

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: August 22, 2012

Reference No.: 4.6  
Action

From: BIMLA G. RHINEHART  
Executive Director

Subject: **AMENDMENT TO THE FISCAL YEAR (FY) 2011-12  
ENVIRONMENTAL ENHANCEMENT AND MITIGATION (EEM) PROGRAM  
RESOLUTION G-12-12, AMENDING RESOLUTION G-12-04**

## **ISSUE**

The Commission has the statutory responsibility to allocate the \$10 million provided in the Fiscal Year (FY) 2011-12 State Budget to fund the Environmental Enhancement and Mitigation (EEM) Program, as prioritized by the California Natural Resources Agency.

Should the Commission move a project from the FY 2010-11 EEM Program Substitution List, program the project in the FY 2011-12 EEM Program, and allocate \$245,000 to the project from the \$316,222 unallocated balance available from the \$10 million provided FY 2011-12 EEM Program?

## **RECOMMENDATION**

Staff recommends that the Commission adopt the attached resolution to move the City of Rocklin's Sierra College Boulevard/I-80 Interchange project from the FY 2010-11 EEM Program Substitution List, to program the project in the FY 2011-12 EEM Program, to allocate \$245,000 to the project, and to amend the FY 2011-12 EEM Program to \$9,928,778.

## **BACKGROUND**

The California Natural Resources Agency received 61 grant applications for FY 2011-12. The 58 eligible applications were evaluated and used to develop a Recommended for Funding List.

On February 23, 2012, the Commission adopted the FY 2011-12 EEM Program. The 32 projects on the Recommended for Funding list were shown in North/South sections by project Category, with the 17 projects in the north for \$5,795,618, and the 15 projects in the south for \$4,132,960, for a FY 2011-12 EEM Program total of \$9,928,578.

On March 28, 2012, the Commission reduced EEM funds for The American River Conservancy's Brush Creek Ranch project by \$244,800, and amended the FY 2011-12 EEM Program down to \$9,683,778, increasing the balance for future allocations to \$316,222.

The FY 2011-12 EEM Program did not include a Substitution List. This amendment programs the Sierra College Boulevard/I-80 Interchange project in the FY 2011-12 EEM Program, approves the \$245,000 for the project, and amends the FY 2011-12 EEM Program increasing it to \$9,928,778.

This leaves a remaining balance of \$71,222 for future allocations.

**BACKGROUND**

Under EEM statutes, the Resources Agency is responsible for developing and adopting procedures and criteria; evaluating grant proposals; submitting a list of ranked projects recommended for funding; and finding that the projects are eligible for funding under Article XIX of the State Constitution. The Resources Agency's procedures and criteria contain a detailed, quantitative scoring mechanism that is used to evaluate and rank projects in priority order by assigning point scores to each project. In accordance with the provisions of Section 187 and 188 of the Streets and Highways Code, an attempt is made to allocate 40% of the total amount recommended to projects in the northern counties and 60% of the total amount to projects in southern counties.

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

The general categories of EEM projects eligible for funding are:

- Highway Landscape and Urban Forestry projects designed to offset vehicular emissions of carbon dioxide through the planting of trees and other suitable plants. Projects may be within or outside the right-of-way of the related transportation facility. Projects within the right-of-way, however, are not intended to supplant or augment highway landscaping that would normally be funded by the responsible public agency. Any planting within public road rights-of-way shall be limited to trees only.
- Resource Lands acquisition, restoration or enhancement of resource lands to mitigate the loss of, or the detriment to, resource lands lying within or near the right-of-way, acquired for proposed transportation improvements. Resource lands include natural areas, wetlands, forests, woodlands, meadows, streams, or other areas containing fish or wildlife habitat. Enhancement of resource lands may include the restoration of wildlife corridors.
- Roadside Recreational acquisition and/or development of roadside recreational opportunities, including roadside rests, scenic overlooks, trails, trailheads, sno-parks, and parks.

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

Attachments

California Transportation Commission

AMENDMENT OF THE ADOPTED FISCAL YEAR 2011-12  
ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM

Resolution G-12-12, amending Resolution G-12-04

- 1.1 WHEREAS, Streets and Highways Code Section 164.56 establishes the Environmental Enhancement and Mitigation (EEM) Program; and
- 1.2 WHEREAS, this program provides \$10 million annually for environmental enhancement and mitigation projects which are directly or indirectly related to the environmental impact of modifying existing transportation facilities or for the design, construction or expansion of new transportation facilities; and
- 1.3 WHEREAS, the Resources Agency is charged with evaluating proposals submitted for this program and providing a list of proposals recommended for funding to the Commission; and
- 1.4 WHEREAS, the Commission is responsible for awarding grants to fund proposals which are included on the list prepared by the Natural Resources Agency; and
- 1.5 WHEREAS, on February 23, 2012, the Commission adopted Resolution G-12-02, approving the final Fiscal Year (FY) 2011-12 EEM Projects Recommended for Funding list totaling \$9,928,578 for thirty-two projects; and
- 1.6 WHEREAS, on February 24, 2012, the Department notified the Commission that one of the agencies approved for funding, the American River Conservancy, received more funding than they originally expected from other sources for their Brush Creek Ranch project, and reduced their request for EEM funds accordingly, from \$350,000 to \$105,200; and
- 1.7 WHEREAS, on March 28, 2012, the Commission adopted Resolution G-12-04, amending the FY 2011-12 EEM Projects Recommended for Funding list, reducing the programming for the thirty-two projects by \$244,800 down to \$9,683,778; and
- 1.8 WHEREAS, in June 2012, the Department notified the Commission that the Natural Resources Agency had selected the City of Rocklin's Sierra College Boulevard/I-80 Interchange project, from the FY 2010-11 EEM Program Substitution List, to be programmed in the FY 2011-12 EEM Projects Recommended for Funding list for \$245,000 and receive funding from the \$316,222 unallocated balance available from the FY 2011-12 EEM Program; and

- 1.9 WHEREAS, the amended FY 2011-12 Recommended for Funding list, including supplemental information, has been reviewed by Commission staff, and appears to meet all basic requirements as specified in the EEM statutes, and the Commission policies and guidelines.
  
- 2.1 NOW THEREFORE BE IT RESOLVED, that the Commission adopts the amended list for the Fiscal Year (FY) 2011-12 Environmental Enhancement and Mitigation Program totaling \$9,928,778 for thirty-three projects, as indicated in the attached revised list of projects, including the addition of \$245,000 for the City of Rocklin's Sierra College Boulevard/I-80 Interchange project, leaving a balance of \$71,222 for future allocations; and
  
- 2.2 BE IT FURTHER RESOLVED, that it is the intent of the Commission to allocate available Fiscal Year 2011-12 funds for these projects, and expects that funds so allocated should be expended on a timely basis, preferably by June 30, 2013; and
  
- 2.3 BE IT FURTHER RESOLVED, that for projects which include land acquisition, the Commission would encourage grant recipients to reduce overall project costs by exploring the feasibility of acquiring easements rather than fee title when appropriate; and
  
- 2.4 BE IT FURTHER RESOLVED, that due to the uniqueness of the individual projects in this program, the Commission hereby directs the Department of Transportation to be especially diligent in the on-site inspection and auditing of the projects included in this program.

