budget	Percent Increase Above Current Budget
04-ALA/CC 24	\$239,401,223	\$27,000,000 ¹	\$266,401,233	11.3%

¹(\$11,043,000 in CMIA, \$3,000,000 in Regional Recovery Act savings from construction support, and \$12,957,000 in local funds.)

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC Dist-Co-Rte Postmile	Project Title Location Project Description	PPNO Budget Year Fund Type Program Codes Project ID	State Federal Current Amount by Fund Type	State Federal Additional Amount by Fund Type
2.5g.(1i) Financial Allocation Amendment for a Multi Funded CMIA/ARRA Project - Supplemental Funds			Resolution CMIA-A-1112-035	
1 \$11,043,000 Department of Transportation MTC 04-Ala/CC-24 5.3/10.0 0/1.3	<p>State Route 24 Caldecott Tunnel Fourth Bore. Near Oakland, on Route 24 from Route 13 to Wilder Road (former Gateway Boulevard) in Alameda and Contra Costa Counties. Construct 2-lane fourth bore for the Caldecott Tunnel, north of existing third bore (TCRP #15)</p> <p>(At the time of original allocation in May 2009, a project contingency reserve consisting of \$11,043,000 in CMIA and \$6,557,000 in Measure J funds was established to deal with unforeseen cost increases during construction. This CMIA allocation is being requested against that reserve.</p> <p>As a result of differing geological conditions encountered during tunneling, \$27,000,000 in additional funds are needed to complete the project. This total shortfall of \$27,000,000 will be covered with \$11,043,000 in CMIA (Current Request), \$3,000,000 in Regional Recovery Act savings from construction support that will be transferred to construction capital, and \$12,957,000 in local funds.</p> <p><u>Outcome/Outputs:</u> When combined with other segments (PPNO 0057G and 0057I), the overall Route 24/Caldecott Tunnel Fourth Bore project will result in daily vehicle hours of delay savings of about 10,368 hours.</p>	<p>04-0057A 2008-09 804-0890 ARRA 20.20.721.000</p> <p>2011-12 304-6055 CMIA 20.20.721.000 0300000206</p>	\$73,439,000	\$11,043,000

REVISE: State Route 24 Caldecott Tunnel Fourth Bore Project (PPNO 0057A)

County	District	PPNO	EA	Element	Const. Year	PMBack	PM Ahead	Route/Corridor					
Alameda	4	0057A	29491	CO	2008-09	5.3 (Ala)	1.3 (CC)	24					
Implementing Agency: (by component)	PA&ED	Department					PS&E	Department					
	R/W	Department					CON	Department					
RTPA/CTC:	Metropolitan Transportation Commission												
Project Title:	State Route 24 Caldecott Tunnel Fourth Bore												
Location	Near Oakland, on Route 24 from Route 13 in Alameda County to Gateway Boulevard in Contra Costa County.												
Description:	Construct 2-lane fourth bore for the Caldecott Tunnel, north of existing third bore.												
(DOLLARS IN THOUSANDS)													
FUND	TOTAL	Project Totals by Fiscal Year						Project Totals by Component					
		Prior	10/11	11/12	12/13	13/14	14/15	R/W	CON	PA&ED	PS&E	R/W Supp	CON Supp
RIP - CON at the time of: 1) Original Programming=\$25,700, 2) Allocation=\$0, 3) Award=\$0													
Existing	2,000	2,000								2,000			
Change	0	0								0			
Proposed	2,000	2,000								2,000			
IIP													
Existing	17,965	17,965					795		9,000	5,200	270	2,700	
Change	0	0					0		0	0	0	0	
Proposed	17,965	17,965					795		9,000	5,200	270	2,700	
State Bond - CMIA - CON at the time of: 1) Original Programming=\$157,000, 2) Allocation=\$90,000, 3) Award=\$73,439													
Existing	73,439	73,439						73,439					
Change	11,043	11,043						11,043					
Proposed	84,482	84,482						84,482					
Traffic Congestion Relief Program (TCRP)													
Existing	19,978	19,978							9,993	9,985			
Change	0	0							0	0			
Proposed	19,978	19,978							9,993	9,985			
Demo Funds CON at the time of: 1) Original Programming=\$1,000, 2) Allocation=\$1,000, 3) Award=\$1,440													
Existing	1,440	1,440						1,440					
Change	0	0						0					
Proposed	1,440	1,440						1,440					
Regional Measure 2 CON at the time of: 1) Original Programming=\$30,500, 2) Allocation=\$30,500, 3) Award=\$22,494													
Existing	39,469	39,469						22,494	1,490	15,485			
Change	2,873	2,873						2,873	0	0			
Proposed	42,342	42,342						25,367	1,490	15,485			
Measure J CON at the time of: 1) Original Programming=\$96,100, 2) Allocation=\$89,543, 3) Award=\$59,971													
Existing	81,671	81,671						59,971				21,700	
Change	10,084	10,084						10,084				0	
Proposed	91,755	91,755						70,055				21,700	
Regional Recovery Act CON funds at the time of: 1) Original Programming=\$0, 2) Allocation=\$82,057, 3) Award=\$82,057													
Existing	99,657	99,657						82,057				17,600	
Change	0	0						3,000				(3,000)	
Proposed	99,657	99,657						85,057				14,600	
Total													
Existing	335,619	335,619					795	239,401	20,483	32,670	270	42,000	
Change	24,000	24,000					0	27,000	0	0	0	(3,000)	
Proposed	359,619	359,619					795	266,401	20,483	32,670	270	39,000	

