

NOTICE OF REGULAR MEETING OF THE TRANSPORTATION ADVISORY COMMITTEE

Thursday - February 1, 2023 - 10:00 A.M.

IN PERSON AT THE BCAG CONFERENCE ROOM OR

https://us02web.zoom.us/j/83315905672?pwd=VVRPb0NYYnIPTGxHTS9xcmR3YmxUUT09

Meeting ID: 833 1590 5672 Passcode: 696623 One tap mobile +16694449171,,83315905672#,,,,*696623# US

1. INTRODUCTIONS

MEMBERS OF THE PUBLIC MAY ADDRESS ANY ITEM ON THE AGENDA DURING CONSIDERATION OF THAT ITEM.

2. ORAL COMMUNICATION

PERSONS WISHING TO ADDRESS AGENDA ITEMS OR COMMENT ON ANY ITEM NOT ON THE AGENDA MAY DO SO AT THIS TIME. COMMENTS ARE LIMITED TO THREE MINUTES PER PERSON. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD. FOR ITEMS NOT ON THE AGENDA, NO ACTION WILL BE TAKEN AT THIS TIME. IF IT REQUIRES ACTION, IT WILL BE REFERRED TO STAFF AND OR PLACED ON

THE NEXT AGENDA.

COPIES OF STAFF REPORTS OR OTHER WRITTEN DOCUMENTATION RELATING TO ITEMS OF BUSINESS REFERRED TO ON THE AGENDA ARE ON FILE IN THE OFFICE OF BUTTE COUNTY ASSOCIATION OF GOVERNMENTS (BCAG). PERSONS WITH QUESTIONS CONCERNING AGENDA ITEMS MAY CALL BCAG TO MAKE INQUIRIES REGARDING THE NATURE OF THE ITEM DESCRIBED ON THE AGENDA. THE MEETING WILL BE HELD IN PERSON AND VIA ZOOM.

ITEM	STAFF
3. Minutes from October 5, 2023 TAC meeting	Ivan Garcia Approval
4. 2024 Regional Transportation Improvement Program (RTIP)	Ivan Garcia
Final 2024 RTIP projects recommendations	Information
5. Carbon Reduction Program & Congestion Mitigation and Air Quality Programs	Ivan Garcia Information
Status of Programming new CRP and CMAQ projects	
6. 2024 Regional Transportation Plan/Sustainable Communities Strategy Project List	Ivan Garcia Information
Discussion of projects received for the 2024 RTP/SCS	
7. Federal Performance Measure 3 (PM3) – GHG Emissions	Brian Lasagna Information
Informing committee of development of PM 3 target	mormation
8. MAP-21 Performance Measures – Safety (PM1)	Brian Lasagna Information
Providing a report and recommendation for PM1 programming and targets for 2024	mormation
9. California Transportation Commission – ATP Site Visit	Ivan Garcia Information
Informing committee of CTC site visit to Butte County, Oroville, Parac and Chico to review completed and upcoming ATP projects	
10. Caltrans District 03 Updates	Caltrans Information
Caltrans Local Assistance updates	mornation
11. Other Items	All





Butte County Association of Governments Transportation Advisory Committee Draft Summary Meeting Minutes for October 5, 2023

Item #3 – Minutes from September 7, 2023 TAC. No comments were received. Minutes were accepted.

Item #4 – 2024 Regional Transportation Improvement Program (RTIP) Draft Recommendations

Staff presented the 2024 RTIP Recommendations illustrated by the following table:

Agency & Project	Request	2024 RTIP	Recommendation	Not
Agency & Hoject	rioquoot	Recommendations	for CRP or CMAQ	Recommended
Biggs – 2nd Street	\$700,000		\$700,000	
Safe Routes to				
Schools Project				
Chico – Eaton Rd /	\$6,300,000	\$6,300,000		
SR 99 Roundabout	¢0,000,000		¢0,000,000	
Chico – Downtown Complete Streets	\$2,000,000		\$2,000,000	
Chico – SR 99	\$3,624,000			\$3,624,000
Southgate	φ 3,02 4 ,000			φ 5,02 4 ,000
Intersection				
Improvements				
County – Palermo	\$2,625,000	\$1,000,000	\$1,625,000	
Safe Routes to				
Schools Project				
Oroville –	\$2,500,000		\$2,500,000	
Washington Ave				
Complete Streets Oroville – Table	\$500,000		\$500,000	
Mountain Blvd	\$500,000		\$500,000	
Complete Streets				
BCAG - North Valley	\$2,500,000	\$2,500,000		
Passenger Rail	. , ,	. , , , ,		
Project				
BCAG - Planning,	\$738,000	\$738,000		
Programming &				
Monitoring				** • • • • • • • •
Totals	\$21,487,000	\$10,538,000	\$7,325,000	\$3,624,000

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Staff reviewed each project recommended for Regional Improvement Program funding and those not recommended for funding were further discussed in the next agenda item for Carbon Reduction Program (CRP) and Congestion Mitigation and Air Quality (CMAQ) funding. Staff indicated that the table reflected a package of recommendations that if supported by the TAC, would be presented to the BCAG Board at the October Board meeting. Staff did indicate that due to financial constraints, the City of Chico's SR 99 Southgate project was not included for a programming recommendation.

Item #5 – Carbon Reduction Program & Congestion Mitigation and Air Quality Programs

Staff presented an overview of the Carbon Reduction Program (CRP) indicating that the program was very similar to the Congestion Mitigation and Air Quality Program (CMAQ) which the region was familiar with. Staff stated that guidance for the CRP program identified three focus areas or "pillars" for project eligibility including:

- 1. Zero-emission vehicles and infrastructure,
- 2. Active transportation, and
- 3. Rail and transit.

Staff indicated that BCAG was scheduled to receive annual apportionments for the 5year federal Infrastructure Investment and Jobs Act (IIJA) period for a total of just over \$2 million. Programming new CRP projects would be through BCAG's FTIP process.

Staff also provided an overview of the Congestion Mitigation and Air Quality Program with identification of the estimated annual apportionments that BCAG receives. Staff highlighted that both the CRP and CMAQ programs further the goals of CAPTI and BCAG's RTP/SCS. Staff indicated that BCAG can borrow CMAQ funding from other agencies if the region is able and willing to program against future shares. Staff made it clear that if BCAG borrows funding, it would restrict the ability to program in the future until the debt is paid and restrict BCAG's ability to assist in funding cost overruns for local project sponsors.

Staff recommended the committee support staff's recommendation to utilize the call-forprojects process undertaken for the 2024 RTIP process to consider programming the projects not selected for funding due to financial constraints as appropriate. If the TAC supports this approach, BCAG staff would make this recommendation at the October 26th BCAG Board meeting. Staff indicated that the projects received as part of the RTIP process were in alignment with the goals of CAPTI and the RTP/SCS.

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Committee members supported staff's recommendation to accept the call-for-projects process already taken. Staff indicated that modifications to the ePPRs would be accepted through December to allow for any edits necessary.

