

# Memorandum

**To:** Chair and Commissioners

**Date:** March 25, 2009

**From:** ANDRE BOUTROS  
Interim Executive Director

**File:** Reference No. 4.5  
ACTION

**Ref.:** ADOPTION OF THE FISCAL YEAR 2008-09  
ENVIRONMENTAL ENHANCEMENT AND MITIGATION (EEM) PROGRAM

The California Transportation Commission (Commission) is charged, per Streets and Highways Code Section 164.56(e), with the responsibility of funding an annual Environmental Enhancement and Mitigation (EEM) Program as prioritized by the State Resources Agency in accordance with the funding level provided in the State Budget Act. The Fiscal Year (FY) 2008-09 State Budget provided \$10 million for the EEM Program.

**Recommendation:** Staff recommends that the Commission adopt the FY 2008-09 EEM Program.

**FY 2008-09 EEM Program:** The Resources Agency received 91 grant applications for FY 2008-09. Of those, 25 applications were disqualified due to insufficient data to determine eligibility. The remaining 66 eligible applications were evaluated and used to develop a Recommended for Funding List (36 projects) and a Substitution List (30 projects). The two draft project lists were presented for notice at the March 11-12, 2009 Commission meeting.

During the review period, an applicant with a project on the Projects Recommended for Funding List requested that their project be withdrawn. A change was made to the draft lists to reflect that a project with the highest score on the Substitution List was moved to the Projects Recommended for Funding List to replace the withdrawn project.

The 36 projects on the final Projects Recommended for Funding List are the top-ranked projects, and are listed in priority order by category, as determined by the evaluation teams.

The Resources Agency recommends funding the 18 projects in the north for \$4,424,014, and the 18 projects in the south for \$5,575,986, for a FY 2008-09 EEM Program total of \$10,000,000.

Each project that is being recommended for funding must provide evidence of environmental clearance prior to adoption and potential allocation or the project would be subject to removal from the list.

The second attachment is the Substitution List. The list is divided into Northern Counties and Southern Counties sections.

The Northern Counties Substitution Projects section includes 18 projects displayed in priority order by category for substitution should any of the northern counties projects on the Recommended for Funding list be unable to proceed.

The Southern Counties Substitution Projects section includes 11 projects displayed in priority order by category for substitution should any of the southern counties projects on the Recommended for Funding list be unable to proceed.

## **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 Highway 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 constructing 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 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 to mitigate the loss or damage to resource lands within or near the right-of-way acquired for 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.

Attachments

California Transportation Commission

ADOPTION OF THE 2008-09 ENVIRONMENTAL ENHANCEMENT  
AND MITIGATION PROGRAM

Resolution G-09-04

- 1.1 WHEREAS, Streets and Highways Code Section 164.56 establishes the Environmental Enhancement and Mitigation 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 California Transportation Commission; and
- 1.4 WHEREAS, the California Transportation Commission is responsible for awarding grants to fund proposals which are included on the list prepared by the Resources Agency; and
- 1.5 WHEREAS, the Resources Agency has prepared a Projects Recommended for Funding list totaling \$10,000,000 for thirty-six projects, and that list has been reviewed by Commission staff and was noticed at the Commission's March 11-12, 2009 meeting.
- 2.1 NOW THEREFORE BE IT RESOLVED, that the Commission adopts the 2008-09 Environmental Enhancement and Mitigation Program, as indicated in the attached list of projects.
- 2.2 BE IT FURTHER RESOLVED, that it is the intent of the Commission to allocate available Fiscal Year 2008-09 funds for these projects, and expects that funds so allocated should be expended on a timely basis, preferably by June 30, 2010; 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.