NOTE:

The funding plan shown above does not include \$31,029,615 in local funds that has been set aside as project reserve.

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(2a)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR STATE ADMINISTERED STATE ROUTE 99 PROJECTS
ON THE STATE HIGHWAY SYSTEM
RESOLUTION R99-A-1112-008**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$58,100,000 for the State administered Proposition 1B State Route 99 (SR99) Island Park 6-Lane (PPNO 6274) project in Fresno and Madera Counties, on the State Highway System.

ISSUE:

The attached vote list describes one State administered SR99 project for \$58,100,000. The Department is ready to proceed with this project and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$58,100,000 be allocated from the Budget Act of 2011, Budget Act Items 2660-004-6072 and 2660-304-6072 for one State administered Proposition 1B State Route 99 Program project described in the attached vote box.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B State Route 99 Program.

Attachment

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(3a)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR STATE ADMINISTERED MULTI-FUNDED STIP/CMIA PROJECTS ON THE STATE HIGHWAY SYSTEM**
RESOLUTION STIP1B-A-1112-008
RESOLUTION CMIA-A-1112-036

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$81,941,000 for the State administered multi-funded State Transportation Improvement Program (STIP)/Proposition 1B Corridor Mobility Improvement Account (CMIA) I-215 HOV Bi-County Gap Closure (PPNO 0041G) project in Riverside and San Bernardino Counties, on the State Highway System.

ISSUE:

The attached vote list describes one State administered Proposition 1B STIP/CMIA project for \$81,941,000, plus \$68,345,000 from other sources. The Department is ready to proceed with this project and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$81,941,000 be allocated from the Budget Act of 2010, Budget Act Item 2660-304-6058, 2660-004-6055, and 2660-304-6055 for one State administered Proposition 1B STIP/CMIA project described in the attached vote box.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B State Transportation Improvement Program, Transportation Facilities Account Program.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B Corridor Mobility Improvement Program/State Transportation Improvement Program.

Attachment

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(3b)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR STATE ADMINISTERED STIP PROJECTS ON THE STATE HIGHWAY SYSTEM**
RESOLUTION STIP1B-A-1112-009

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$21,226,000 for the State administered State Transportation Improvement Program (STIP) 19th Avenue Interchange (PPNO 4330) project in Kings County, on the State Highway System.

ISSUE:

The attached vote list describes one State administered STIP project for \$21,226,000. The Department is ready to proceed with this project and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$21,226,000 be allocated from the Budget Act of 2010, Budget Act Item 2660-304-6058 for one State administered STIP project described in the attached vote box.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B State Transportation Improvement Program, Transportation Facilities Account Program.

Attachment

2.5 Highway Financial Matters

Project # Allocation Amount Recipient <u>RTPA/CTC</u> County Dist-Co-Rte Postmile	Project Title Location Project Description Project Support Expenditures	PPNO Program/Year Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5g.(3b) Proposition 1B – State Administered STIP Project on the State Highway System			Resolution STIP1B-A-1112-009	
1 \$21,226,000 Department of Transportation <u>KCAG</u> Kings 06N-Kin-198 8.6/9.7	19th Avenue Interchange. In Lemoore, on Route 198 at 19th Avenue. Construct interchange. Final Project Development Support Estimate: \$6,027,000 Programmed Amount: <u>\$3,101,000</u> Adjustment: \$2,926,000 (Debit) Final Right of Way Right of Way Estimate: \$6,923,000 Programmed Amount: <u>\$6,255,000</u> Adjustment: \$ 0 (< 20%) The 19 th Avenue Interchange Landscaping project (PPNO 4330Y) will be split off as follows, funded from Kings County regional shares: Const Support \$ 102,000 FY 2013-14 Const <u>\$1,022,000</u> FY 2013-14 Total \$1,124,000 (Construction savings of \$3,950,000 to be returned to Kings County regional shares after accounting for the landscaping project described above.) (Future Consideration of Funding – Resolution E-05-18, September 2005.) <u>Outcome/Output:</u> Project will provide access to and link developing areas currently split by SR 198, and improve safety.	06-4330 RIP / 11-12 CON ENG \$2,770,000 CONST \$26,300,000 \$21,226,000 0600000367 4 325504	2010-11 304-6058 TFA 20.20.075.600	\$21,226,000