Staff indicated a final recommendation will be made at the February 2024 TAC meeting.

Item #6 – Caltrans District 3 Local Assistance Updates

Angel Araiza provided the committee with various Local Assistance updates including:

- Upcoming News and Training Bulletin
- California Local Technical Assistance Program Training
- FHWA's Notice of Funding Opportunities Funding Opportunities/Resources & Blog
- Tribal Technical Assistance Program (TTAP)
- UC Berkeley Training Opportunities for Local Agencies
- Local Technical Assistance Program
- Cooperative Training Assistance Program (through Sacramento State College)



Item # 4 Information

February 1, 2024

2024 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP)

PREPARED BY: Iván Garcia, Programming Director

ISSUE: BCAG adopted the 2024 RTIP on December 7, 2023. Since adoption, staff was required to adjust the project list.

DISCUSSION: The authorizing resolution enables staff to modify the RTIP in consultation with California Transportation Staff and or Caltrans to ensure state approval.

The North Valley Rail Project identified the environmental component for a total of \$5 million of which BCAG and Caltrans would split the costs evenly. BCAG had been informed that Caltrans supported this recommendation and would include it in their Interregional Transportation Improvement Program (ITIP). While the project was included in the draft ITIP, it was not included in the final. As a result, BCAG was required to either fund the entire \$5 million for the component or remove it. Staff removed the project. Staff is currently working on options on how best to move forward. Any programming recommendation would be presented to the committee.

In addition, staff adjusted the County's Palermo Safe Routes to School project originally recommended for \$1 million and changed it to the full request of \$2,625,000.

Final RTIP Recommendaitons

Project	Component	Request
Chico – Eaton Rd / SR 99 Roundabout	CON	\$6,300,000
County – Palermo Safe Routes to Schools Project	R/W & CON	\$2,625,000
BCAG – Planning, Programming and Monitoring	CON	\$ 738,000
Т	otal Requests:	\$9,663,000
	RIP Target:	8,433,000
	Shortfall:	\$1,230,000

Commission staff is currently working with Caltrans and regional agencies on the draft 2024 STIP. In its current condition the STIP is over programmed by \$65 million and is required to be financially constrained. The STIP is scheduled to be adopted by the CTC at their March 21-22 meetings. With contradicting state budget deficit estimates

from the governor's office of \$38 billion and the Legislative Analyst Office (LAO) of \$68 billion, Caltrans is not changing any of its current financial forecasts until the Governor's May Revise is released. As a result, the STIP may be required to be adjusted afterwards. Any further changes would be presented to the committee and the BCAG Board.

REQUESTED ACTION: This item is presented for information.

Key staff: Ivan Garcia, Programming Director Brian Lasagna, Regional Analyst



Item # 5 Action

February 1, 2024

CARBON REDUCTION PROGRAM & CONGESTION MITIGATION AND AIR QUALITY PROGRAMS

PREPARED BY: Ivan Garcia, Programming Director

ISSUE: The BCAG Board supported staff's recommendation to utilize the RTIP call-forprojects process to consider new Carbon Reduction Program (CRP) and Congestion Mitigation and Air Quality (CMAQ) Programming.

DISCUSSION: Projects received and not selected for Regional Transportation Improvement Program (RTIP) are being considered for CRP and CMAQ programming. Staff extended the period for the projects received through December to allow for any necessary changes by the local project sponsors.

CARBON REDUCTION PROGRAM: The Infrastructure Investment and Jobs Act (IIJA) created the Carbon Reduction Program (CRP) to provide federal funding to projects that decrease transportation emissions which are defined as the carbon dioxide (CO2) emissions that result from on-road, highway sources. California will receive annual apportionments of CRP over the five-year period of IIJA. The apportionments are split, with 65% as Local CRP and 35% as State CRP. Both Local and State CRP funds must be invested in alignment with the Carbon Reduction Strategy (CRS).

Caltrans has already indicated that their CRP funds will be programmed through the State Highways Operation and Protection Program (SHOPP) on projects that convert existing lanes to priced managed lanes. Caltrans has stated that converting to priced managed lanes regulates demand for vehicle trips, reduces VMT, reduces carbon emissions, and can generate revenue for other low-carbon transportation projects.

The CRS outlines how California will spend its CRP dollars on reducing transportation carbon emissions. California's CRS focuses on the "Three Pillars":

Three Pillars:

- 1. Zero-emission vehicles and infrastructure,
- 2. Active transportation, and
- 3. Rail and transit.

BCAG has received apportionments for the IIJA 5-year period. It is not known if this funding will continue in the next reauthorization bill.

BCAG Carbon Reduction Apportionments

FFY 2022	FFY 2023	FFY 2024	FFY 2025	FFY 2026	Total	
\$403,756	\$411,832	\$411,832*	\$411,832*	\$411,832*	\$2,051,084	

*FFY 2024 – 2026 are estimates.

RECOMMENDATION FOR THE CRP PROGRAM:

 City of Chico's Downtown Complete Streets Project - \$2,051,084. CRP funds will be used to complete the environmental component for this project. This project is located on Main Street and Broadway Street, from the Esplanade to 11th Street. The scope of the project is to construct dedicated bike lanes, wider sidewalks, improved crossings, traffic calming measures, and landscaping. This project will also be submitted for ATP Cycle 7 grant funds.

CONGESTION MITIGATION AND AIR QUALITY PROGRAM: The purpose of the Congestion Mitigation and Air Quality (CMAQ) Program is to fund transportation projects or programs that will contribute to attainment or maintenance of the National Ambient Air Quality Standards (NAAQS) for ozone, carbon monoxide or particulate matter. Transit improvements, bicycle and pedestrian facilities, shared micro mobility projects including shared scooter systems, and other projects that can demonstrate an emissions reduction are typically eligible. These types of projects further the goals that are in alignment with CAPTI and BCAG's RTP/SCS.

Apportionments for the CMAQ program are provided by Caltrans. In addition, BCAG has the flexibility to borrow apportionments from other regions who may not be ready to deliver a project or has run into project delays. The following apportionments do not include projects already programmed in the current FTIP.

BCAG CMAQ Apportionments

FFY 2022	FFY 2023	FFY 2024	FFY 2025	FFY 2026	Total
\$1,889,000	\$1,889,000	\$1,888,000*	\$1,888,000*	\$1,888,000*	\$9,442,000

RECOMMENDATION FOR THE CMAQ PROGRAM:

- City of Biggs 2nd Street Safe Routes to Schools Project \$800,00. On 2nd Street from W. Rio Bonito Road to H street the scope is to construct new pedestrian & bike facilities to connect Ped/Bike traffic to existing routes in the city, new curb and gutter, ADA compliant accessible access ramps, and drainage improvements.
- 2. Oroville Washing Avenue Complete Streets Project \$1,000,000. The project is located on Oroville Dam Blvd East and the railroad bridge just past Orange Avenue. The scope of the project is to add comprehensive bike and ped facilities along the corridor. The City is requesting \$1,000,000 for the PE and Right of Way components. The City will be submitting a Cycle 7 ATP Grant application for \$5 million in construction funds. If the City is not successful in securing ATP funds, the City will seek assistance from BCAG.
- 3. Oroville Table Mountain Blvd Complete Streets Project \$500,000. The project is located on Table Mountain Blvd from Montgomery Street Roundabout to the Thermalito Power Canal. The scope of the project includes repaving, curb, gutter, sidewalks, gap closures, ADA upgrades, LED crosswalks, Class II and IV bike infrastructure, bus turnouts, streetlights, landscaped medians with ped crossing islands, bike parking, and ped signal upgrades.