**2008-09 ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM  
PROJECTS RECOMMENDED FOR FUNDING**

<b>NORTHERN COUNTIES</b>					<b>Amount</b>
HLUF	18-28	AMA	Amador County Transportation Commission	SR-49/Sutter Hill Transit Center Highway Landscaping and Receptions	\$ 48,000
HLUF	18-30	TUO	Tuolumne County Resource Conservation District	SR-49/Stockton Road - Forest Road Ailanthus Eradication and Restoration	\$ 16,125
HLUF	18-07	ALA	Berkeley, City of	Berkeley Urban Reforestation Project	\$ 201,700
HLUF	18-10	SCL	Morgan Hill, City of	Butterfield Oak Grove: Sequestering Carbon Dioxide Using Urban Forestry	\$ 205,753
HLUF	18-29	STA	Turlock, City of	Christoffersen Parkway/Walnut Basin Tree Mitigation	\$ 25,373
RL	18-08	CC	Muir Heritage Land Trust	Franklin Canyon Acquisition	\$ 350,000
RL	18-03	NEV	Truckee Donner Land Trust	Billy Mack Canyon - Property Acquisition	\$ 350,000
RL	18-04	SAC	Sacramento, County of	Dry Creek Parkway Acquisition FY 08/09	\$ 350,000
RL	18-05	YUB	Trust for Public Land, The	Middle Yuba River - Rice's Crossing Resource Lands Acquisition Project	\$ 350,000
RL	18-06	YUB	Trust for Public Land, The	Yuba River - Excelsior Resource Lands Acquisition Project	\$ 350,000
RL	18-01	HUM	Arcata, City of	Stromberg Forest Acquisition (Sunny Brae Forest Addition)	\$ 350,000
RL	18-11	SON	Sotoyome Resource Conservation District	Arundo Removal and Riparian Enhancement - Russian River	\$ 245,763
RL	18-12	SON	Sonoma County Transportation and Public Works	California Tiger Salamander Wildlife Corridor (Road Crossing) Enhancement	\$ 150,350
RL	18-13	SON	Laguna de Santa Rosa Foundation	Duer Creek Riparian Restoration Project	\$ 232,950
<b>RL</b>	<b>18-45</b>	<b>BUT</b>	<b>Chico, City of</b>	<b>Iron Canyon Fish Passage Project</b>	<b>\$ 200,000</b>
RR	18-02	SHA	Redding, City of	Sacramento River Trail Enhancements	\$ 350,000
RR	18-17	MAD	Madera County RMA	Watering Hole Exhibit - Fossil Discovery Center	\$ 298,000
<b>RR</b>	<b>18-14</b>	<b>MON</b>	<b>Transportation Agency for Monterey County</b>	<b>Lower Hatton Canyon Trail (withdrawn per applicant)</b>	<b><del>\$ 200,000</del></b>
RR	18-09	SM	Belmont, City of	US Highway 101/Ralston Avenue Pedestrian/Bike Bridge Project	\$ 350,000
<b>NORTHERN TOTAL</b>					<b>\$ 4,424,014</b>
<b>SOUTHERN COUNTIES</b>					<b>Amount</b>
HLUF	18-35	SD	Caltrans	SR-94 Casa de Oro Tree Planting	\$ 350,000
HLUF	18-18	TUL	Visalia, City of	Reforest Visalia	\$ 311,400
HLUF	18-22	VEN	Simi Valley, City of	SR-118 Freeway Interchange Landscape Enhancement	\$ 350,000
HLUF	18-36	SD	Caltrans	SR-54 Sweetwater Greenbelt Bike Path Tree Planting	\$ 350,000
HLUF	18-19	LA	Tree Musketeers	El Segundo Hometown Forest	\$ 55,000
RL	18-26	MNO	Eastern Sierra Land Trust	Centennial Ranch Easement Addition (CREA)	\$ 522,100
RL	18-24	RIV	Coachella Valley Conservation Commission	NCCP Acquisitions and Sand Dune Ecosystem Conservation	\$ 350,000
RL	18-31	SD	River Partners	Otay Delta Habitat Restoration Project	\$ 350,000
RL	18-21	LA	Pasadena, City of	Native Plant Restoration of the Arroyo Seco	\$ 350,000
RL	18-32	SD	San Elijo Lagoon Conservancy	San Elijo Lagoon Restoration and Enhancement through Improved Tidal Circulation	\$ 269,400
RL	18-16	SB	Land Trust for Santa Barbara County	Lower Refugio Creek Restoration Project	\$ 110,000
RL	18-15	SLO	Atascadero Land Preservation Society	Atascadero Creek Resource Lands Acquisition Project	\$ 206,786
RR	18-25	SBD	Big Bear Lake, City of	Boulder Bay Improvements - Phase 2	\$ 350,000
RR	18-20	LA	Amigos De Los Rios	Emerald Necklace/Rio Hondo River Project	\$ 341,300
RR	18-33	SD	San Dieguito River Park, JPA	Lake Hodges Bikeway Access Phase 2: West Bernardo Bike Path and Cantilever	\$ 350,000
RR	18-27	MNO	Mammoth Lakes, Town of	Sherwin Street Bridge Project	\$ 260,000
RR	18-34	SD	San Marcos, City of	South Lake Community Park: Phase 1	\$ 350,000
RR	18-23	RIV	Indio, City of	Monroe Street Multi-Purpose Trail	\$ 350,000
<b>SOUTHERN TOTAL</b>					<b>\$ 5,575,986</b>
<b>Northern and Southern Combined - GRAND TOTAL</b>					<b>\$ 10,000,000</b>
	<b>Legend:</b>	HLUF - Highway Landscape and Urban Forestry			
		RL - Resource Lands			
		RR - Roadside Recreation			

