

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: May 23, 2012

Reference No.: 2.8d.(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 PROJECT DEVELOPMENT EXPENDITURE FOR LOCALLY-ADMINISTERED STIP PROJECTS PER STIP GUIDELINES WAIVER-12-29**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) consider the request by Trinity County (County) to extend the period of project development expenditure for right of way (R/W) for the State Transportation Improvement Program (STIP) Lowden Park to Senior Center Bike/Pedestrian Path project (PPNO 02-2487) by 12 months, from June 30, 2012 to June 30, 2013, per STIP Guidelines.

ISSUE:

On September 10, 2009, the Commission approved Resolution FP 09-08, allocating \$40,000 for the R/W component of the Lowden Park to Senior Center Bike/Pedestrian Path project. The County anticipates that they will be unable to complete R/W engineering, negotiations and purchase agreements by the June 30, 2012, expenditure deadline and requesting a 12-month extension to June 30, 2013.

BACKGROUND:

The project will be built along the East Weaver Creek Levee Road (Levee Road) which is a maintenance access to a U.S. Army Corps of Engineers (USACE) Flood Control Works (the East Weaver Creek Levee); consequently triggering the USACE's review and approval of the project's design. The USACE's project review determined a wider R/W will be needed to avoid encroaching in the floodplain.

In addition, adjacent industrial and commercial operations are also concerned about their continued use of the Levee Road for truck access and the local Fire Safe Ordinance requires that all access roads, public or private, must be a minimum of 20 feet wide. This creates a need to accommodate access for levee maintenance, commercial, industrial, fire truck and other traffic alongside the proposed bicycle/pedestrian trail. This will require more R/W than was anticipated in the

preliminary design phase. The design will need to be modified to minimize effects on the businesses, circulation and infrastructure.

Major design issues have been resolved, and the remainder of the project design will be completed soon. However, final review by the USACE could take another six months, with another six months needed for appraisals and to complete right of way purchase agreements. Therefore, the County is requesting a 12-month time extension to June 30, 2013, per STIP Guidelines.

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.