Total CMAQ: \$2,300,000

REQUESTED ACTION: BCAG staff recommends the TAC support staff's recommendation to program the CRP and CMAQ projects identified above. If the TAC supports this approach, BCAG staff would make this recommendation at the February 22nd Board meeting. These projects would be incorporated into the next FTIP amendment by BCAG.

Key Staff: Ivan Garcia, Programming Director Brian Lasagna, Regional Analyst



Item # 6 Information

February 1, 2024

2024 REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY PROJECT LIST

PREPARED BY: Ivan Garcia, Programming Director

ISSUE: BCAG is required to adopt the 2024 Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS) by December 2024. A key component to the RTP/SCS is the specific project list to ensure the regional transportation model reflects the appropriate projects.

DISCUSSION: Staff has worked with each of the jurisdictions on the update to the project list. Attached for your review and final comment is the project list. Minor changes can be made up until the plan is adopted, however, capacity changing projects will be a bigger work effort to include or change due to the traffic modeling work required.

Staff may request clarifications on some of the projects in the attachment after the committee meeting.

REQUESTED ACTION: Staff has attached the project list for the committee's awareness. Please email staff with any project changes by February 8, 2024

Key Staff: Ivan Garcia, Programming Director Brian Lasagna, Regional Analyst



Item #7 Information

February 1, 2024

FEDERAL PERFORMANCE MEASURE 3 (PM3) – GHG EMISSIONS

PREPARED BY: Brian Lasagna, Regional Analyst

ISSUE: As the federally designated Metropolitan Planning Organization (MPO) for the Butte County region, BCAG is required to establish targets, track, and report the areas performance measures mandated under MAP-21, in coordination with Caltrans and the local jurisdictions.

DISCUSSION: Federal transportation legislation (MAP-21) placed new and stronger emphasis on measuring and monitoring the performance of the transportation system and requires states and MPOs to implement a performance-based approach to planning and programming. Performance-based planning and programming includes using transportation performance measures, setting targets, reporting performance, and programming transportation investments directed toward the achievement of transportation system performance outcomes. The performance targets ensure states and MPOs invest resources in transportation projects that achieve national goals in safety, infrastructure condition, congestion, reliability, freight movement, environmental sustainability, and reduced project delivery delays.

Federal Performance Measure 3 (PM3) – GHG Emissions

Effective January 8, 2024, the Federal Highway Administration (FHWA) regulations were updated to require State departments of transportation (State DOT) and metropolitan planning organizations (MPO) to establish declining carbon dioxide (CO₂) targets for the GHG measure and report on progress toward the achievement of those targets. The targets apply only to the National Highway System (NHS) with a base year of 2022 and cover the 4-year performance period to 2025. Currently, Caltrans is coordinating with the state's MPOs establishing a statewide target, due February 1, 2024. MPO's will then have 180 days to either develop individual targets or accept the state target.

STAFF RECOMMENDATION: This item is presented for information.

Key staff: Brian Lasagna, Regional Analyst Ivan Garcia, Programming Director



Item # 8 Information

February 1, 2024

MAP-21 PERFORMANCE MEASURES – SAFETY (PM1)

PREPARED BY: Brian Lasagna, Regional Analyst

ISSUE: As the federally designated Metropolitan Planning Organization (MPO) for the Butte County region, BCAG is required to establish targets, track, and report the areas performance measures mandated under the federal Moving Ahead for Progress in the 21st Century Act (MAP-21), in coordination with Caltrans and the local jurisdictions.

DISCUSSION: Federal transportation legislation (MAP-21) placed new and stronger emphasis on measuring and monitoring the performance of the transportation system and requires states and MPOs to implement a performance-based approach to planning and programming. Performance-based planning and programming includes using transportation performance measures, setting targets, reporting performance, and programming transportation investments directed toward the achievement of transportation system performance outcomes. The performance targets ensure states and MPOs invest resources in transportation projects that achieve national goals in safety, infrastructure condition, congestion, reliability, freight movement, environmental sustainability, and reduced project delivery delays.

On August 31, 2023, Caltrans and the Office of Traffic Safety (OTS) established statewide safety performance targets for calendar year 2024 – see Table 1. MPOs have 6 months (February 28, 2024) following the states target setting date to: A) establish their own targets; or B) agree to plan and program projects so that they contribute toward the accomplishment of the state target. Performance and targets are to be reported and revised annually.

Target (Annual Reduction)					
-2.84%					
-4.61%					
-3.69%					
-3.69%					
-2.84%					
-3.69%					
-					

 Table 1. Statewide Safety Performance Targets - Year 2024

Note: Targets are based on a 5-year rolling average for all roadways.

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Caltrans and the Office of Traffic and Safety (OTS) have adopted targets based on a "trendline" approach which looks at current fatalities and is data driven consistent with the California Strategic Highway Safety Plan (SHSP).

Included as Attachment #1 is a compilation of the Butte County datasets provided for each safety measure. Trends have been presented based on the rolling 5-year average for all years included in the dataset. Individual incidents of Fatalities and serious injuries have decreased from 2021, however the 5-year average of serious injuries have increased. Non-motorized fatalities and serious injuries have increased for the first time since 2019.

In addition to the datasets presented, BCAG has prepared a map of fatalities for the Butte County region accompanied by relevant statistics as Attachment #2.

The 2020 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) includes a listing of federal performance measure safety projects which have been planned or programmed for the region. A link to Appendix 10-4 of the 2020 RTP/SCS is included <u>here</u>¹.

Staff is recommending that BCAG agree to plan and program projects so that they contribute toward the accomplishment of the state target for the 2024 performance year. Targets will be reviewed by the committee annually and reported to Caltrans.

If there is consensus among the committee with BCAG staff's recommendation, it will be carried forward to the BCAG Board of Director's prior to the February 29, 2024, deadline. BCAG staff will continue to coordinate with Caltrans and the committee regarding the MAP-21 performance measures.