## 2008-09 ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM SUBSTITUTION LIST

<b>NORTHERN COUNTIES SUBSTITUTION PROJECTS (49 18 Projects)</b>			Amount
RL	Trust for Public Land, The	Yuba River: Blue Point Resource Lands Acquisition	\$350,000
<del>RL</del>	<del>Chico, City of</del>	<del>Iron Fish Passage Project (moved to Recommended List)</del>	<del>\$350,000</del>
RL	Placer Land Trust	Oest Ranch	\$350,000
RL	American River Conservancy	Cameron Park Rare Plant Habitat Acquisition	\$350,000
RL	California State Parks	Montara Mountain Invasive Species Control	\$185,000
RL	California Land Stewardship Institute	Suisun Creek Riparian Enhancement Project	\$289,440
RL	Plumas Corporation	Sulphur-Barry Creek Restoration	\$309,510
RL	Solano Land Trust	Acquisition of an agricultural conservation easement on Jameson Canyon Ranch, Solano	\$500,000
HLUF	Rocklin, City of	Sierra College Blvd./I-80 Interchange Landscape Enhancement Project, Rocklin, CA	\$350,000
HLUF	Merced, City of	East 16th Street Beautification	\$158,678
RR	American Rivers	Deer Creek Tribute Trail: Pedestrian Bridge	\$295,000
RL	Sierra Foothill Conservancy	Topping Ranch Conservation Easement	\$350,000
RL	River Partners	Great Valley Grasslands Habitat Restoration	\$350,000
HLUF	Amador County Fair	Amador County Fair and Elementary School Landscape Improvements	\$237,000
HLUF	CCSF-Airport Commission and SFCC	-	\$100,000
HLUF	Urban Relief	Neighborhood Street Parkways in West Oakland	\$277,771
HLUF	Santa Clara Valley Transportation Authority	Route 237 / 880 Interchange Highway Planting	\$217,055
HLUF	San Joaquin Regional Transit District	Transit Station Environmental Enhancement Project	\$150,000
RL	Creative Environmental Conservation	Reclamation of Fresh Water Ecosystems in the Gabilan Watershed	\$350,000
<b>SOUTHERN COUNTIES SUBSTITUTION PROJECTS (11 Projects)</b>			Amount
RR	University of California, Davis	Mono Basin Scenic Area Vegetation Enhancement	\$349,995
RR	Los Angeles Conservation Corps	Encanto Nature Trail Extension	\$218,010
RL	Reservation Transportation Authority	Culvert Slope Erosion Mitigation Project, Los Coyotes Road Project Phase 1	\$345,000
RL	Inyo Mono Agricultural Commissioner	Owens River Riparian Enhancement Project	\$210,804
HLUF	Mono, County of	Streetscape for Lee Vining	\$176,416
HLUF	Vista, City of	SR-78 Corridor Landscaping Project Phase II	\$113,890
HLUF	Caltrans	SR-111/Cole Road Landscape Enhancement in Calexico	\$350,000
HLUF	Korea town Youth and Community Center	KYCC'S "Greeting the Expo Line"	\$138,000
RL	Gardena, City of	Willows Wetlands Improvements	\$350,000
RR	Rialto, City of	Rails to Trails	\$350,000
RR	Rialto, City of	Cactus Trail	\$350,000
<b>Legend:</b>			
HLUF - Highway Landscape and Urban Forestry			
RL - Resource Lands			
RR - Roadside Recreation			

