

5 Implementation

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The physical realization of the proposed project will be shaped not only by the goals and constraints determined from analysis of the physical and community context but also by agency standards and requirements for design of bicycle and pedestrian facilities, such as those in the Caltrans Highway Design Manual Chapter 1000. Furthermore, for a project which impacts the State Highway System, Caltrans maintains oversight of the project development process and requires adherence to its standards and procedures as defined in the Project Development Procedures Manual (PDPM).

This section describes the anticipated process-related implementation requirements specific to this project. The material contained herein is gathered from manuals and sources publicly available at <http://www.dot.ca.gov>. Descriptive text defining terminology or processes has been copied directly without specific attribution to the myriad government document sources where these descriptions can be found. The material presented here is intended to concisely summarize the key process considerations for this specific project. Referral to the Caltrans website is recommended for greater breadth and depth of information and as the definitive source of process requirements information.

The “next steps” outlined at the end of this section are the key requirements as we can best envision them at this stage.

Within the project initiation process, a key milestone is the environmental clearance. This project will be subject to the California Environmental Quality Act (CEQA) and, if federal funds are used, to the National Environmental Policy Act (NEPA). In essence, both acts set forth procedural requirements for describing level of environmental impact likely to be caused by the project, and for any mitigation necessary.

Additionally, the environmental process, particularly NEPA, requires that all alternatives, including the no-build alternative, be considered in order to minimize negative environmental impacts.

If an accelerated project timeline is deemed desirable, it is recommended that some of these implementation requirements be tackled earlier than they ordinarily would be within the project development process. These specific requirements are detailed in this section. Most importantly, the environmental scoping activities should be started as soon as possible.

Sources of the project implementation procedures and guidelines contained in this section include the Caltrans Highway Design Manual, the Caltrans Project Development Procedures Manual, the Caltrans Traffic Manual, the California Manual of Uniform Traffic Control Devices, American Disability Act Requirements, Federal Highway Administration documents, and bicycle facility design guidelines from AASHTO.

5.1 Anticipated Caltrans Review Process

5.1.1 Project Initiation Document and Project Report

The project development process begins with feasibility studies and ends with the completion of construction. A crucial first step is the nomination of the project for the Regional Transportation Plan (RTP) by the Sonoma County Transportation Authority SCTA. Projects in the Metropolitan Transportation Commission (MTC) Regional Bicycle Network (RBN) get recognized as part of the RTP. The Caltrans process is then initiated by securing an Expenditure Authorization (EA). A district may choose to assign an EA early.¹ In this region, there are already a number of other transportation projects that SCTA may nominate for Caltrans review; this is anticipated to be a challenge. The chart in Figure 6.1 provides an overview of the entire project development process from PID through construction.

Project Initiation Documents (PID) are engineering reports whose purpose is to document agreement on the scope, schedule, and estimated cost of a project so that the project can be considered for inclusion in a future programming document such as the STIP. A Project Study Report (PSR) is a PID format that meets statutory, California Transportation Commission (CTC), and Caltrans requirements for STIP candidate projects.

The development of a PSR is the first formal project phase in developing a solution for a specific transportation problem. A PSR should accomplish the following:

- Define the purpose and need for the project
- Document input from stakeholders
- Systematically collect and analyze existing information
- Identify alternatives
- Develop a plan of action to deliver the project, and
- Estimate the project cost and schedule.²

¹ See http://www.dot.ca.gov/hq/oppd/pdpm/chap_pdf/chapt08.pdf

² See http://www.dot.ca.gov/hq/oppd/pdpm/chap_pdf/ch09.pdf (9-3)

The key purposes of a PSR are to establish a well-defined purpose and need statement, and a reasonable project schedule and reliable cost estimates. A PSR is prepared in order to ensure that a project is sound, well-planned, and well-conceived. The PSR should identify any flaws with the project so that they can be resolved before financial and staff resources are invested. The PSR will also identify whether sufficient community support is present. A strong PSR is key for the process of obtaining funding. Many of the tasks required for a PSR have been completed or initiated as part of this feasibility study.