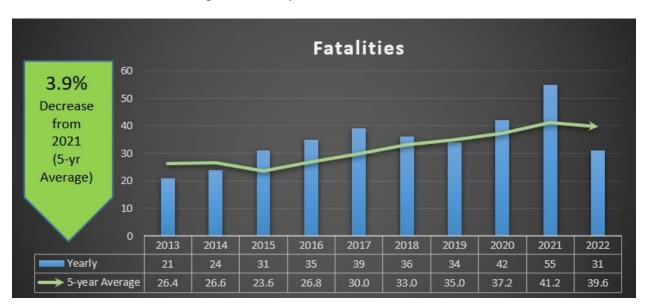
STAFF RECOMMENDATION: This item is presented for information. BCAG staff is recommending that the region agree to plan and program projects so that they contribute toward the accomplishment of the state safety performance targets for the 2024 performance year.

Key staff: Brian Lasagna, Regional Analyst Ivan Garcia, Programming Director

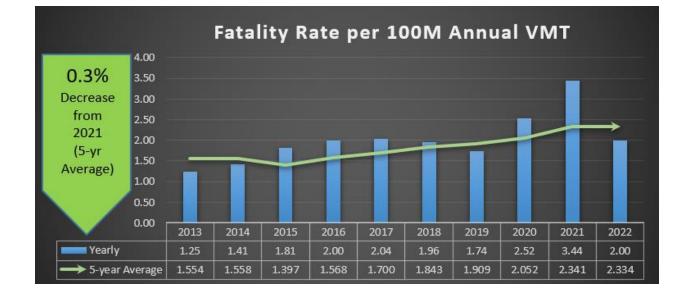
¹<u>http://www.bcag.org/documents/planning/RTP%20SCS/2020%20RTP%20SCS/Appendices/Appendix%2010-4%20PM%201%20Safety%20Final%20October%2020.pdf</u>

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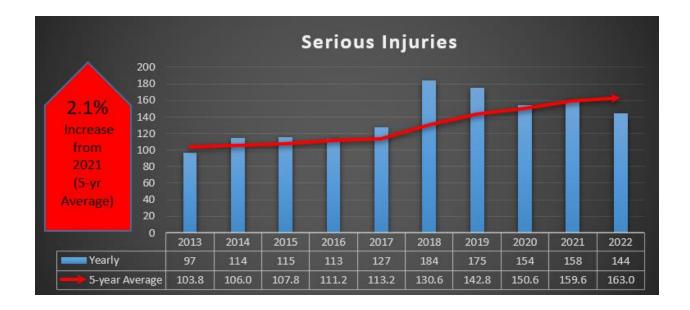
ATTACHMENT #1

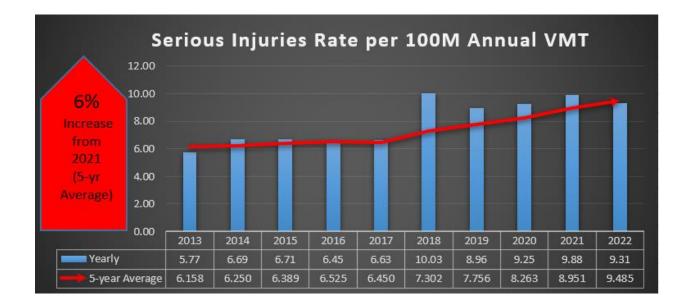


BCAG Regional Safety Performance Measure Trends

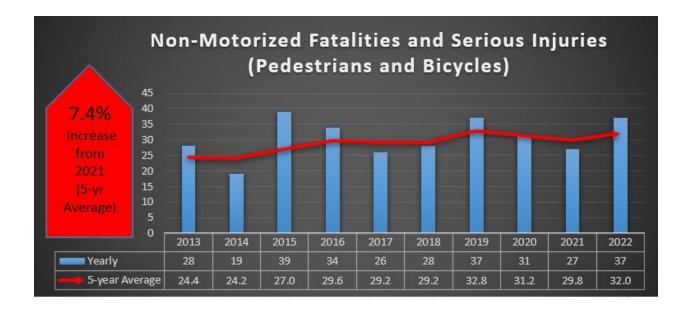


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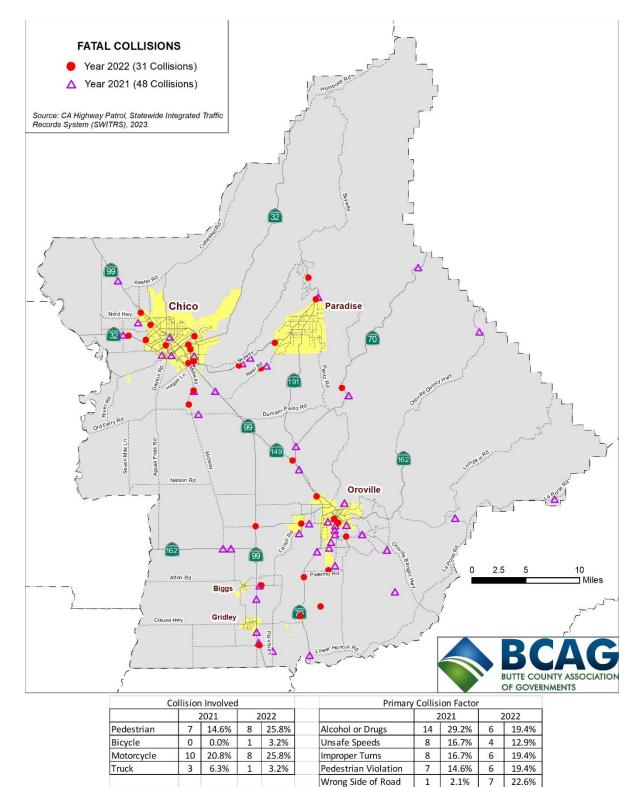




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ATTACHMENT #2



Item # 9 Information

February 1,2024

CALIFORNIA TRANSPORTATION COMMISSION – ACTIVE TRANSPORTATION PROGRAM SITE VISIT

PREPARED BY: Ivan Garcia, Programming Director

DISCUSSION: California Transportation Commission staff will be visiting Butte County on Thursday, February 8th for an all-day Active Transportation Program project site visit. This is a rare opportunity to showcase completed projects and or ask specific questions for upcoming ATP Cycle 7 projects. Local agencies are strongly encouraged to showcase success stories, identify challenging areas and ask specific questions if you intend to apply for a new ATP Cycle 7 project. The attached page identifies the specific projects in the ATP program for Cycles 1-6.

Approximate Time Schedule:

- County: 10:00 a.m. 11:00 a.m. Meet in South Oroville
- Oroville 11:30 a.m. 12:30 p.m. Meet at City Hall
- Paradise: 2:00 p.m. 3:00 p.m. Meet at Town Hall
- Chico: 3:30 p.m. 4:30 p.m. Meet at City Hall

REQUESTED ACTION: Please ensure your schedule can accommodate some flexibility should a site visit take longer (or shorter) amount of time.

