

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: March 28-29, 2012

Reference No.: 4.11
Action


From: BIMLA G. RHINEHART
Executive Director

Subject: AMENDMENT TO THE FISCAL YEAR (FY) 2011-12
ENVIRONMENTAL ENHANCEMENT AND MITIGATION (EEM) PROGRAM
RESOLUTION G-12-04, AMENDING RESOLUTION G-12-02

ISSUE

The Commission has the statutory responsibility to allocate the \$10 million provided in the Fiscal Year (FY) 2011-12 State Budget to fund the Environmental Enhancement and Mitigation (EEM) Program, as prioritized by the California Natural Resources Agency.

Should the Commission reduce the American River Conservancy's Brush Creek Ranch project from \$350,000 to \$105,200, reducing the adopted FY 2011-12 EEM Program to \$9,683,778?

RECOMMENDATION

Staff recommends that the Commission reduce the American River Conservancy's Brush Creek Ranch project from \$350,000 to \$105,200, and adopt the attached resolution to amend and reduce the FY 2011-12 EEM Program to \$9,683,778.

BACKGROUND

The California Natural Resources Agency received 61 grant applications for FY 2011-12. The 58 eligible applications were evaluated and used to develop a Recommended for Funding List.

On February 23, 2012, the Commission adopted the FY 2011-12 EEM Program. The 32 projects on the Recommended for Funding list were shown in North/South sections by project Category, with the 17 projects in the north for \$5,795,618, and the 15 projects in the south for \$4,132,960, for a FY 2011-12 EEM Program total of \$9,928,578.

The FY 2011-12 EEM Program did not include a Substitution List for this cycle as all 32 projects determined to be eligible and fundable by the evaluation team were selected for funding. This left a remaining balance of \$71,422 for future allocations.

The American River Conservancy received more funding than they originally expected from other sources for their Brush Creek Ranch project, and reduced their request for EEM funds accordingly.

The amended (reduced) FY 2011-12 EEM Program of \$9,683,778 will increase the balance for future allocations to \$316,222. Staff from the California Natural Resources Agency is working with the agencies that have other candidate projects on the FY 2010-11 EEM Program Substitution List to find out if the available balance would allow them to proceed with their projects.

BACKGROUND

Under EEM statutes, the Resources Agency is responsible for developing and adopting procedures and criteria; evaluating grant proposals; submitting a list of ranked projects recommended for funding; and finding that the projects are eligible for funding under Article XIX of the State Constitution. The Resources Agency's procedures and criteria contain a detailed, quantitative scoring mechanism that is used to evaluate and rank projects in priority order by assigning point scores to each project. In accordance with the provisions of Section 187 and 188 of the Streets and Highways Code, an attempt is made to allocate 40% of the total amount recommended to projects in the northern counties and 60% of the total amount to projects in southern counties.

The EEM Program is designed to undertake "environmental enhancement and mitigation projects that are directly or indirectly related to the environmental impact of modifying existing transportation facilities or for the design, construction, or expansion of new transportation facilities". EEM projects must provide environmental enhancements and mitigation over and above what is otherwise called for under the California Environmental Quality Act (CEQA) of 1970 or the National Environmental Policy Act (NEPA) of 1969.

The general categories of EEM projects eligible for funding are:

- Highway Landscape and Urban Forestry projects designed to offset vehicular emissions of carbon dioxide through the planting of trees and other suitable plants. Projects may be within or outside the right-of-way of the related transportation facility. Projects within the right-of-way, however, are not intended to supplant or augment highway landscaping that would normally be funded by the responsible public agency. Any planting within public road rights-of-way shall be limited to trees only.
- Resource Lands acquisition, restoration or enhancement of resource lands to mitigate the loss of, or the detriment to, resource lands lying within or near the right-of-way, acquired for proposed transportation improvements. Resource lands include natural areas, wetlands, forests, woodlands, meadows, streams, or other areas containing fish or wildlife habitat. Enhancement of resource lands may include the restoration of wildlife corridors.
- Roadside Recreational acquisition and/or development of roadside recreational opportunities, including roadside rests, scenic overlooks, trails, trailheads, sno-parks, and parks.

Any local, state or federal agency or nonprofit entity may apply for and receive grants under the EEM Program. The applicant is not required to be a transportation organization but must be able to demonstrate adequate charter or enabling authority to carry out the type of project proposed. Two or more entities may participate in a joint project.

Attachments

California Transportation Commission

AMENDMENT OF THE ADOPTED FISCAL YEAR 2011-12
ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM

Resolution G-12-04, amending Resolution G-12-02

- 1.1 WHEREAS, Streets and Highways Code Section 164.56 establishes the Environmental Enhancement and Mitigation (EEM) Program; and
- 1.2 WHEREAS, this program provides \$10 million annually for environmental enhancement and mitigation projects which are directly or indirectly related to the environmental impact of modifying existing transportation facilities or for the design, construction or expansion of new transportation facilities; and
- 1.3 WHEREAS, the Resources Agency is charged with evaluating proposals submitted for this program and providing a list of proposals recommended for funding to the Commission; and
- 1.4 WHEREAS, the Commission is responsible for awarding grants to fund proposals which are included on the list prepared by the Resources Agency; and
- 1.5 WHEREAS, on February 23, 2012, the Commission adopted Resolution G-12-02, approving the final Fiscal Year (FY) 2011-12 EEM Projects Recommended for Funding list totaling \$9,928,578 for thirty-two projects; and
- 1.6 WHEREAS, on February 24, 2012, the Department notified the Commission that one of the agencies approved for funding, the American River Conservancy, received more funding than they originally expected from other sources for their Brush Creek Ranch project, and reduced their request for EEM funds accordingly, from \$350,000 to \$105,200.
- 1.7 WHEREAS, the amended FY 2011-12 Recommended for Funding list, including supplemental information, has been reviewed by Commission staff, and appears to meet all basic requirements as specified in the EEM statutes, and the Commission policies and guidelines.
- 2.1 NOW THEREFORE BE IT RESOLVED, that the Commission adopts the amended list for the Fiscal Year (FY) 2011-12 Environmental Enhancement and Mitigation Program totaling \$9,683,778 for thirty-two projects, as indicated in the attached revised list of projects, including the reduced amount for the American River Conservancy's Brush Creek Ranch project.