A Project Report (PR) is a report that documents Caltrans approval of a project. It documents environmental clearance for the project. It answers the question "Which way provides the greatest public good with the least private harm?" and explains why other alternatives were rejected.

Proposed projects that have the consensus of key stakeholders and clearly defined project completion requirements can be scoped early in the project development process. If this project is determined to have a well-defined "purpose and need" and a well-defined project scope (in this case, a clear choice for crossing structure alignment), Caltrans will likely approve consolidation of the PID and project report into a Combined Project Study Report-Project Report (PSR-PR). This significantly reduces the total project delivery timeline. A Combined PSR-PR must meet the requirements for both a PID and a PR.³

Particular features make projects ineligible for the use of a combined PSR-PR (Project Development Procedures Manual 2009, 9-46). One criteria that could potentially be an issue is whether an environmental impact report to comply with California Environmental Quality Act (CEQA) or National Environmental Policy Act (NEPA) is required. Given the likelihood of using federal funds, NEPA requirements will apply. However, based on the studies performed by the project environmental sub-consultants so far, it is not anticipated that an environmental impact report will be required.

Once it is determined that the project is not specifically ineligible from using a combined PSR-PR, the following factors, at a minimum, will be considered before allowing the project to proceed on an expedited PSR-PR track:

- Consensus of key stakeholders on the project purpose and need.
- Consensus of key stakeholders on the project scope. Stakeholders may include, in addition to community stakeholders, the City of Santa Rosa, Caltrans, California Transportation Commission (CTC), Union Pacific, SMART, and other agencies.
- Impacts to the State Highway System as identified by traffic studies.
- Impacts to the environment and community. The Caltrans District 4 environmental generalist provides factors to make this evaluation.
- Availability of Caltrans project initiation and capital support resources to provide independent quality assurance.
- Geometric feasibility of the proposed alternatives.
- A reasonable funding source.

Based on the two community meetings held for this project, there is a clear consensus on the project purpose and need from community stakeholders. As stated above, it is anticipated that impacts to the

³ See http://www.dot.ca.gov/hq/oppd/pdpm/chap_pdf/ch09.pdf

environment and community, if any, will be moderate. Alignments F and G are removed from the dense urban landscape, and therefore there is less conflict with existing land uses. These two alignments appear to have no significant impact on trees, utilities, buildings, or other features. Alignments A and B may have impacts on existing uses, such as heritage trees, that could trigger more extensive environmental review requirements.

Of the requirements listed above for obtaining approval for a combined PSR-PR, the most challenging for this project may be: a) documenting a well-defined project scope as represented by a specific crossing alignment, b) defining a reasonable funding source, c) and allocating resources for Caltrans oversight and quality review.

5.1.2 Environmental Review Process

As part of the PSR process, a Preliminary Environmental Assessment Report (PEAR) will need to be completed and reviewed by Caltrans. A draft PEAR is provided in Appendix J. The purpose of a PEAR is to scope out the anticipated environmental documentation that will be needed for the project, which, if any, of the special studies that will need to be prepared, and the anticipated cost of environmental impact mitigation. PEAR is based on a preliminary review of the field. Once a preliminary design for the bridge has been developed and preliminary engineering is underway, the formal environmental review process can commence. Environmental review will be required under the California Environmental Quality Act (CEQA), with the City of Santa Rosa serving as Lead Agency. Environmental review will also be required under the National Environmental Policy Act (NEPA), assuming the project receives Federal funds. In California, the Federal Highway Administration (FHWA) has delegated much of its NEPA work to Caltrans, whose staff must review and approve all draft environmental documents prepared to comply with NEPA. The environmental review process typically consists of three phases, which can run concurrently under both CEQA and NEPA:

Environmental Scoping (Phase 1)

Environmental scoping is the process of identifying environmental issues associated with the proposed project and determining the type of environmental documents that will be prepared as well as the issues that will be addressed in those documents. The types of environmental documents available under CEQA are:

- Categorical or Statutory Exemption

A project is categorically exempt from CEQA based on a finding that the class of projects does not have a significant effect on the environment. Recent projects in the Bay Area have qualified for the categorical exemption without falling squarely into any of the exemption categories.⁴ For example, the creation of bicycle lanes on existing rights-of-way is listed as categorically exempt in Section 15304.