Key Staff: Ivan Garcia, Programming Director

CALIFORNIA TRANSPORTATION COMMISSION - ACTIVE TRANSPORTATION PROGRAM (ATP)

Cyc	cle	Source	Agency	Title	ATP Funds	Total Cost	SUMMARIES	- ATP Funds Only		YEAR
1 1	1	Statewide	Paradise	Pearson Rd Safe Routes to Schools Connectivity Project	1,388,000	\$1,388,000	ATP Cycle 1 Funds:	Statewide	\$1,388,000	
2 1	1	Small Urban & Rural	Paradise	Maxwell Dr. Safe Routes to Schools Project	968,000	\$9,680,000	\$3,216,000	SUR:	1,828,000	2014
3 1	1	Small Urban & Rural	Biggs	Safe Routes to Schools Sidewalk Improvements	860,000	\$860,000	\$367,968,000 in ATP fund	Total Cycle 1:	\$3,216,000	
4 2	2	Statewide	Paradise	Almond St Multi-Modal	3,429,000	\$3,905,000				
5 2	2	Statewide	Paradise	Improvements Memorial Trailway Class 1 Enhancements	1,356,000	\$1,391,000				
6 2	2	Small Urban & Rural	Biggs	B Street & 2 nd St Safe Routes to Schools Project	809,000	\$819,000				
7 2	2	Small Urban & Rural	Chico	State Route 99 Bikeway Project – Phase 4	800,000	\$1,786,000	\$215,400,000 in ATP funds			2015
8 2	2	Small Urban & Rural	Paradise	Ponderosa Elementary Safe Routes to Schools Project	1,504,000	\$1,736,000		Statewide	6,301,000	
9 2	2	Small Urban & Rural	Paradise	Downtown Equal Mobility Project	539,000	\$553,000	\$9,953,000	SUR:	3,652,000	
10 2	2	Statewide	Butte County	South Oroville Safe Routes to Schools Project	1,516,000	\$1,716,000		Total Cycle 2:	9,953,000	
11 3	3	Statewide	Chico	Esplanade Corridor Safety and Accessibility Improvements	7,241,000	\$7,661,000	ATP: Cycle 3 Funds:	Statewide	10,692,000	
з	3	Statewide	Oroville	Oroville SR 162 Ped/Bike/Disabled Mobility & Safety Imprv.	3,451,000	\$3,951,000	\$14,479,000	SUR:	3,787,000	2016 +
12 3/	A	Small Urban & Rural	Paradise	ATP Gap Closure Complex	3,787,000	\$4,995,000		Total	14,479,000	Aug. in 2017
13 4	4	Statewide	Butte County	Butte County Safe Routes Resource Center and 5 Community Projects	985,000	\$1,140,000	ATP Cycle 4 Funds:	Statewide	2,482,000	
14 4	4	Statewide	Chico	Little Chico Creek Pedestrian/Bicycle Bridge Connection at Community	1,497,000	\$2,142,000		SUR:	12,356,000	2018
15 4	4	Small Urban & Rural	Chico	Bikeway 99 Phase 5 - 20th Street Pedestrian/Bicycle Overcrossing	12,356,000	\$15,464,000	\$14,838,000	Total	14,838,000	
SUN	ММ	ARIES			42,486,000	\$59,187,000	\$42,486,000			

2021

NO PROJECTS COVID YEARS......2021 (Regional focus on project delivery on existing commitments and get ready for Cycle 6) ATP Cycle 5 - \$0 5

	Cycle	Source	Agency	Title	ATP Funds	Total Cost	SUN	IMARIES		
16	6	Statewide	Paradise	Go Paradise: Pentz Student Pathway	22,009,000	\$23,293,000				
		Small Urban &	Butte County	South Oroville Bike and Ped	7.786.000	9,286,000		Statewide	22.009.000	
17	6	Rural	Butte County	Connectivity Project	7,786,000	9,280,000	ATP Cycle 6 Funds:	Statewide	22,009,000	
		Small Urban &	Paradise	Go Paradise: Neal Gateway Project	12,348,000	13,068,000		SUR:	26,838,000	
18	6	Rural	ralauise	do Faladise. Neal Galeway Project	12,348,000	13,008,000	48,847,000	301.	20,838,000	2022
		Small Urban &	Paradise	Go Paradise: Skyway Link Project	6.704.000	6,810,000		Total	48.847.000	
19	6	Rural	Falause	do Paradise. Skyway Link Project	6,704,000	0,810,000		TOtal	40,047,000	
				Summaries	48,847,000	52,457,000				

Summary	ATP Only	Percents by Fund Category
Small Urban & Rural Summary	48,461,000	53%
Statewide Summary	42,872,000	47%
Total	\$91,333,000	91.333.000

ATP Through Cycle 6 Regional Summary

BIGGS	1,669,000	2%
CHICIO	21,894,000	24%
GRIDLEY	=	
OROVILLE	3,451,000	4%
PARADISE	54,032,000	59%
BUTTE COUNTY	10,287,000	11%
Total	91,333,000	100%



Item # 10 Information

February 1,2024

CALTRANS DISTRICT 03 UPDATES

PREPARED BY: Ivan Garcia, Programming Director

Angel Araiza of Caltrans Local Assistance will provide a current update on various subjects. Please see attachments:



Name	Position	Telephone	Email Address
Bomasur Banzon	District Local Assistance Engineer	530-682-2984	bomasur.banzon@dot.ca.gov
Jacky Vang	Federal Programs Manager	530-821-8968	jacky.vang@dot.ca.gov
Angel Araiza	- Butte County - Highway Safety Improvement Program - Disadvantaged Business Enterprise	530-565-3963	angel.araiza@dot.ca.gov
Adam Belanger	- Emergency Relief Program - Invoice Control (Alt)	530-720-8694	adam.belanger@dot.ca.gov
Joshua Chang	 Sutter, Yolo & Yuba Counties Americans with Disabilities Act Quality Assurance Plan 	530-821-8408	joshua.chang@dot.ca.gov
Mary Fesliyan	Highway Bridge Program (Alt)	530-821-8265	mary.fesliyan@dot.ca.gov
Carl Magbual	- Sacramento County, Nevada County - State Administered Projects	530-565-3962	carl.magbual@dot.ca.gov
Natasha Scott	- City of Sacramento, SACOG - STIP Coordinator	530-821-8414	natasha.scott@dot.ca.gov
Cindy Root	 Citrus Heights, Elk Grove, Folsom, Isleton, Galt, Rancho Cordova, SJUSD, SMAQMD, Sac Regional Transit, Invoice Control SB1 (ATP, LLP & TCCP) Coordinator 	530-821-8372	cindy.root@dot.ca.gov
Cindy Shipley	 Clean California Local Grant Program Disadvantaged Business Enterprise (Alt) Colusa, Glenn & Sierra Counties 	530-720-3563	cynthia.shipley@dot.ca.gov
Abraham Vang	Highway Bridge Program	530-565-3532	abraham.vang@dot.ca.gov
Keng Leng Yang	El Dorado & Placer Counties	530-821-8381	keng.leng.yang@dot.ca.gov
Blas Martinez	Construction Oversight Engineer	916-205-6145	blas.martinez@dot.ca.gov
Thaleena Bhattal	 Acting Senior Environmental Planner Environmental Review for Sacramento & Yolo Counties 	530-821-8301	thaleena.bhattal@dot.ca.gov