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(5)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR LOCALLY ADMINISTERED TRADE CORRIDOR
IMPROVEMENT FUND PROJECTS OFF THE STATE HIGHWAY SYSTEM
RESOLUTION TCIF-A-1112-10**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$55,220,000 for two locally administered Proposition 1B Trade Corridor Improvement Fund (TCIF) projects, off the State Highway System.

ISSUE:

The attached vote list describes two locally administered Proposition 1B TCIF projects for \$55,220,000, plus \$74,163,000 from other sources. The local agencies are ready to proceed with these projects and are requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$55,220,000 be allocated from the Budget Act of 2010, Budget Act Item 2660-104-6056 for two State administered Proposition 1B Trade Corridors Improvement Fund projects described in the attached vote box.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B Trade Corridor Improvement Fund.

Attachment

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Location Project Description	PPNO Program/Year Phase Prgm'd Amount Project ID	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5g.(5) Proposition 1B – Locally Administered TCIF Projects off the State Highway System		Resolution TCIF-A-1112-10		
1 \$7,200,000 Port of Stockton SJCOG 10-San Joaquin	San Francisco Bay to Stockton Channel Deepening. Between San Francisco Bay and the Port of Stockton. Deepen the ship channel from 35 feet to 45 feet from Pinole Shoal to New York Slough, and from 35 feet to 40 feet from New York Slough to the Port of Stockton. (TCIF Project 11) (CEQA – NE, 03/02/2012.) (Concurrent TCIF program amendment under Resolution TCIF-P-1112-29; April 2012.) (Contributions from other sources: \$7,200,000.) <u>Outcome/Output:</u> A savings in waterborne transportation costs, improved vessel time reliability, reduced highway congestion and annual truck/miles travels on freeways due to a shift in mode of commercial transportation from road to waterway, reduced truck emissions, and increase in highway safety due to reduced truck traffic.	10-TC11 TCIF/11-12 CONST \$17,500,000 \$7,200,000 1000020283	2010-11 104-6056 TCIF 20.30.210.300	\$7,200,000
2 \$48,020,000 Orange County Transportation Authority OCTA 12-Orange	Orangethorpe Avenue Grade Separation. In Placentia, at the Orangethorpe Avenue at-grade crossing. Construct roadway overpass, including structures at Chapman Avenue and Miller Street. TCIF #37 (Concurrent TCIF program amendment under Resolution TCIF-P-1112-32; April 2012.) (Future Consideration of Funding under Resolution E-10-74, August 2010.) (Contributions from other sources: \$66,963,000.) <u>Outcome/Output:</u> Decrease in traffic congestion and travel time. The elimination of collision points will provide greater driver safety.	12-TC37 TCIF/11-12 CONST \$41,666,000 \$48,020,000 1200020231	2010-11 104-6056 TCIF 20.30.210.300	\$48,020,000

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(6)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR PROPOSITION 1B SHOPP PROJECTS**
RESOLUTION SHOP1B-A-1112-003

RECOMMENDATION:

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$53,892,000 for the Route 80 Roadway project (PPNO 8378B) State Highway Operations and Protection Program (SHOPP) project to be funded from Proposition 1B. Allocation would be contingent upon approval of a budget revision by the Department of Finance.

ISSUE:

The attached vote list describes one Proposition 1B SHOPP project totaling \$53,892,000. The Department is ready to proceed with this project and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$6,267,000 be allocated from the Budget Act of 2010, and \$47,625,000 be allocated from the Budget Act of 2011, Budget Act Item 2660-304-6064, for one Proposition 1B SHOPP project, as described on the attached vote list.

The Department has complied with the National Environmental Policy Act and the California Environmental Quality Act requirements in preparing these projects.

Be it further resolved that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B State Highway Operation and Protection Program.