⁴ Examples include the bicycle/pedestrian bridges over 101 in the City of Belmont at Ralston Avenue, over 101 and 237 in the City of Sunnyvale, and along Mary Avenue at 280 in the City of Cupertino.

- Initial Study/Negative Declaration (ND)

An initial study formalizes the lead agency's preliminary analysis to determine whether an EIR or Negative Declaration must be prepared. This is typically based on a checklist including the various environmental impacts which may result from development. The study must also explain the reasons for supporting the checklist findings; supporting information may include specific studies which examine the potential significance of an anticipated environmental effect. A negative declaration (ND) is a brief report written by the lead agency describing the reasons that a proposed project not exempt from CEQA, will not have a significant effect on the environment and therefore does not require the preparation of an EIR. An ND is prepared when the lead agency finds that there is no substantial evidence that a project may have a significant environmental effect.

- Initial Study/Mitigated Negative Declaration (MND)

A Mitigated Negative Declaration (MND) is possible when all potentially significant effects of the project can and will be avoided, or mitigated to a level of insignificance, by project revisions or other requirements imposed on the project. The project changes and mitigation measures must be agreed to or made by the proponent before the draft ND is circulated for public review and comment.

- Environmental Impact Report (EIR)

An environmental impact report (EIR) is a detailed report written by the lead agency describing and analyzing the significant environmental effects of a proposed project, identifying alternatives and discussing ways to reduce or avoid the possible environmental damage. An EIR is prepared when the lead agency finds substantial evidence that the project may have a significant effect on the environment.

The types of environmental documents available under the FHWA/Caltrans NEPA process are:

- Categorical Exclusion

Categorical exclusion means a category of actions which do not individually or cumulatively have a significant effect on the environment, and therefore, neither an environmental assessment nor an environmental impact statement is required. Actions which are categorical exclusions (CEs) do not induce significant impacts to planned growth or land use for the area, do not require the relocation of significant numbers of people; do not have significant impact on any natural, cultural, recreational, historic or other resource; do not involve significant air, noise, or water impacts; do not have significant impacts on travel patterns; and do not, otherwise, either individually or cumulatively, have any significant environmental impacts. An action which would normally be classified as a CE but could involve unusual circumstances will require the FHWA/Caltrans, in cooperation with the applicant, to conduct appropriate environmental studies to determine if the CE classification is proper.

- Environmental Assessment (EA)

The purpose of an EA is to determine if a project will cause significant effects necessitating the preparation of an Environmental Impact Statement (EIS).⁵ If the assessment concludes that an EIS is required, the information contained in the EA facilitates its preparation. If the EA concludes that no significant impacts will occur, a Finding of No Significant Impact (FONSI) is prepared. EAs are divided into two categories: complex EAs and routine EAs.

- Complex Environmental Assessment with a Finding of No Significant Impact

Complex EAs are those that include multiple location alternatives, debate related to purpose and need, strong public controversy, issues related to logical termini or independent utility, individual Section 4(f) determinations, complex Endangered Species Act issues, numerous cumulative impacts, or high mitigation costs. Complex EAs undergo a stringent review process identical in virtually every way to the EIS review.

- Routine Environmental Assessment with a Finding of No Significant Impact

Routine EAs do not present any of the issues listed above, and are prepared, reviewed and approved entirely within the Caltrans district/region.

- Environmental Impact Statement (EIS)

A federal agency must prepare an EIS when it determines that a proposed action may significantly affect the quality of the human environment. An EIS is a full disclosure document that details the process through which a transportation project was developed, includes consideration of a range of reasonable alternatives, analyzes the potential impacts resulting from the alternatives, and demonstrates compliance with other applicable environmental laws and executive orders.⁶

To the extent that past experience with similar projects can be a guide, and provided that multiple location alternatives are not carried beyond the feasibility study phase, there is a reasonable likelihood that Santa Rosa's CEQA requirements can be fulfilled with a Mitigated Negative Declaration and that the NEPA requirements can be fulfilled by preparation of Special Studies to support a Categorical Exclusion. However, the discovery of any potentially significant environmental impacts at any time in the environmental review process could escalate the process to requiring an EIR under CEQA and/or an Environmental Assessment under NEPA.