## 2008-09 ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM PROJECTS NOT ELIGIBLE

<b>INELIGIBLE OR INSUFFICIENT DATA TO DETERMINE ELIGIBILITY (25 Projects)</b>			Amount
RL	Caltrans	I-80 Habitat Connectivity Enhancement Project	\$ -
HLUF	Placer County Department of Public Works	Tahoe City Transit Center	\$ -
HLUF	Salinas, City of	East Market Street	\$ -
HLUF	Hermosa Beach, City of	Landscape Improvements for Pier Avenue Street Improvement Project	\$ -
RR	Caltrans	SR-16 Eco-Recreation Corridor	\$ -
RR	City of San Jose - Department of Parks & Recreation	Highway 237 Bikeway (Zanker Road to Coyote Creek)	\$ -
RR	San Jose, City of	Lower Guadalupe River Trail (Airport Parkway to Skyport Drive)	\$ -
HLUF	Los Angeles, City of	Heat Re-Leaf for L.A.	\$ -
HLUF	Santa Ana-Public Works Agency, City of	Santa Ana Urban Neighborhood Forest Plantings	\$ -
HLUF	Seal Beach, City of	Seal Beach Boulevard and Lampson Avenue Median Improvements	\$ -
HLUF	Gardena, City of	Gardena City-Wide Landscape and Tree Planting	\$ -
HLUF	Rialto, City of	Roadway Medians	\$ -
HLUF	Cypress, City of	Citywide Arterial Tree Installation	\$ -
HLUF	Lemon Grove, City of	Lemon Grove Ave Realignment Project Landscaping & Irrigation	\$ -
RL	Moreno Valley, City of	Perris Boulevard Wildlife (Small Mammal) Under-crossing	\$ -
RL	San Diego County	Land Acquisition for San Luis Rey River Park for Caltrans SR-76 "Middle" Project	\$ -
RL	San Diego County	Land Acquisition for San Luis Rey River Park for Caltrans SR-76 "East" Project	\$ -
RL	Caltrans District 9	Sonora Junction Wetlands Project	\$ -
RR	Mono, County of	Bridgeport Restroom Facility	\$ -
RR	Arroyo Seco Foundation	Arroyo Seco Confluence Gateway Greenway	\$ -
RR	Caltrans	Historic Highway 80 - Interpretive Roadside Stops	\$ -
RR	San Bernardino County Department of Public Works	Wrightwood Veterans Park Project	\$ -
RR	Anaheim, City of	Santa Ana Canyon Road -- Via Cortez to 150' West of Anaheim Hills Road	\$ -
RR	Anaheim, City of	Santa Ana Canyon Road - 150' West of Anaheim Hills Road to 500' East of Quintana	\$ -
RR	Anaheim, City of	Santa Ana Canyon Road - 500' East of Quintana to Eucalyptus Drive	\$ -
<u>Legend:</u>			
HLUF - Highway Landscape and Urban Forestry			
RL - Resource Lands			
RR - Roadside Recreation			
Notes: 1. Amount available - \$10.0M. Per Statute, attempted a split of 60/40, South/North respectively.			
2. One application not reviewed or listed - City of Fresno failed to submit required documentation			

# 2008-09 Environmental Enhancement and Mitigation Program