**AMENDED 2011-12 ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM**

**PROJECTS RECOMMENDED FOR FUNDING (32 33 PROJECTS) - amended 08-22-2012**

| CAT                                       | CO          | APPLICANT  | PROJECT NAME   | AWARD               |
|---|-------------|--|--|---------------------|
| <b>NORTHERN COUNTIES (17 18 PROJECTS)</b> |             |  |  |                     |
| HLUF                                      | PLA         | City of Rocklin  | Sierra College Boulevard/I-80 Interchange<br>(addition from FY 2010-11 Substitution List)        | \$ 245,000          |
| RL  | ED          | American River Conservancy   | Gold Hill-Wakamatsu Ranch Recreation   | \$ 159,350          |
| RL  | ED          | American River Conservancy   | Brush Creek Ranch Habitat Acquisition (reduced from \$350,000)                                   | \$ 105,200          |
| RL  | MEN         | Trust for Public Land  | Point Arena Public Lands Acquisition Project   | \$ 500,000          |
| RL  | NEV         | Bear Yuba Land Trust   | Yuba River: Black Swan Resources Land Acquisition  | \$ 350,000          |
| RL  | PLA         | Placer Land Trust  | Johnston Ranch Conservation Project  | \$ 350,000          |
| RL  | SAC         | Sacramento Tree Foundation   | Stone Lakes Blue Heron Trails Visitor Contact Station  | \$ 341,762          |
| RL  | SCR         | Trust for Public Land  | San Andreas Creek Resource Lands Acquisition Project   | \$ 350,000          |
| RL  | SON         | Sonoma County Water Agency   | Rohnert Park/Cotati Highway 101 Widening: Hinebaugh Creek<br>Habitat Enhancement and Restoration | \$ 298,456          |
| RL  | YUB         | Trust for Public Land  | Marysville Ranch Resource Lands Conservation Easement Project                                    | \$ 350,000          |
| RR  | ALA         | East Bay Regional Park District  | Iron Horse Trail Construction Dublin/Pleasanton BART Station to<br>Santa Rita Road               | \$ 350,000          |
| RR  | AMA         | Jackson, City of   | Jackson Vista Point Improvement Project  | \$ 326,050          |
| RR  | FRE         | City of Fresno Parks, After School, Recreation,<br>and Community Services (PARCS) Department | Romain Park Improvements   | \$ 350,000          |
| RR  | FRE         | CSU Fresno Foundation (CDFG)   | San Joaquin River - "Small Fry Trail" and "Stormy Creek" Project                                 | \$ 350,000          |
| RR  | SCL         | San Jose, City of  | Lower Silver Creek Trail (Alum Rock to Highway 680)  | \$ 350,000          |
| RR  | SHA         | Redding, City of   | Palisades Avenue River Trail Connection  | \$ 320,000          |
| RR  | SHA         | Shasta County  | Palo Cedro Bike Lane & Pedestrian Improvement Project  | \$ 350,000          |
| RR  | SHA/<br>SIS | Shasta Land Trust  | Acquisition of the Great Shasta Rail Trail   | \$ 350,000          |
|   |             |  | <b>SUBTOTAL - NORTHERN COUNTIES</b>  | <b>\$ 5,795,818</b> |
| <b>SOUTHERN COUNTIES (15 PROJECTS)</b>    |             |  |  |                     |
| HLUF                                      | LA          | Community Conservation Solutions   | Los Angeles River Greenway Tree-Planting Project   | \$ 339,000          |
| HLUF                                      | LA          | Hollywood Beautification Team  | Planting For Knowledge with Hollywood Community Team   | \$ 161,335          |
| HLUF                                      | LA          | Pasadena, City of  | Reclaiming Pasadena's Urban and Natural Forest   | \$ 350,000          |
| HLUF                                      | LA          | Pomona, Public Works Department, City of   | SR-71/Mission Boulevard Slope Stabilization and Beautification                                   | \$ 350,000          |
| HLUF                                      | LA          | South Gate, City of  | City of South Gate Urban Greening  | \$ 296,700          |
| HLUF                                      | SB          | Goleta Valley Beautiful  | Highway 101 Los Carneros/Glen Annie Interchanges Tree Planting                                   | \$ 125,000          |
| HLUF                                      | TUL         | Tulare, City of  | Hillman Street Project   | \$ 143,831          |
| RR  | TUL         | Tulare, City of  | Acquisition of Sunrise Park Mediation Enhancement Area   | \$ 330,000          |
| HLUF                                      | TUL         | Visalia, City of   | Restore Our Community Forest Project   | \$ 318,294          |
| RL  | SLO         | San Luis Obispo, City of   | Prefumo Creek Riparian Enhancements  | \$ 125,000          |
| RL  | RIV         | Coachella Valley Conservation Commission   | Willow Hole Blowsand Ecosystem Conservation and MSHCP/NCCP<br>Implementation Acquisitions        | \$ 350,000          |
| RR  | MNO         | Mammoth Lakes, Town of   | College Connector Path   | \$ 343,800          |
| RR  | ORA         | Anaheim, City of   | Santa Ana River Trail Mitigation Project   | \$ 350,000          |
| RR  | SB          | Land Trust for Santa Barbara County  | Franklin Trail Project   | \$ 200,000          |
| RR  | SD          | San Marcos, City of  | Montiel Park Enhancement Project   | \$ 350,000          |
|   |             |  | <b>SUBTOTAL - SOUTHERN COUNTIES</b>  | <b>\$ 4,132,960</b> |
| <b>TOTAL RECOMMENDED PROGRAM</b>          |             |  |  | <b>\$ 9,928,778</b> |