Preparation of Environmental Documents

This activity consists of conducting scientific studies in accordance with the applicable State and Federal environmental procedures and regulations. This is typically a multi-disciplinary effort with qualified specialists taking responsibility for the analysis in their respective areas of expertise. The work normally begins in earnest once the project has been sufficiently well defined to enable meaningful analysis of the potential environmental consequences and concludes with the publication of draft environmental documents.

⁵ See <http://www.dot.ca.gov/ser/vol1/sec4/ch31ea/chap31ea.htm>

⁶ See <http://www.environment.fhwa.dot.gov/projdev/docueis.asp>

Review of Documents

Under CEQA, any draft environmental documents (on non-exempt projects) are formally published and circulated for public review. Public hearings are not required, but are commonly held. The Lead agency is required to prepare written responses to public comments relating to the adequacy of the document, and the decision making body must consider the environmental document and the comments and responses before making a decision on the project.

Under NEPA, EA's and EIS's are circulated for formal public review, and public hearings are required. Special Studies to support a Categorical Exclusion are used by Caltrans and FHWA in the project review and approval process. While they are public documents, they are not circulated for public review and comment.

5.1.3 Right-of-Way Acquisition Process

The right-of-way acquisition process cannot begin until after environmental clearance is obtained. Right of way acquisition will likely be required from private parties. Alignment A-1 would require right-of-way acquisition on both sides of the freeway. Alignment F-1 would require acquisition at the western terminus. Various other legal permissions must be obtained. A Caltrans ROW certification is an important milestone culminating the ROW acquisition process. Documents necessary to obtain certification for this project will include an encroachment permit, which is necessary for projects that enter State highway right of way.⁷ It gives permissive authority for the permittee to enter State right of way to construct approved facilities or conduct specified activities.

5.1.4 Cooperative and Maintenance Agreements

Whenever there is an exchange of effort, funding or materials between the State and another local entity for work on the State Highway System, a cooperative agreement is necessary. The cooperative agreement is a legally binding contract between the appropriate parties involved in the project. It documents the roles and responsibilities for each party and defines what work will be performed, by whom, how it will be paid for, scheduling, and any other roles and responsibilities. It also addresses liability and indemnification issues. Another formal agreement that will likely be necessary is a maintenance agreement regarding the maintenance for the project. Various models for cooperative agreements with Caltrans are available (See Appendix I for a sample agreement from a similar District 4 project).

In similar projects, responsibility for maintenance for portions of the facility on City property typically is handled by the City. Long-term maintenance responsibility for the proposed bridge structure has not been established. Generally Caltrans provides maintenance at the City's expense for all structural components within their right-of-way that are beneath the path of travel.

5.1.5 Summary of Completed Actions

- Existing reports, studies and maps have been obtained and reviewed.

⁷ See http://www.amtrakcalifornia.com/hq/traffops/developserv/permits/encroachment_permits_manual/index.html

- Environmental scoping to identify possible constraints, anticipated environmental requirements, and estimated mitigation costs, have been done. The environmental effort contributes to the Preliminary Environmental Analysis Report (PEAR) process.
- Public and local agency input has been obtained.
- Concept geometrics have been developed.
- A Preliminary Geotechnical Report has been prepared.
- Possible non-standard design features have been identified.
- Preliminary Cost Estimates have been prepared.

5.1.6 Possible Project Delivery Timeline



Figure 5.1 Possible Project Delivery Timeline from Feasibility Study through Construction

5.2 Funding Sources

City policies and fiscal constraints dictate that funding must be obtained from outside sources, such as State and Federal grants.

The following chart provides information and excerpts from Guide to Bicycle Project and Program Funding in California, Second Edition, February 2002.