Chris Carroll	Environmental Review for Butte, Colusa, El Dorado, Glenn, Nevada, Placer, Sierra, Sutter & Yuba Counties	530-720-5583	chris.carroll@dot.ca.gov
Gagan Purewal	Right of Way Review for Sacramento County	530-821-8428	gagandeep.purewal@dot.ca.gov
Robert Ronald	Utility Relocation Review	530-821-8358	robert.ronald@dot.ca.gov
Tarey Townsend	Right of Way Review for Butte, Colusa, El Dorado, Glenn, Nevada, Placer, Sierra, Sutter, Yolo & Yuba Counties	916-799-9513	tarey.townsend@dot.ca.gov

Local Assistance/BCAG Coordination

Project End Date Reports

Project Number xxxx(xxx)	Prefix	Responsible Agency	Approved PED (* Legacy)		PED Expires (Months)	
5037(040)	HIPCML	Chico	12/30/23		-1	PED Expired
5037(024)	BRLO	Chico	12/31/23	*	-1	PED Expired
38Y0(023)	ER	Butte County	12/31/23		-1	PED Expired
5912(092)	BRLO	Butte County	04/01/24		3	PED 3 to < 6 mos
5425(042)	CML	Paradise	04/28/24		3	PED 3 to < 6 mos
5425(044)	CML	Paradise	04/28/24		3	PED 3 to < 6 mos
5425(043)	CML	Paradise	04/28/24		3	PED 3 to < 6 mos
5912(091)	BRLO	Butte County	05/01/24		4	PED 3 to < 6 mos
5912(093)	BRLO	Butte County	05/01/24		4	PED 3 to < 6 mos

(Link) <u>https://dot.ca.gov/programs/local-</u> <u>assistance/projects/projects-with-expiring-</u> <u>end-dates</u>

The Project End Date (PED), analogous to the previously used Agreement End Date (AED), is the date that an agency estimates to identify the end of a project phase's Period of Performance (end of Federally participating work). It is defined as the date after which no additional federally participating costs may be incurred for an authorized phase of work.

For PEDs please review the PED tool posted online.

BCAG TAC Meeting Inactive Projects

All projects with an unexpended balance greater than or equal to \$150,000 with no activity for the past 9 months are subject to this review as well as those projects with an unexpended obligation of \$50,000 to \$150,000 which were authorized more than 9 months ago and have no expenditures.

https://dot.ca.gov/programs/local-assistance/projects/inactive-projects

Project Number	Agency	Agency Action Required	Project Description	Latest Payment Date	Months of No Activity	Total Cost Amount	Obligations Amount	Expenditure Amount	Unexpended Balance
5037029	Chico	Project is inactive.	VARIOUS LOCATIONS	9/8/202 2	16	\$1,423, 313.65	\$1,280,980. 00	\$1,138,260. 41	\$142,719.59
		Funds at risk. Invoice immediat ely.	WITHIN CITY OF CHICO LIMITS CITYWIDE						
		,	RSECTIONS						

BCAG TAC Meeting

Local Assistance Updates

<u>Local Assistance Blog – Caltrans Division of Local Assistance</u> Encourage to subscribe for latest updates.
 <u>https://www.localassistanceblog.com/</u>

- A new version of Local Assistance Procedure Manual (LAPM) Form 5-A: Local Agency Invoice is now available for download here! <u>https://forms.dot.ca.gov/v2Forms/servlet/FormRenderer?frmid=DOTLAPM5A</u>

- Updated forms can be found

Local Assistance Procedures Manual (LAPM) Forms | Caltrans https://dot.ca.gov/programs/local-assistance/forms/localassistance-procedures-manual-forms

Local Assistance Program Guidelines (LAPG) Forms | Caltrans https://dot.ca.gov/programs/local-assistance/forms/localassistance-program-guidelines-forms

Local Assistance Training/LTAP is offering:

Resident Engineer and Daily Diaries Training

February 12, 2024 12:00 pm - 1:00 pm PT

The <u>American Public Works Association – Sacramento Chapter</u>, <u>Caltrans Division of</u> <u>Local Assistance</u>, and <u>California Local Technical Assistance Program (CA LTAP)</u> invite you to join a FREE online lunch 'n learn: "Resident Engineer & Inspector Daily Diaries".

Discussion topics:

- Why is daily reporting of construction activities required?
- What does a daily report include?
- LAPM 16-C1: Assistant Engineer's Daily Report
- LAPM 16-C2: Resident Engineer's Daily Report
- Example daily reports
- Construction oversight engineer findings
- Daily diaries and audits
- Flow chart for documenting in the daily diary and creating an audit documentation trail

Contact <u>CALTAP</u> at <u>info@caltap.org</u>.

Free Registration!

Caltrans Construction Contract Standards Question & Answer Session

February 26, 2024 11:00 am - 12:00 pm PT

The Division of Local Assistance (<u>DLA</u>) Office of Guidance and Oversight (<u>OGO</u>) will provide open sessions to assist with questions concerning the use of current Caltrans Construction Contract Standards (CCS) for Local Public Agencies (LPAs) utilizing CCS for off the State Highway System (SHS) and on the National Highway System (NHS).

Per <u>DLA Implementation Memorandum 2023</u>, dated September 5, 2023, all LPAs using CCS for projects off the SHS, regardless of funding sources, must use the 2023 Standards for projects receiving approval, allocation, obligation, and authorization for the construction phase on or after October 31, 2023.

The live sessions will assist in addressing LPA requests and concerns on the implementation memorandum. Caltrans Division of Design Office of Construction Contract Standards (<u>OCCS</u>) will join OGO during these open sessions.

Sessions open to California local public agencies, Tribes, consultants, and Caltrans staff.

Online access via Microsoft Teams (Click Here to Join Live Session on Day of Event)

Contact Caltrans Division of Local Assistance Wenyi Long.

Notice of Funding Opportunity (NOFO) Bridge Investment Program (BIP) Planning and Bridge Project Grants

Information on the program and this opportunity will be available on the <u>BIP Webpage</u>. In addition to the <u>BIP Fact</u> <u>Sheet</u>, <u>Questions and Answers (Q&A)</u>, and <u>Benefit-Cost Analysis (BCA) Tool</u>, a link to the NOFO and Application Templates for both Planning and Bridge Projects will be provided. Additional information and resources will be posted as soon as available, including recorded webinars providing overviews of the BIP Planning and Bridge Project grants and the scheduling of LIVE Q&A sessions in January 2024.

Information on the BIP, contact via email <u>Bridge Investment Program</u> for submitting questions from both internal and external sources.

All applications must be submitted through <u>www.grants.gov</u> which requires applicants to have a unique identification number from <u>www.sam.gov</u>. As the process to obtain an identification number can take weeks, the NOFO recommends applicants start that process early and in parallel to developing a grant application.