- 2.2 BE IT FURTHER RESOLVED, that it is the intent of the Commission to allocate available Fiscal Year 2011-12 funds for these projects, and expects that funds so allocated should be expended on a timely basis, preferably by June 30, 2013; and
- 2.3 BE IT FURTHER RESOLVED, that for projects which include land acquisition, the Commission would encourage grant recipients to reduce overall project costs by exploring the feasibility of acquiring easements rather than fee title when appropriate; and
- 2.4 BE IT FURTHER RESOLVED, that due to the uniqueness of the individual projects in this program, the Commission hereby directs the Department of Transportation to be especially diligent in the on-site inspection and auditing of the projects included in this program.

AMENDED 2011-12 ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM

PROJECTS RECOMMENDED FOR FUNDING (32 PROJECTS) - amended 03-29-2012				
CAT	CO	APPLICANT	PROJECT NAME	AWARD
NORTHERN COUNTIES (17 PROJECTS)				
RL	ED	American River Conservancy	Gold Hill-Wakamatsu Ranch Recreation	\$ 159,350
RL	ED	American River Conservancy	Brush Creek Ranch Habitat Acquisition (reduced from \$350,000)	\$ 105,200
RL	MEN	Trust for Public Land	Point Arena Public Lands Acquisition Project	\$ 500,000
RL	NEV	Bear Yuba Land Trust	Yuba River: Black Swan Resources Land Acquisition	\$ 350,000
RL	PLA	Placer Land Trust	Johnston Ranch Conservation Project	\$ 350,000
RL	SAC	Sacramento Tree Foundation	Stone Lakes Blue Heron Trails Visitor Contact Station	\$ 341,762
RL	SCR	Trust for Public Land	San Andreas Creek Resource Lands Acquisition Project	\$ 350,000
RL	SON	Sonoma County Water Agency	Rohnert Park/Cotati Highway 101 Widening: Hinebaugh Creek Habitat Enhancement and Restoration	\$ 298,456
RL	YUB	Trust for Public Land	Marysville Ranch Resource Lands Conservation Easement Project	\$ 350,000
RR	ALA	East Bay Regional Park District	Iron Horse Trail Construction Dublin/Pleasanton BART Station to Santa Rita Road	\$ 350,000
RR	AMA	Jackson, City of	Jackson Vista Point Improvement Project	\$ 326,050
RR	FRE	City of Fresno Parks, After School, Recreation, and Community Services (PARCS) Department	Romain Park Improvements	\$ 350,000
RR	FRE	CSU Fresno Foundation (CDFG)	San Joaquin River - "Small Fry Trail" and "Stormy Creek" Project	\$ 350,000
RR	SCL	San Jose, City of	Lower Silver Creek Trail (Alum Rock to Highway 680)	\$ 350,000
RR	SHA	Redding, City of	Palisades Avenue River Trail Connection	\$ 320,000
RR	SHA	Shasta County	Palo Cedro Bike Lane & Pedestrian Improvement Project	\$ 350,000
RR	SHA/SIS	Shasta Land Trust	Acquisition of the Great Shasta Rail Trail	\$ 350,000
			SUBTOTAL - NORTHERN COUNTIES	\$ 5,550,818
SOUTHERN COUNTIES (15 PROJECTS)				
HLUF	LA	Community Conservation Solutions	Los Angeles River Greenway Tree-Planting Project	\$ 339,000
HLUF	LA	Hollywood Beautification Team	Planting For Knowledge with Hollywood Community Team	\$ 161,335
HLUF	LA	Pasadena, City of	Reclaiming Pasadena's Urban and Natural Forest	\$ 350,000
HLUF	LA	Pomona, Public Works Department, City of	SR-71/Mission Boulevard Slope Stabilization and Beautification	\$ 350,000
HLUF	LA	South Gate, City of	City of South Gate Urban Greening	\$ 296,700
HLUF	SB	Goleta Valley Beautiful	Highway 101 Los Carneros/Glen Annie Interchanges Tree Planting	\$ 125,000
HLUF	TUL	Tulare, City of	Hillman Street Project	\$ 143,831
RR	TUL	Tulare, City of	Acquisition of Sunrise Park Mediation Enhancement Area	\$ 330,000
HLUF	TUL	Visalia, City of	Restore Our Community Forest Project	\$ 318,294
RL	SLO	San Luis Obispo, City of	Prefumo Creek Riparian Enhancements	\$ 125,000
RL	RIV	Coachella Valley Conservation Commission	Willow Hole Blowsand Ecosystem Conservation and MSHCP/NCCP Implementation Acquisitions	\$ 350,000
RR	MNO	Mammoth Lakes, Town of	College Connector Path	\$ 343,800
RR	ORA	Anaheim, City of	Santa Ana River Trail Mitigation Project	\$ 350,000
RR	SB	Land Trust for Santa Barbara County	Franklin Trail Project	\$ 200,000
RR	SD	San Marcos, City of	Montiel Park Enhancement Project	\$ 350,000
			SUBTOTAL - SOUTHERN COUNTIES	\$ 4,132,960
			TOTAL RECOMMENDED PROGRAM	\$ 9,683,778