5.2.1 Federal

Program Description, Eligible projects	Eligible applicants	Details
<p>Transportation Enhancement Activities (TEA)</p> <p>For CIP projects except research and education. Not for maintenance or operation, feasibility studies, program planning or improvements to private property. Projects must relate to surface transportation system through function, proximity or impact.</p> <p>Funds transportation projects that help enhance the travel experience. Three of 12 eligible categories are bicycle-oriented: bicycle and pedestrian facilities, bicycle and pedestrian educational activities and preservation of abandoned railway corridors for bicycle and pedestrian use.</p> <p>Funds are dispersed to these TEA programs: Regional, Conservation Lands, Caltrans and Statewide Transportation Enhancement (STE).</p> <p>2000-2001:</p> <p><u>Regional</u>: RTPAs receive and allocate 755 (\$45 Million annually).</p> <p><u>Conservation Lands</u>: (Not applicable to Santa Rosa overcrossing project)</p> <p><u>Caltrans</u>: Controls 11% (\$40 Million over TEA-21's 6 years; about \$6.6 Million annually).</p> <p><u>Statewide Transportation Enhancement (STE)</u>: State Resources Agency controls about 11% of funds (\$40 Million over 6 years; \$20 million per each of two funding cycles). STE program administered through EEM program umbrella.</p> <p>See <i>Local Assistance Procedures Manual</i> www.dot.ca.gov/hq/LocalPrograms/public.htm</p>	<p>See subtypes below. Private sector groups can partner with a public entity that can execute a master agreement.</p> <p><u>Regional</u>: Local, state or federal depending on TEA category. Sponsor applies to RTPA and to Caltrans Local Assistance for eligibility check. Deadline depends on RTPA. Submittal to start date: 3-6 months.</p> <p><u>Caltrans</u>: RTPAs, counties, cities, non-profits or citizen groups with Caltrans District partner. Headquarters TEA Branch Chief approves eligibility, sends list to District Directors for consent. Projects are shown in State Highway Operation and Protection Program (SHOPP) list. Deadline same as SHOPP projects; see TEA website.</p> <p><u>STE</u>: State (except Caltrans), federal, and regional. Local or private/non-profit agencies with a state or federal partner. Sponsor submits 3-part application to Caltrans, which determines eligibility. State Resource Agency prioritization panel ranks projects, recommends to CTC. CTC approves program amount and schedule, selects from recommended list, allocates funding. Deadline depends on STE funding cycles; see TEA website.</p>	<p>Required local match 11.47%.</p> <p>Proposed projects must total a minimum of \$100,000 in federal funds.</p>

Program Description, Eligible projects	Eligible applicants	Details
<p>Congestion Mitigation and Air Quality Improvement Program (CMAQ)</p> <p>Block grant program for projects in Clean Air Act non-attainment areas that will help attain national ambient air quality standards stated in 1990 Clean Air Act amendments. The California Transportation Commission (CTC) may reprogram the CMAQ funds if they are not obligated within three years of federal eligibility.</p> <p>www.dot.ca.gov/hq/transprog/reports/Official_CMAQ_Web_Page.htm</p>	<p>Cities, counties, transit operators, Caltrans and MPOs. Non-profit organizations and private entities if work through a public-private partnership.</p>	<p>MPOs prioritize and approve projects</p>
<p>Regional Surface Transportation Program (RSTP)</p> <p>Federal block grant program for roads, bridges, transit capital and bicycle and pedestrian projects including bike parking facilities at terminals, bike racks on buses, bicycle transportation facilities, pedestrian walkways, bike-activated traffic lights and preservation of abandoned railway corridors for pedestrian and bicycle trails.</p> <p>2000-2001: \$320 Million statewide.</p> <p>www.dot.ca.gov/hq/transprog/cmaqrstp.htm</p>	<p>Cities, counties, transit operators, Caltrans and Metropolitan Planning Organizations (MPOs). Non-profit organizations and private entities if work through a public-private partnership</p>	<p>MPOs prioritize and approve projects</p>
<p>Highway Safety Improvement Program (HSIP)</p> <p>Source: http://www.dot.ca.gov/hq/LocalPrograms/hsip.htm</p> <p>SAFETEA-LU Section 1401 amended Section 148 of Title 23. HSIP replaces Hazard Elimination Safety (HES) program.</p> <p>State develops Strategic Highway Safety Plan (SHSP) and annual 5% Report showing locations with highest fatalities and severe injuries. These are used to develop CA's Strategic Highway Safety Implementation Plan (SHSIP), scheduled for Spring 2008. Project selection is intended to be "data-supported". Projects:</p> <ul style="list-style-type: none"> should be "important safety projects that can be designed or construction expeditiously" should not require acquisition of significant rights of way exceeding 10% of construction cost should not typically require extensive environmental review beyond Categorical Exclusion (CE) determination <p>Funds available for any highway safety improvement project on any public road, publicly owned bicycle, pedestrian pathway, or trail.</p>	<p>Initially administered by Division of Local Assistance with three project categories:</p> <p>Safety Index (major category). Bicycle and pedestrian improvements are ineligible due to lack of accident reduction factors and life cycles.</p> <p>Work Type (projects not yet supported by data collection). 21 categories including (i) intersection safety, (ii) pavement and shoulder widening to remedy an unsafe condition, (v) pedestrian, bicyclist safety or safety of the disabled,</p> <p>Traffic Data (improved data collection, including for bicycles and pedestrians)</p> <p>Applicants are agencies that assume responsibility and accountability for use and expenditure of federal-aid highway funds. Must be city or county.</p> <p>Caltrans will issue Call For Projects in Spring 2009; District Local Assistance Engineers will notify all local agencies.</p>	