Attachment

2.5 Highway Financial Matters

Project # Allocation Amount County Dist-Co-Rte Postmile	Location Project Description	PPNO Program/Year Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5g.(6) Proposition 1B – SHOPP Project Allocations		Resolution SHOP1B-A-1112-003		
1 \$53,892,000 Solano 04-Sol-80 30.6/38.7	In Solano County from 0.1 mile east of Leisure Town Overcrossing to 1.0 mile west of Pedrick Road Overcrossing. <u>Outcome/Outputs:</u> Rehabilitate 48.6 lane miles of pavement to improve ride quality, prevent further deterioration of the road surface, minimize the costly roadway repairs, and extend the pavement life. (CEQA – CE, 12/15/2009) (NEPA – CE, 12/15/2009) ALLOCATION IS CONTINGENT UPON APPROVAL OF A BUDGET REVISION BY THE DEPARTMENT OF FINANCE.	04-8378B SHOPP/12-13 \$50,000,000 0400001101 4 4A0104	2011-12 304-6064 HSRPA 20.20.201.120	\$53,892,000

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(9)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR LOCALLY ADMINISTERED HIGHWAY-RAILROAD
CROSSING SAFETY ACCOUNT PROJECTS
RESOLUTION GS1B-A-1112-004**

RECOMMENDATION:

The California Department of Transportation recommends the California Transportation Commission (Commission) allocate \$25,600,000 for the locally administered Proposition 1B Highway-Railroad Crossing Safety Account (HRCSA) Program Nogales Street Grade Separation project in Los Angeles County.

ISSUE:

The attached vote list describes one locally administered HRCSA project for \$25,600,000, plus \$68,336,000 from other sources. The local agency is ready to proceed with this project and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$25,600,000 be allocated from the Budget Act of 2010, Budget Act Item 2660-104-6063 for the one local Proposition 1B Highway-Railroad Crossing Safety Account Program project described in the attached vote box.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B Highway-Railroad Crossing Safety Account Program.

Attachment

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Location Project Description	PPNO Program/Year Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.5g.(9) Proposition 1B – Locally Administered Highway-Rail Crossing Safety Account (HRCSA) Projects			Resolution GS1B-A-1112-004	
1 \$25,600,000 Alameda Corridor- East Construction Authority LACMTA 07-Los Angeles	Nogales Street Grade Separation. Construct a six-lane roadway beneath the UPRR right-of-way and include the widening of a 1.7-mile segment of Gale Avenue-Walnut Drive N. (Original programming resolution GS1B-P-1011-01.) (Future Consideration of Funding – Resolution E-09-97, December 2009.) (Contributions from other sources: \$68,336,000.) <u>Outcome/Output:</u> This project will eliminate potential collisions between trains, vehicles and pedestrians; improve emergency vehicle response time; reduce emissions and noise.	75-Rail HRCSA/10-11 CON ENG \$5,480,000 CONST \$20,120,000 0012000234 S H022BA	2010-11 104-6063 HRCSA 20.30.010.400	\$25,600,000

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.5g.(10b)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR LOCALLY ADMINISTERED STATE-LOCAL PARTNERSHIP PROGRAM FUND PROJECTS ON THE STATE HIGHWAY SYSTEM RESOLUTION SLP1B-A-1112-21**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$3,800,000 for the locally administered Proposition 1B State-Local Partnership Program (SLPP) I-5 French Camp Interchange (PPNO 7239) project in San Joaquin County, on the State Highway System.

ISSUE:

The attached vote list describes one locally administered SLPP project for \$3,800,000. The Department is ready to proceed with this project and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$3,800,000 be allocated from the Budget Act of 2011, Budget Act Item 2660-304-6060 for one locally administered Proposition 1B State-Local Partnership Program project described in the attached vote list.

Be it further resolved, that as a condition of allocation of these funds and to perform its administrative role established by Senate Bill 88, the Commission requests that the Department perform the functions necessary to ensure proper accountability measures are employed and reporting requirements are met for the Proposition 1B SLPP.

Attachment

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.1c.(10)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Jane Perez
Chief
Division of Mass Transportation

Subject: **PROPOSITION 1B – LETTER OF NO PREJUDICE**
RESOLUTION LONP1B-A-1112-14

RECOMMENDATION:

The California Department of Transportation recommends that the California Transportation Commission (Commission) consider this Letter of No Prejudice (LONP), available under Assembly Bill (AB) 672, for the BART Vehicles project in Santa Clara County.

ISSUE:

Due to the unavailability of Proposition 1B State-Local Partnership Program (SLPP) funds, the Santa Clara Valley Transportation Authority (SCVTA) is requesting AB 672 authority to substitute \$34,760,000 of programmed SLPP construction funds with local district sales tax funds for the completion of the programmed project and to keep the BART Vehicles project on schedule.

The project will consist of purchasing up to 60 heavy rail vehicles to be used for the BART to San Jose Phase 1 Corridor project.

