

## MEMORANDUM

To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: June 28-29, 2023

From: STEVEN KECK, Chief Financial Officer

Reference Number: 2.8d.(7), Action Item

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Division of Rail and Mass Transportation

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT DEVELOPMENT  
EXPENDITURE FOR TRANSIT AND INTERCITY RAIL CAPITAL PROGRAM  
PROJECTS  
WAIVER 23-108**

### **ISSUE:**

Should the California Transportation Commission (Commission) extend the period of project development expenditure for two Transit and Intercity Rail Capital Program (TIRCP) (2018:27) Southern California Optimized Rail Expansion (SCORE) components, in Los Angeles and Orange Counties, for the time periods identified in the attachment?

### **RECOMMENDATION:**

The California Department of Transportation (Department) recommends that the Commission extend the period of project development expenditure for two TIRCP (2018:27) SCORE components, in Los Angeles and Orange Counties, for the time periods identified in the attachment.

### **BACKGROUND:**

The Commission allocated a total of \$68,723,000 for two TIRCP project components identified in the attachment. The responsible agencies have been unable to complete the project components per the Timely Use of Funds (TUF) policy. Current TIRCP Guidelines stipulate that the agency implementing a project component requests a time extension if the project component will not be completed within the specified timeline. Under the TUF policy, an extension can be requested for up to 20 months for each delivery milestone, where permissible by statute. The attachment describes the details of the project components and the explanation of the delays.

Attachment

*“Provide a safe and reliable transportation network that serves all people and respects the environment.”*

**Time Extension/Waiver – Project Development Expenditure  
Transit and Intercity Rail Capital Program**

Project Number: 1  
Applicant: Los Angeles County Metropolitan Transportation Authority  
County: Los Angeles  
District: 7  
PPNO: CP033  
Allocation Amount: \$67,336,000  
Remaining Balance: \$60,967,961  
Phase: Plans, Specifications, and Estimate  
Allocation Date: December 3, 2020  
Allocation Resolution: TIRCP-2021-09  
Number of Months Requested: 20 Months  
Extended Deadline: February 28, 2025  
Department Recommendation: Support

**(2018:27) Southern California Optimized Rail Expansion (SCORE) (Link US)**

Los Angeles County Metropolitan Transportation Authority (Metro) requests a 20-month time extension to complete the Plans, Specifications, and Estimate (PS&E) phase of the (2018:27) SCORE (Link US) component. Metro experienced unavoidable delays in completing design.

In December 2020, the Commission approved an allocation of \$67,336,000 to complete the PS&E phase of the (2018:27) SCORE (Link US) component. The purpose of this phase is to complete the design of the Los Angeles Union Station platform modifications and United States 101 viaduct structure, to accommodate two initial run-through tracks and increased rail capacity at the Los Angeles Union Station. Currently, the PS&E phase is proceeding with Advanced Engineering design of the tracks.

In August 2022, the PS&E phase schedule was impacted when Metro cancelled the Construction Manager/General Contractor (CMGC) Request for Proposal (RFP) process, which includes 65 percent to 100 percent of final design and engineering work to occur over the course of an awarded CMGC contract. Metro decided on the strategy to maintain the opportunity to pursue federal funds for this project, which would require a National Environmental Protection Agency (NEPA) Record of Decision (ROD). Currently, there are no federal funds on the project and there is no time frame for pursuing federal funding. The RFP was cancelled to accommodate the time required to receive a NEPA ROD, which inadvertently caused delay to the original PS&E phase delivery schedule. Metro staff revised the schedule, which estimates CMGC contract award by the end of February 2024, to account for the extra time to complete the NEPA process and reach overall PS&E phase completion.

Therefore, Metro is requesting a 20-month time extension for the period of project development expenditure of the PS&E phase from June 30, 2023 to February 28, 2025.

Project Number: 2  
Applicant: Southern California Regional Rail Authority  
County: Orange  
District: 12  
PPNO: CP033E  
Allocation Amount: \$1,269,000  
Remaining Balance: \$30,583  
Phase: Project Approval and Environmental Document  
Allocation Date: August 16, 2018  
Allocation Resolution: TIRCP-1819-01  
Number of Months Requested: 18 Months  
Extended Deadline: December 31, 2024  
Department Recommendation: Support

**(2018:27) Southern California Optimized Rail Expansion (SCORE) (Serra Siding Extension)**

The Southern California Regional Rail Authority (SCRRA) requests an 18-month time extension to complete the project development expenditure of the (2018:27) SCORE (Serra Siding Extension) component. SCRRA has experienced unexpected delays in completing the Project Approval and Environmental Document (PA&ED) phase.

In January 2021, the Commission approved an allocation of \$118,000 to SCRRA to complete the PA&ED phase of the (2018:27) SCORE (Serra Siding Extension) component. In April 2022, an allocation of \$6,500,000 to complete the PA&ED phase of the (2018:27) SCORE project was separated into 12 components, of which \$1,269,000 was dedicated to the Serra Siding Extension component. The scope of this component is to extend the existing siding track for 1.14 miles to west of Beach Road and add new control points, which will improve operational flexibility, increase the capacity of the corridor, and reduce or eliminate the risk of shutting down the single-track line due to maintenance issues or operational incidents. Starting in 2021, this component encountered local community opposition after a meeting with the City of Dana Point Council. The local community is against an increase in train services through their neighborhood, and argues that due to rising sea levels, the coastal corridor will be made redundant within the coming decades. During the Winter of 2022-23, coastal erosion issues just south of the component location has affected train operations, which the community has used to validate their opposition to the project. The community opposition has required more extensive community outreach efforts over a longer timescale than anticipated, and SCRRA is continuing to work with the community prior to the final preparation and release of the environmental document. So far, the community outreach efforts have included a presentation and public forum at a City of Dana Point Council meeting where the councilmembers and local activists spoke and provided their concerns, as well as separate project briefings with community groups and business owners adjacent to the project. The

Draft Environmental Impact Report (EIR) is currently 90 percent complete, but additional time is needed to undertake more public outreach in advance of finalizing the environmental document for release. The community outreach efforts inform SCRRA of the community's concerns and allow these to be addressed in the Draft EIR, which will enable SCRRA to address these concerns better during the Draft EIR comment period, and then subsequently in the Final EIR. Concurrently, SCRRA is also undertaking preliminary design work up to 30 percent for the Serra Siding Extension component and is awaiting approval of the EIR document before proceeding with the Plans, Specifications and Estimate phase to complete final design.

Therefore, SCRRA is requesting an 18-month time extension for the period of project development expenditure of the PA&ED phase from June 30, 2023 to December 31, 2024.