5.2.2 California (State)

Program Description, Eligible projects	Eligible Applicants	Details
[CA] Safe Routes To Schools (SRTS)	Cities and counties	
<p>Bicycle Transportation Account (BTA)</p> <p>Caltrans administered.</p> <p>For city and county projects that improve safety and convenience for bicycle commuters. Eligible projects include new bikeways that serve major transportation corridors, secure bicycle parking, bicycle-carrying facilities on transit vehicles, Installation of traffic control devices, planning, bikeway improvements, maintenance and hazard elimination.</p> <p>http://www.dot.ca.gov/hq/LocalPrograms</p>	Cities and counties with BTA-compliant Bicycle Transportation Plans no older than 5 years.	Annual cycle. \$7 Million annually statewide.
<p>State Transportation Improvement Program (STIP)</p> <p>Two funding categories: Regional Transportation Improvement Program (RTIP) and Interregional Transportation Improvement Program (ITIP). 75% of STIP is allocated by Regional Transportation Planning Agencies (RTPAs).</p>	Cities, counties, transit operators, Caltrans	

5.2.3 Regional (MTC Bay Area), Sonoma County, and City of Santa Rosa

Program Description, Eligible projects	Eligible Applicants	Details
<p>Transportation Development Act, Article 3 (TDA-3)</p> <p>Percentage of state sales tax and gasoline tax. Allocated by MTC to counties, many of which allocate to cities by population.</p>	Cities and counties	Annual cycle, applications due December.
<p>Sonoma County Measure M</p> <p>Quarter cent county sales tax for transportation. Administered by Sonoma County Transportation Authority (SCTA). Measure M Strategic Plan is updated every 2 years; 2009 is an update year. SMART receives 5% off the top.</p>	Cities within Sonoma County, also SMART rail program	Bike-Ped Project #14 = US-101 crossings
<p>City of Santa Rosa Developer Impact Fees</p> <p>Offset the public costs required to accommodate new development with public infrastructure.</p>	City collects and allocates. Nexus requirement.	

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5.2.4 Funds Obligation & Flow of Funds

Funds obligation is a formal milestone for many grants and public funding sources. To obligate funds, Plans, Specifications, & Estimates (PS&E) must be sufficiently complete to satisfy Caltrans auditors that the project can be built during the funding cycle and within the budget allocated. Typically, PS&E must be at least 70% complete for funds obligation.

Extensions of the funds obligation deadline are not normally granted for projects in their planning phase. Therefore, if the funds obligation deadline cannot be met, it is important that as much tangible and documented progress be made as possible (e.g. environmental clearance and right-of-way certification) prior to the funds obligation deadline.