Fiscal Year BIP Funding	Planning Application Deadline	Bridge Project Application Deadline
FY 2023 & 2024	February 19, 2024	March 19, 2024
FY 2025	October 1, 2024	November 1, 2024
FY 2026	October 1, 2025	November 1, 2025

Training & Resources

The <u>Center for Local Aid Support</u> is sponsoring online training courses for local agencies and tribal nations. The following resources provide anytime, anywhere access to hundreds of training topics designed to meet your individual needs. Please contact <u>CLAS@dot.gov</u> with questions and assistance.

- Local Aid Support A series of self-paced online training modules.
- <u>National Highway Institute</u> Over 180 web-based courses available, an account will need to be created to access.
- <u>American Association of State Highway Organizations TC-3</u> Over 190 web-based courses accessible online. Use promotion code: D5X3-B3D9-52CB-4XCX. For instructions on accessing the no-cost training, view the YouTube video: FHWA CLAS AASHTO TC-3.
- Institute of Transportation Engineers 15 online modules for smaller jurisdictions and tribes.

Visit the TTAP E-Learning page and the TTAP Online Training Library!

Several new and updated technical assistance, tools, resources, and services have been launched in recent months to provide support for tribal transportation agencies who are looking to articulate active transportation needs in order to secure funds for projects that enhance safer walking and bicycling conditions in their communities.

- SafeTREC's Tribal Road Safety Tools & Resources Information
- Tribal Transportation Safety Assessment Program

CalEPA's CalEnviroScreen 4.0 Updates: Recognized Tribal Lands

CTC Preparation Schedule

https://dot.ca.gov/-/media/dot-media/programs/financial-programming/documents/proposed-2024-draft-prep-external-063024.pdf





Expires – Upon Issuance of LPP

Exhibit 13-E: Preliminary Engineering Right of Way (PERW) Checklist

I. BACKGROUND

A task force was formed in 2021 to develop the Preliminary Engineering Right of Way (PERW) Checklist for Right of Way (R/W) and Local Public Agencies (LPAs). The intent of the PERW Checklist (Exhibit 13-E) is to assist LPAs in identifying potential right of way issues early in their projects. It will put the District Local Assistance Engineer (DLAE) and the Caltrans R/W Local Programs Coordinator on notice early in the process to identify potential R/W involvements on federally funded projects. Exhibit 13-E will alert non-qualified LPAs and Caltrans staff of the LPA's need to hire Right of Way Consultant(s), and to take that into consideration when setting the delivery schedule. In addition, the PERW Checklist will allow Caltrans staff to do real-time monitoring. If there are unanticipated right of way issues that arise during the R/W phase, there should be time to correct any deficiencies thus avoiding delays in certifying the project.

District 10 DLAE and the District 6 R/W Local Programs Coordinator jointly conducted a pilot program with their LPAs from November 2022 to July 2023. The original PERW Checklist was revised based on feedback and recommendations received from the local agencies in the pilot program and the D6 R/W Local Programs Coordinator. The D10 LPAs involved agreed the PERW Checklist assisted them in identifying any potential right of way conflicts early in the project.

II. POLICY

Effective November 1, 2023, the new Exhibit 13-E: PERW Checklist will be implemented for all federally funded local projects. Any proposed projects and existing projects currently working on their PES document must complete and submit Exhibit 13-E.

III. PROCEDURE

Exhibit 13-E is to be completed and signed by the LPA and submitted to the DLAE along with LAPM Exhibit 6-A: Preliminary Environmental Study (PES) Form. The PES and PERW forms will list the Federal Project Number (FPN). Exhibit 13-E is required with or without a project field review being completed.

The original signed Exhibit 13-E will be forwarded by the DLAE to the District R/W Local Programs Coordinator. The R/W Local Programs Coordinator will document receipt of the form in the project file diary. This notifies the R/W Local Programs Coordinator to monitor and advise the LPA through the right of way process. It is recommended that the R/W Local Programs Coordinator contact the author of the PERW Checklist Form to discuss the parcels identified as requiring right of way acquisitions, and/or utility relocations, and to be available to monitor the project in real time thus ensuring that federal regulations are followed, and any right of way issues are identified early in the processes so that the project can be certified without unnecessary delay.





IV. APPLICABILITY/IMPACTS

This Office Bulletin applies to all federal-aid projects. The following LAPM sections will be updated to incorporate the revised policy and procedures associated with this Office Bulletin.

Chapter/Exhibit	New / Revised Text		
LAPM Chapter 13.5 Preliminary Studies	At this early stage in the development process, it is crucial to correctly evaluate the project requirements: namely, the limits, location (including existing utilities), scope, costs, and whether any additional R/W will be required. Each agency should establish a process for accumulating this data, which will play an integral part in successfully completing the Field Review, the Preliminary Environmental Study Form (Exhibit 6-A), the Preliminary Engineering Right of Way (PERW) Checklist (Exhibit 13-E), and the Plans, Specifications & Estimate (PS&E) for the project.		
LAPM Chapter 13.5 Preliminary Engineering Right of Way Checklist [New subsection]	During preliminary studies, the LPA must complete Exhibit 13-E: Preliminary Engineering Right of Way (PERW) Checklist in conjunction with the PES Form (Exhibit 6-A) and submit to the DLAE. The DLAE will forward the form to the District Right of Way Local Programs Coordinator. This form is required with or without a project field review being completed.		
	The purpose of the PERW Checklist is to help LPAs, their Right of Way Agents and/or Right of Way Consultants determine if there are right of way involvements such as fee or temporary right of way acquisitions, utility conflicts, relocations, etc. at the project initiation stage. It will provide the information needed to complete an accurate right of way estimate and notify the District Right of Way Local Programs Coordinator of upcoming projects with right of way involvement to allow real-time monitoring. This earlier engagement will also provide both the LPA and the District Right of Way Local Programs Coordinator the opportunity to discuss Caltrans policies and processes necessary for compliance with the Uniform Act.		
LAPM Chapter 13.7 Projects Requiring Right of Way / Property Rights [New paragraph between 1 st and 2 nd paragraphs]	Exhibit 13-E: PERW Checklist has been developed as a tool used in identifying potential right of way conflicts and notifies the R/W Coordinator to monitor the project. Exhibit 13-E must be completed in conjunction with the PES form (Exhibit 6-A). A signed copy is sent to the DLAE who forwards it to the Right of Way Coordinator. It will alert staff of potential right-of-way acquisitions and/or utility conflicts on a proposed federal aid project. The form also alerts the LPA that they will need to hire Right of Way Consultants if they are not a qualified agency.		





Exhibit 13-E: Preliminary Engineering Right of Way (PERW) Checklist		ring Right of Way	New Exhibit		
Recommended:		Original signature	on file	October 5, 2023	
		Lisa M. Spellenberg, Resource Coordinator Office of Local Right of Way		Date	_

Approved:

Original signature on file Neidy Pinuelas, Chief

October 5, 2023

Office of Local Right of Way

Date

Attachments:

Attachment 1 – Exhibit 13-E: PERW Checklist

Preliminary Engineering Right of Way (PERW) Frequently Asked Questions

Q: Who can I contact for Right of Way Questions in the District?