BACKGROUND:

Government Code Section 14556.33 allows an applicant agency that is either a regional or local entity, to seek approval of an LONP. If approved by the Commission, the LONP allows the applicant agency to expend its own funds for any component of the transportation project, and seek allocation and reimbursement from the SLPP in the future.

RESOLUTION LONP1B-A-1112-14:

Resolved, with all conditions stipulated still in effect, the California Transportation Commission hereby approves a Letter of No Prejudice (LONP) for the BART Vehicles project, programmed in, or otherwise funded from, the Proposition 1B State-Local Partnership Program (SLPP); and

Be it Further Resolved, that the agency understands that they proceed at their own risk, as reimbursement is dependent on future availability of SLPP funding; and

Be it Further Resolved, that the project component covered by an approved LONP should be ready to proceed to contract award (or equivalent) once the LONP is approved; and

Be it Further Resolved, that the agency shall report to the California Department of Transportation following LONP approval on progress in executing agreements and third-party contracts needed to execute the work.

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.6a.(1)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR LOCALLY ADMINISTERED TRANSIT PROGRAM
PROJECTS OFF THE STATE HIGHWAY SYSTEM
RESOLUTION MFP-11-10**

RECOMMENDATION:

The California Department of Transportation recommends the California Transportation Commission (Commission) allocate \$18,540,000 for one locally administered State Transportation Improvement Program (STIP) Transit Capitol LRT Extension to Eastridge Transit Center & Bus Improvement (PPNO 2174B) project in Santa Clara County off the State Highway System.

ISSUE:

The attached vote list describes one locally administered STIP Transit project totaling \$18,540,000. The local agency is ready to proceed with this project and is requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$18,540,000 be allocated from the Budget Act of 2010, Budget Act Item 2660-101-0046 for one locally administered STIP Transit project described on the attached vote list.

Attachment

2.5 Highway Financial Matters

Project #	Allocation Amount	Recipient	Project Title	Dist-PPNO Program / Year Programmed: Phase	Prgm'd Amount	Budget Year	Item #	Amount by
<u>RTPA/CTC</u>		District-County	Project Description	Project ID	Adv Phase	Fund Type	Program Code	Fund Type
				EA				
2.6a.(1) Locally Administered STIP Transit Projects				Resolution MFP-11-10				
1	\$18,540,000	Santa Clara County	Capitol LRT Extension to Eastridge Transit Center & Bus Improvement.	04-2174B		2010-11		
Valley		Transportation Authority	Improvements to transit center that include, expansion of facility, enhanced passenger amenities and modifications to bicycle parking areas.	RIP/11-12		101-0046		\$18,540,000
<u>MTC</u>		04-Santa Clara	<u>Outcome/Output:</u> Improve transit connections and pedestrian access to the transit center.	CONST		PTA		
				\$18,540,000		30.10.070.625		
				0412000444				
				S				
				R264TB				

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.6a.(2)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Steven Keck
Division Chief
Budgets

Subject: **FINANCIAL ALLOCATION FOR STATE ADMINISTERED RAIL PROGRAM PROJECTS
RESOLUTION MFP-11-11**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) allocate \$28,520,000 for four State administered State Transportation Improvement Program (STIP) Rail projects. These allocations are being funded by federal grants made available from the Federal Railroad Administration, High-Speed Intercity Passenger Rail Program.

ISSUE:

The attached vote list describes four State administered STIP Rail projects totaling \$28,520,000, plus \$87,632,000 from other sources. The Department is ready to proceed with these projects and it requesting an allocation at this time.

FINANCIAL RESOLUTION:

Resolved, that \$28,520,000 be allocated from the Budget Act of 2010 and 2011, Budget Act Item 2660-301-0890 for four State administered STIP Rail projects described on the attached vote list.

