

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: August 6, 2013

Reference No.: 2.8d.(3)
Action Item

From: STEVEN KECK
Acting Chief Financial Officer

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Division Chief
Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT DEVELOPMENT EXPENDITURE FOR LOCALLY-ADMINISTERED STIP PROJECTS PER RESOLUTION-06-08 WAIVER 13-41**

RECOMMENDATION:

The California Department of Transportation recommends the California Transportation Commission (Commission) approve the request by Mendocino County (County) to extend the period of project development expenditure for Project Approval and Environmental Document (PA&ED) for the State Transportation Improvement Program (STIP) Brooktrails Second Access project (PPNO 4099P) by 14 months, from June 30, 2013 to August 31, 2014, per STIP Guidelines.

ISSUE:

On July 1, 2010, the Commission approved Resolution FP-09-55, allocating \$459,000 for the PA&ED component of the Brooktrails Second Access project. The County anticipates that they will be unable to complete the preliminary engineering and environmental studies to obtain environmental clearances by the June 30, 2013 expenditure deadline and is requesting a 14-month extension to August 31, 2014.

BACKGROUND:

The project will provide a two-lane road between Brooktrails Township and State Route 101 to improve traffic circulation and provide a second access during emergency conditions. This new access will significantly affect the Brooktrails area thus requiring additional effort beyond that typically expected for a project of similar magnitude. Preliminary engineering and environmental studies have been delayed due to resistance from principal landowners to grant access to the proposed project site. The County has diligently attempted to gain voluntary rights of entry and has not yet pursued legal access through the courts.

The County has completed a few of the required environmental studies and continues to seek cooperation of all the applicable property owners in conducting the remaining environmental and engineering studies. The County anticipates obtaining rights of entry and completing the PA&ED phase by August 2014. Therefore, the County is requesting a 14-month time extension to August 31, 2014.

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.