A: If you need assistance contacting your Local Programs liaison, please contact <u>Right of Way</u> for current liaison assignments.

Q: What should the Local Agency be looking for?

A: Things to consider when looking at your project for RW issues:

- What is the width of the existing Right of Way?
- What type of ownership do you currently have, fee or easement?
- If easement, what type of existing easement do you have?
- Does the project include adding sidewalks?
- Many times, the city/county agency owns some right of way but plan to add sidewalks along the edge of the existing road.
- Consider your existing Right of Way width and determine if you have adequate width to add the sidewalk within your Right of Way area.
- Check to see if there is enough working area at the back of the sidewalk to accommodate a person, equipment, and the placement of forms without trespassing onto the adjoining property.
- If there is not enough adequate width you may need to acquire Right of Way, in fee or permanent easement for the actual structure and/or a temporary easement for working area.
- Any permanent or temporary effects to the property must be considered such as property fencing, grade changes to access roads, driveway conforms and landscaping (vegetation, sprinkler systems, retaining walls, pavers etc.). Private utilities to the private property must also be taken into consideration.
- Consider utility poles or guy wires within the area where sidewalks will be constructed or undergrounded utilities such as electricity, gas, cable, telephone, or water. These items may need to be relocated and may require a utility easement or curative work to perpetuate the utility.
- Service drops from the street to a house are possible curative work and are RW issues addressed in a right of way contract either as a payment to the owner to allow them to have the work done at no expense to them or as construction contract work handled during construction.

Q: Explain Types of Easements?

A: Easements are specific and may only be used for the purpose stated in the document. Examples of types of permanent easements are highway easements, drainage easements, slope easements, subsurface easements, and aerial easements etc. Chapter 7, Section 7.09.02.02 of the Caltrans Right of Way Manual further explains and gives samples.

Q: Explain a Temporary Easement

A: Temporary easements are called for when you need to use land temporarily for construction access, such as for the construction of sidewalks, retaining walls, fences, etc. on the land adjacent to your fee or permanent easement area. The duration of a temporary easement begins on the RW Certification date. The end date is determined and confirmed by the design engineer. If they cannot provide a firm end date, the end date typically becomes the project's Construction Contract Acceptance date. The payment for the TCE is calculated based on these dates. Should your project exceed the expiration date you will be required to renew your temporary easement at an additional cost with a new expiration date to be included in an amended Right of Way contract and you will be required to provide a revised & updated Cert.

Q: Explain what is meant by Right of Entry?

A: LPA needs to determine if traversing private property is needed for construction/maintenance and whether the rights can be secured with Rights of Entry. Rights of Entry should not be confused with Temporary (Construction) Easements. The use of a Right of Entry is limited to emergency and exceptional situations only and requires pre-approval from Caltrans Division of Right of Way and Land Surveys (Headquarters) and the Federal Highway Administration. See Chapter 13-11, pg. 25 of the Local Assistance Procedures Manual (LAPM). If there is no emergency declaration, the formal right of way process is to be followed and the right of way contract would contain a clause giving a permit to enter and construct for any work required outside the right of way limits. (such as driveway conforms, reconstructing fencing, reconnecting service drops etc.)

Q: What is meant by a Permit to Enter and Construct

A: Permit to Enter and Construct (PTE&C) or Equivalent Document The only appropriate scenario for the use of a Permit to Enter and Construct (PTE&C) or LPA equivalent document, is for access/use of a grantor's property to accommodate construction work/activity. One for which all of the following conditions must exist: 1) the subject property is located within the project area; however, the work identified is not within the construction project scope, 2) Access to subject property is not required in order to construct the project, 3) The access is to the grantor's benefit and not the benefit of the project, 4) Construction of the project can be completed without the need to condemn for subject access. Consult with your District Right of Way Coordinator(s) if you have any questions regarding use of a PTE&C, or its equivalent, versus a Temporary Construction Easement (TCE) for access/use of a grantor's property to accommodate construction work/activity.

Q: What is meant by asking if the proposed project requires work including surveying, testing, and maintenance?

A: LPA needs to determine if land surveying, environmental surveying, soil testing, and any maintenance would require additional right of way access permission or easements.

Q: What is meant by asking if there is an adequate construction duration or if there is an expiration date?

A: LPA needs to review the temporary easement to ensure that the description allows for construction activities; and that the duration and expiration are sufficient.

Q: What are examples of other publicly owned or controlled property?

A: Examples: Public utilities, Railroads, Federal public lands (including National forests), State's right of way, Local Agency's right of way, Military reservations, Federal reservoirs, canals, and flood control channels, Federal General Services Administration properties, State school lands, public parks, Indian tribal and allotted lands.

Q: Explain what is meant by if the project necessitates relinquishment of property?

A: LPA needs to determine if there will be excess right of way and whether relinquishment of properties might be needed.

Q: Why is there is a need to know if a project requires residential or business occupant(s) relocation?

A: LPA needs to determine if occupants can maintain residency or business can operate during construction.

Q: Why is there a need to know if the project will adversely impact existing businesses?

A: LPA needs to determine if construction will adversely affect existing businesses. The extent of the impacts may affect the method of construction and costs of mitigation.

Q: Why is there a need to know if Personal property will be impacted by the acquisition of property rights?

A: 49 CFR 24.301 (e) allows for the reimbursement of eligible expenses for a person who is required to move personal property from real property but is not required to move from a dwelling.

Q: Why is there a need to know if there is a possibility that the project may require right of way for mitigation?

A: LPA needs to determine if environmental mitigation may require an acquisition to establish an environmental mitigation site.

Q: What is the acquisition of airspace rights?

A: Airspace right of way use agreements are revenue-producing agreements for parcels within (above or below) the operating R/W. If the project requires construction such as structures over private property, airspace rights instead of acquisition may be required.

Q: What is meant by project requires easement vacation?

A: LPA may need to vacate part or whole of an existing easement within the project limits. Vacation of public rights-of-way is processed under the <u>California Streets and Highways Code</u>, California Subdivision Map Act. All vacations require City/County Council action and must comply with state laws and local ordinances. Once the vacation is approved by City/County Council and recorded at the County Recorder's Office, the title to the underlying property shall be cleared off any public rights-of-way and/or public service easements.

Q: What is meant by "have the LPA's right of way staff and/or right of way consultants been approved by the Caltrans' District Right of Way Coordinator to perform the work?"

A: Per Section 17.05.01 of Caltrans Right of Way Manual Chapter 17, on a project by project basis, LPAs are required to obtain qualification approval from Caltrans/District Right of Way Coordinator prior to starting the right of way activities. The qualification approvals are in effect for up to three years. A description of education and experience qualification requirements can be found in Section 17.05.02.02. For nonqualified agencies, right of way consultants must also have the proper education, experience, and training, as detailed in Section 17.06.01.01.