Attachment

2.5 Highway Financial Matters

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Project Description	Dist-PPNO Program / Year Programmed: Phase Prgm'd Amount Project ID Adv Phase EA	Budget Year Item # Fund Type Program Code	Amount by Fund Type
2.6a.(2) State Administered Rail Projects (Federal Transportation Funds)		Resolution MFP-11-11		
1 \$950,000 Department of Transportation SBCAG 05-Santa Barbara	Pacific Surfliner - PE NEPA Ortega - Track 1B Perform preliminary design, conduct environmental reviews and prepare NEPA environmental documentation for the proposed 12,510-foot long Ortega Siding project in Santa Barbara County, located on the Union Pacific Santa Barbara subdivision between milepost (MP) 373.6 and MP 375.9, approximately 7 miles south of the City of Santa Barbara. (Contributions from Santa Barbara County Association of Governments (SBCAG): \$250,000.) <u>Outcome/Output:</u> Design improvements and prepare environmental documentation for the proposed Ortega Siding project, construction of which will result in improved operating efficiencies and will remove a capacity constraint to future passenger rail service on the Los Angeles-San Diego-San Luis Obispo rail corridor used by the Pacific Surfliner.	75-Rail HSIPR/10-11 PA&ED \$950,000 0012000145 S RA05CA	2010-11 301-0890 FTF 30.20.725.000	\$950,000
2 \$950,000 Department of Transportation Various 07-Ventura	Pacific Surfliner—Sea Cliff Siding and Track Realignment Complete preliminary design and environmental review to support final design and construction of a track realignment and siding extension project in Ventura County, located on the Union Pacific Santa Barbara subdivision between milepost (MP) 383.6 and MP 386.4, approximately 17 miles south of the City of Santa Barbara. (Contributions from SBCAG: \$250,000.) <u>Outcome/Output:</u> Design improvements and prepare environmental documentation for the proposed Sea Cliff Siding project, construction of which will result in improved operating efficiencies and will remove a capacity constraint to future passenger rail service on the Los Angeles-San Diego-San Luis Obispo rail corridor used by the Pacific Surfliner.	75-Rail HSIPR/11-12 PA&ED \$950,000 0012000146 S RA04CA	2011-12 301-0890 FTF 30.20.725.000	\$950,000
3 \$24,900,000 Department of Transportation SANDAG 11-San Diego	Positive Train Control San Onofre to San Diego Install Positive Train Control (PTC) in San Diego County. (CEQA – Statutorily Exempt Section 21080(b)(10)) (NEPA – Categorically Exempt Section 23 CFR 771.117(c)(8)) (Contributions from other sources: \$87,132,000.) <u>Outcome/Output:</u> PTC is an advanced technology collision avoidance system designed to improve the safe operation of passenger and freight railroads. Implementation of PTC is currently mandated by December 31, 2015 under federal law.	75-Rail HSIPR/11-12 CONST \$24,900,000 0012000081 S R995CA	2011-12 301-0890 FTF 30.20.725.000	\$24,900,000
4 \$1,720,000 Department of Transportation OCTA 12-Orange	Pacific Surfliner – MOW Spurs – Track 1a Build two 1,000 foot long Maintenance of Way (MOW) spur tracks in Orange County located at milepost (MP) 165.9 within the city of Anaheim and at MP 192.5 within the City of Laguna Niguel. (CEQA – Statutorily Exempt Section 21080(b)(10)) (NEPA – Categorically Exempt Section 23 CFR771.117(c)(8)) <u>Outcome/Output:</u> The construction of these MOW spurs will extend the hours of intercity passenger rail service on the Orange Subdivision by allowing roadbed and track maintenance equipment to be stored at and staged from multiple locations, minimizing the mobilization time for track maintenance.	75-Rail HSIPR/10-11 CONST \$1,720,000 0000020921 S R994CA	2010-11 301-0890 FTF 30.20.725.000	\$1,720,000

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No. 2.8a.
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT ALLOCATION FOR LOCALLY-ADMINISTERED ON-SYSTEM STIP PROJECTS, PER STIP GUIDELINES WAIVER-12-13**

RECOMMENDATION:

The California Department of Transportation (Department) requests that the California Transportation Commission (Commission) extend the period of project allocation for the Route 101 Golden Gate Median Moveable Barrier project (2014U) in San Francisco and Marin Counties.

ISSUE:

Due to unforeseen delays in completing the Environmental (PA&ED) phase, the Golden Gate Bridge Highway and Transportation District will not be able to request the allocation of \$20,000,000 in Regional Improvement Program (RIP) funds currently programmed for construction in Fiscal Year 2011-12, by the June 30, 2012 deadline. Therefore, the Golden Gate Bridge Highway and Transportation District is requesting an 18-month allocation extension to December 31, 2013.

The Route 101 Golden Gate Moveable Barrier project will install a moveable median barrier on the Golden Gate Bridge. The barrier will also extend about 2,000 feet north and 700 feet south on the roadway approaching the bridge. Once completed, these barrier improvements will eliminate crossover head-on collisions while maintaining the ability to change lane configurations on the bridge throughout the day to accommodate variable peak traffic flow patterns.

The installation of the moveable barrier on the bridge and its approaches is limited by a number of constraints related to the existing roadway geometry, right of way issues on the approaches to the bridge and the coordination with many stakeholders having jurisdiction or vested interest in the operations along the bridge approaches. Due to these challenges, significant time and effort has been spent to address complex operational and maintenance issues. Before all the necessary environmental studies can be completed, additional time is needed to resolve various traffic lane reconfiguration related issues and to complete the development of lane changing operations and maintenance of the moveable barrier which needs to be coordinated with the Golden Gate National Recreation Area, the Presidio Trust and with the design and construction details of certain elements of the Doyle Drive project. It is expected that the PA&ED will be completed by May 2012 and the project will be ready for allocation by December 2013.

