

MEMORANDUM

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: August 14-15, 2019

From: STEVEN KECK, Chief Financial Officer

Reference Number: 2.8e.(1), Action Item

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Subject: **REQUEST TO EXTEND THE START TIME OF EXPENDITURES FOR PRE-CONSTRUCTION SUPPORT PHASES FOR STATE ADMINISTERED PROJECT, ON THE STATE HIGHWAY SYSTEM, PER SHOPP GUIDELINES WAIVER 19-49**

ISSUE:

Should the California Transportation Commission (Commission) approve an 18-month project expenditure time extension, for the Plans, Specifications, and Estimate (PS&E) and Right of Way (R/W) support phases of the Broadway Highway Planting State Highway Operation and Protection Program (SHOPP) project on Interstate 5 (I-5), in Sacramento County (PPNO 5865 EA 03-2H130)?

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the Commission approve an 18-month extension to project phase start time for the PS&E and R/W phases of the Broadway Highway Planting SHOPP project, on I-5, in Sacramento County.

BACKGROUND:

In March 2019, the Commission allocated \$520,000 for PS&E and \$80,000 for R/W, for this project. In accordance with the SHOPP Guidelines (Guidelines), the deadline to start expenditures for projects allocated in March 2019 is September 30, 2019.

The following cause of delay is applicable to both PS&E and RW phases. This Fiscal Year 2021-22 project was accelerated to complete PA&ED by April 1, 2019. As it was determined that cultural studies are necessary at the project location, and six-month duration is needed to complete the Historic Resource Evaluation Report (HRER).

The landscaping scope of work in the area precludes any workaround to avoid cultural studies until cultural resources are located and determined to be eligible for listing on the National Register of Historic Places. Landscape preliminary engineering will continue after location and

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determination of eligible resources is completed and the landscape staff can provide a scope of work to environmental staff. The intent is for sprinkler lines and other landscape hardware to avoid any eligible resources in the area. Once the results from the HRER are known, preliminary engineering can continue on the project. Consequently, PA&ED has been rescheduled to July 1, 2020 to fully accommodate the cultural study duration.

The initial assumption for the environmental document type was a CE/CE (Categorical Exemption (CE) – CEQA, Categorical Exclusion (CE) – NEPA) for this project. The project site is located within the boundaries of one of the Sacramento City Incinerators used at the turn of the 20th century. In January 2019 environmental staff encountered cultural artifacts in the area where soil disturbance is expected. It was unknown whether the artifacts constitute a cultural resource eligible for listing on the National Register of Historic Places that could be adversely affected by the project. At the end of February 2019, after consultation with the Department Cultural Studies Office, it was determined that cultural studies of the area are needed to establish whether the project will have an adverse effect to an eligible cultural resource (i.e. the incinerator). A cultural resources study task order was executed in April 2019 and the HRER is expected to be completed by October 2019. At this time, it is not known if the environmental document type will change for this project, which is dependent on the results of the cultural resources study.

The SHOPP Guidelines, stipulate that the Department request a time extension if project phase expenditures will not begin within six months of the allocation. The Commission may approve a waiver to the timely use of funds deadline, one-time only, for up to 20 months.