**AMENDED 2010-11 ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM**

| <b>SUBSTITUTION LIST (26 22 PROJECTS) - amended 08-22-2012</b> |     |   |   |                       |
|--|-----|---|---|-----------------------|
|  | CO  | APPLICANT   | PROJECT NAME  | REQUEST               |
| <b>NORTHERN COUNTIES (9 7 PROJECTS)</b>                        |     |   |   |                       |
| HLUF   | MRN | FireSafe Marin  | <del>Highway 101 Restoration and Planting Project (moved to recommended list)</del>               | <del>\$ 350,000</del> |
| HLUF   | PLA | City of Rocklin   | <del>Sierra College Boulevard/I-80 Interchange (moved to FY 2011-12 recommended list)</del>       | <del>\$ 245,000</del> |
| HLUF   | FRE | Fresno Metropolitan Flood Control District                          | Basin "II4" & "JJ" Landscaping  | \$ 306,509            |
| HLUF   | ALA | City of Livermore   | Isabel Avenue Environmental Enhancement Project   | \$ 225,000            |
| HLUF   | SAC | City of Galt  | Central Galt Interchange Landscape Improvement  | \$ 308,602            |
| RL   | SCR | The Trust for Public Land   | King Property Resource Lands Acquisition  | \$ 350,000            |
| RL   | SCR | City of Santa Cruz  | Implementation of the Resource Management Plan of the Arana Gulch Master Plan                     | \$ 350,000            |
| RL   | MON | Elkhorn Slough Foundation   | Wetland Enhancement in Whistlestop Lagoon, Elkhorn Slough, CA                                     | \$ 348,589            |
| RR   | SHA | City of Redding   | Buenaventura Blvd Bike Lane Connector   | \$ 300,000            |
| <b>SOUTHERN COUNTIES (47 15 PROJECTS)</b>                      |     |   |   |                       |
| HLUF   | SLO | City of Atascadero  | El Camino Real Urban Forestry Project   | \$ 350,000            |
| HLUF   | ORA | City of Irvine  | MacArthur Boulevard Landscaping Enhancement   | \$ 151,946            |
| HLUF   | ORA | City of Costa Mesa  | Newport Boulevard Greening Project  | \$ 274,475            |
| HLUF   | ORA | City of Irvine  | Warner Avenue Landscaping Enhancement Project   | \$ 142,525            |
| HLUF   | ORA | City of Irvine  | Irvine Boulevard Median Landscaping Enhancement   | \$ 78,317             |
| HLUF   | ORA | City of Garden Grove  | Harbor Boulevard Environmental Enhancement  | \$ 350,000            |
| HLUF   | LA  | City of Industry  | State Route 60 Azusa Avenue Interchange Environmental Enhancement                                 | \$ 350,000            |
| HLUF   | LA  | City of Santa Clarita   | Railroad Avenue Tree Planting Project   | \$ 143,275            |
| RL   | SLO | <del>The Trust for Public Land</del>                                | <del>Righetti Ranch Resource Lands Acquisition (moved to recommended list, later withdrawn)</del> | <del>\$ 350,000</del> |
| RL   | SD  | <del>Lakeside's River Park Conservancy</del>                        | <del>Bostonia House Research Field Station (moved to recommended list)</del>                      | <del>\$ 350,000</del> |
| RL   | SLO | City of Atascadero  | Stadium Park Entry Acquisition Project  | \$ 270,000            |
| RL   | VEN | Resource Conservation Partners, Inc. (RCP)                          | Los Padres Open Space Oak Woodland Enhancement Projects   | \$ 183,770            |
| RL   | LA  | Mountains Recreation and Conservation Authority                     | Ramirez Canyon Acquisition Project  | \$ 350,000            |
| RR   | SBD | City of Yucaipa   | El Dorado Heritage Trails and Resource Center   | \$ 225,002            |
| RR   | SD  | Sweetwater Valley Civic Association                                 | Bonita Meadows Entry Monument Gates/Proctor Valley Road Multiple Use Trail Conversion             | \$ 315,000            |
| RR   | LA  | City of Los Angeles Department of Public Works Bureau of Sanitation | Manchester Neighborhood Greenway Project  | \$ 350,000            |
| RR   | SBD | City of Rialto  | Rails to Trails   | \$ 350,000            |
| <b>INELIGIBLE PROJECTS (4 PROJECTS)</b>                        |     |   |   |                       |
|  | CO  | APPLICANT   | PROJECT NAME  | REQUEST               |
| HLUF   | LA  | Tree Musketeers   | Hometown Forest   | \$ 63,106             |
| RL   | SB  | City of Goleta  | Mathilda Drive Parcel Acquisitions  | \$ 80,000             |
| RR   | FRE | City of Firebaugh   | San Joaquin River Parkway Bicycle Trail- Phase IV   | \$ 350,000            |
| RR   | FRE | City of Fresno PARCS Department                                     | Martin Ray Reilly Roadside Park   | \$ 350,000            |
| <b>WITHDRAWN (3 PROJECTS)</b>                                  |     |   |   |                       |
|  | CO  | APPLICANT   | PROJECT NAME  | REQUEST               |
| RL   | INY | Eastern Sierra Land Trust   | <del>Dirty Socks Spring Acquisition and Protection (withdrawn)</del>                              | <del>\$ 74,140</del>  |
| RL   | SLO | The Trust for Public Land   | <del>Righetti Ranch Resource Lands Acquisition (moved to recommended list, later withdrawn)</del> | <del>\$ 350,000</del> |
| HLUF   | ED  | El Dorado County Department of Transportation                       | <del>US 50/Missouri Flat Road Interchange Landscaping Enhancements (withdrawn)</del>              | <del>\$ 220,000</del> |