Therefore, the Golden Gate Bridge Highway and Transportation District is requesting an 18-month extension to the period of project allocation.

The Metropolitan Transportation Commission 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.

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.8b.(1)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Denix D. Anbiah
Division Chief
Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR STATE-LOCAL PARTNERSHIP PROGRAM PROJECT, PER SLPP GUIDELINES WAIVER-12-15**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve the request by the City of Clovis (City) to extend the period of contract award for the Proposition 1B State-Local Partnership Program (SLPP) for the Bullard Avenue and Locan Avenue project for 12 months from April 30, 2012 to April 30, 2013, per SLPP Guidelines.

ISSUE:

On October 26, 2011, the Commission allocated \$315,000 to the City for construction of the Bullard Avenue and Locan Avenue project. The City will be unable to award the contract by the award deadline of April 30, 2012. The City is requesting a 12-month time extension to April 30, 2013.

BACKGROUND:

The Bullard Avenue and Locan Avenue project includes converting Bullard Avenue from a two lane undivided to a three lane divided arterial, installing a landscaped median island, one westbound and two eastbound travel lanes, and bicycle lanes in both directions. Locan Avenue will remain a two lane undivided, but will include a two way left turn lane and bike lanes.

The developer that is providing the matching funds for this project has recently experienced a substantial slowdown in housing sales and as a result has had to place resources that were to be used on this project onto other projects elsewhere in the region. The developer has now committed to the City that the project will be delivered and the developer funds allocated if a one year extension is granted. The City has executed a formal funding agreement to facilitate the project delivery and the developer's commitment to the funding. The City expects to advertise the project in March 2013 and award in April 2013.

In April 2010, the Commission adopted the SLPP Guidelines (Resolution SLP1B-G-0910-002) which require the agency implementing a project to request a time extension if the project will not be awarded within six months of the allocation. The SLPP Guidelines stipulate that the Commission may approve a waiver to the timely use of funds deadline one time only for up to 20 months.

M e m o r a n d u m

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.8b.(2)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Denix D. Anbiah
Division Chief
Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR STATE-LOCAL PARTNERSHIP PROGRAM PROJECT, PER SLPP GUIDELINES WAIVER-12-16**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve the request by the City of Anaheim (City) to extend the period of contract award for the Proposition 1B State-Local Partnership Program (SLPP) for the Tustin Avenue and La Palma Avenue widening project for 12 months from April 30, 2012 to April 30, 2013, per SLPP Guidelines.

ISSUE:

On October 26, 2011, the Commission allocated \$1,000,000 to the City for construction of the Tustin Avenue and La Palma Avenue widening project. The City will be unable to award the contract by the award deadline of April 30, 2012. The City is requesting a 12-month time extension to April 30, 2013.

BACKGROUND:

The Tustin Ave and La Palma Ave widening project includes road widening and reconfiguring, dedicated left and right turn only lanes, new through lanes, and a new right turn lane onto the State Route 91 Westbound ramp.

The right-of-way phase started in February 2011. After months of negotiations, the City has been unable to reach an agreement with the property owners. In January 2012, the City passed Resolution Number 2012-004 and Number 2012-005, which states the necessity for the acquisition of the properties and starts the eminent domain process. The City expects to get order of possession (property acquisition) by July 2012, and will proceed with the right-of-way certification process. The project is now scheduled to be advertised in October 2012, and awarded in January 2013. The City is also requesting an additional three months if any unforeseen issues arise.

In April 2010, the Commission adopted the SLPP Guidelines (Resolution SLP1B-G-0910-002), which require the agency implementing a project to request a time extension if the project will not be awarded within six months of the allocation. The SLPP Guidelines stipulate that the Commission may approve a waiver to the timely use of funds deadline one time only for up to 20 months.

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.8b.(3)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR LOCALLY ADMINISTERED PROJECT ON THE STATE HIGHWAY SYSTEM, PER SLPP GUIDELINES WAIVER-12-17**

RECOMMENDATION:

The California Department of Transportation (Department), on behalf of the City of Sutter Creek (City) in Amador County, recommends the California Transportation Commission (Commission) extend the period of contract award for three months to July 31, 2012, for the local capital outlay SR-104/Prospect Drive Realignment State-Local Partnership Program (SLPP) project. The project is to construct left turn lanes and install a traffic signal.

ISSUE:

In October 27, 2011, the Commission allocated \$885,000 for one locally administered SLPP project. In accordance with SLPP Guidelines, the deadline to award contracts for projects allocated in October 2011 is April 30, 2012. However, the City will not be able to meet the deadline to award the contract due to unexpected project circumstances. The project is close to a PG&E high pressure natural gas supply line and as such, PG&E has asked the City to include a Blasting Plan as part of the bid document. The City has agreed and is in the process of developing the plan and obtaining PG&E concurrence. In addition, an adjacent property owner has offered dedication of minor right of way to accommodate larger truck turns and better serve the future demands. This 6-month time extension will allow the City to advertise and award the contract upon completion of the blasting plan and resolve final right of way issues.

BACKGROUND:

In April 2010, the Commission adopted the State-Local Partnership Program Guidelines (Resolution SLP1B-G-0910-002) which require the agency implementing a project to request a time extension if the project will not be awarded within six months of the allocation. The SLPP Guidelines stipulate that the Commission may approve a waiver to the timely use of funds deadline one time only for up to 20 months.

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No. 2.8d.
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Kurt Scherzinger
Acting Division Chief
Transportation Programming

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT DEVELOPMENT EXPENDITURES FOR LOCALLY-ADMINISTRATED STIP PROJECTS, PER STIP GUIDELINES WAIVER-12-14**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve the request to extend the period of project development expenditure for Plans, Specifications, and Estimates (PS&E) for the I-880 Landscape Enhancements project (PPNO 2100K) in Alameda County by 12 months, to June 30, 2013 per State Transportation Improvement Program (STIP) Guidelines.

ISSUE:

At its June 2010 meeting, the Commission approved Resolution FP-09-50, allocating \$400,000 in Regional Improvement Program (RIP) funds for the PS&E component of the I-880 Landscape Enhancements project (PPNO 2100K). The Alameda County Transportation Commission (Agency) is the implementing agency for this phase of the project. The Agency anticipates that it will not be able to fully expend the PS&E funds due to delays to another project whose project limits fully encompass the project limits of the landscaping project. The Agency is requesting a 12-month time extension for the PS&E expenditures.

BACKGROUND:

The project limits for this project are fully contained within the limits of the much larger Corridor Mobility Improvement Account (CMIA) funded I-880 Southbound HOV Lane Extension – Hegenberger Road to Marina Boulevard project. The scope of work for the landscaping project includes establishment of various landscaping elements in the interchange areas that are being re-configured as part of the CMIA project. These interchange reconfigurations were not finalized until October 2011. Only after that, the design of the landscaping project started.

The Agency is requesting to extend the period of project development expenditures for the PS&E phase by 12 months in order to fully utilize the PS&E funding for completing the design work.

The Metropolitan Transportation Commission concurs with this request.

BACKGROUND:

Current 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.

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: April 25-26, 2012

Reference No.: 2.8f.
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Jane Perez
Division Chief
Mass Transportation

Subject: **POST-FACT REQUEST TO EXTEND THE PERIOD OF PROJECT REIMBURSEMENT FOR LOCALLY- ADMINISTERED STIP TRANSIT PROJECT, PER STIP GUIDELINES WAIVER-12-18**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve a five month extension for the period of project reimbursement, to May 31, 2012, for the Glendale Grade Separation project (PPNO 9814).

ISSUE:

On June 6, 2007, the Commission approved Resolution MFP-06-22 allocating a total of \$31,375,000 to the City of Glendale (City) for the Glendale Grade Separation project. A contract was awarded on November 6, 2007. A waiver for project completion was also granted on September 23, 2010. The City was unable to close out the project and submit final invoices within the 180 days allowed after the June 30, 2011 termination date due to delay in the City releasing the retention payment. Issues that contributed to the delay in the release of the retention payment included: resolution of claims by the prime contractor, claims by subcontractors and delay in payment to the Department for additional encroachment permits. The City acknowledges that a time extension request should have been submitted prior to the deadline of December 30, 2011, but concludes that staff was focused on resolving the issues stated prior, which were necessary to close-out the construction contract.

The City has proposed to submit a final invoice in draft form for Department review while waiting for a decision by the Commission on this time extension request. A five month extension for the period of project reimbursement to extend the deadline to May 31, 2012, is being requested.

BACKGROUND:

Current State Transportation Improvement Program guidelines stipulate that a local agency has 180 days after project acceptance to make the final payment to the contractor or vendor, prepare the final report of expenditure, and submit the final invoice to the Department for reimbursement. The Commission may approve waivers to the timely use of funds deadline one time only for up to 20 months in accordance with Government Code Section 14529.8.