

MEMORANDUM

TAB 99

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: March 22-23, 2023

From: STEVEN KECK, Chief Financial Officer

Reference Number: 2.5e.(5), Action Item **YELLOW REPLACEMENT ITEM**

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District 04 – Director

Subject: **SUPPLEMENTAL FUNDS FOR CONSTRUCTION COMPLETION PHASE
PPNO 0748E/EA 0A020 – SONOMA COUNTY – STATE ROUTE 1
RESOLUTION FA-22-68**

ACTION UPDATE: *Additional information on funding breakdown, future mitigation projects, and end dates for environmental commitments*

ISSUE:

Should the California Transportation Commission (Commission) approve the California Department of Transportation's (Department) request for an additional \$4,930,000 in Construction Support for the State Highway Operation and Protection Program (SHOPP) Major Damage Permanent Restoration project on State Route (SR) 1, in Sonoma County, to complete the construction contract?

RECOMMENDATION:

The Department recommends that the Commission approve the requested supplemental funds allocation for this SHOPP project.

PROJECT DESCRIPTION:

This project is located on SR 1, in the vicinity of Gleason Beach, north of the Carmet community, in Sonoma County. This is a climate change adaptation project to improve coastal resiliency, corridor safety, connectivity, public access to recreational areas, fish passage and habitat restoration, and regional tourism. The project realigns an approximately 4,000-foot section of highway inland by 400 feet and includes a new 850-foot-long bridge over Scotty Creek and its floodplain, to address constant coastal erosion intensified by sea level rise and storms. The Sonoma Coast is a highly scenic, valuable resource for local residents and visitors, and SR 1 serves both as the lone emergency evacuation route, and an essential rural corridor, connecting coastal communities and businesses.

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FUNDING AND PROGRAMMING STATUS:

In August 2019, the project was programmed in the SHOPP for \$35,824,000 in Construction Capital and \$3,400,000 in Construction Support, for delivery in Fiscal Year 2020-21. In January 2021, Construction funds allocation consisted of \$35,824,000 in Construction Capital and \$4,000,000 in Construction Support. The Department awarded the contract to the low bidder with construction capital budget of \$26,370,000. In August 2022, the Department added \$600,000 by G-12 authority to the support budget, and requested \$8,520,000 in Construction Support at the Commission’s meeting in October 2022. The Commission approved \$3,300,000 for the Department to complete the bridge and paving to shift traffic onto the new roadway alignment by March 2023, and directed the Department to return to report the status and submit an updated supplemental request. The current Construction Support budget of \$7,900,000 is expected to be depleted by the end of March 2023.

The Department awarded the construction contract in May 2021, with 750 working days, and anticipates Construction Contract Acceptance (CCA) in November 2024. The contract is about 85 percent complete with 245 working days remaining. In October 2022, the Department had anticipated shifting traffic onto the new alignment by February 2023, but the atmospheric river storms in January 2023 have extended the traffic switch, which was completed on March 8, 2023. Since the traffic has been shifted, the Department will start removing the existing highway and will work in the creek in June 2023, to install a diversion system to demolish two sets of box culverts, restore the creek channel and wetlands, and finish bridge aesthetics, drainage systems restoration, utility relocations, coastal trail construction, planting, and plant establishment.

REASON FOR COST INCREASE:

The increase in Construction support costs is due to significant efforts and coordination required to address the environmental complexity of the site and unanticipated challenges during construction. The level of effort to meet the environmental permit conditions and respond to changes during construction has been higher than anticipated and accounted for at the initial construction allocation.

- The Department devoted additional efforts to comply with extensive environmental permit conditions and secure amendments to improve constructability to stay on schedule. Coordination with multiple resource agencies to finalize various mitigation plans, execute agreements, and negotiate with the private landowner to acquire a conservation easement took longer, delayed the start of construction, reduced the available in-creek work window by two months to perform the bridge work. The stage construction had to be modified to allow the change to use two cranes from both sides of the creek, in lieu of installing a temporary bridge, with one crane to construct the piers. This led to an extended work schedule with multiple shifts to complete the critical path work (structure foundation and column work), as well as concurrent work at multiple locations on both sides of the creek, and doubling of biological and archaeological monitoring staffing (including two sets of tribal representatives from two tribes).

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- Unanticipated quantity of cultural resources during excavations necessitated stockpiling of recovered materials, right of way negotiations for relocation, reburials and the associated monitoring of this work.
- Nesting birds delayed the start of the 2022 construction season, requiring workarounds and monitoring of nesting birds.
- Permit conditions required refinement of the access roads during construction to avoid further coastal erosion, which added redesign work, utility relocations, and negotiation and acquisition of new right of way.
- Design modifications were necessary to resolve differences between the contract plans and final permit conditions.
- Differing site conditions resulted in additional efforts to address excess ground water, unidentified/abandoned utilities, and storm damage repairs. Winter storms in 2021, caused drainage issues along the highway and erosion at the mouth of Scotty Creek and required additional efforts to repair the existing highway. Contract Change Orders (CCO) required coordination with resource agencies for emergency authorizations.
- Completion of the Habitat Mitigation and Monitoring Plan (HMMP), the Long-term Management Plan (LTMP), stormwater mitigation plan, negotiations to secure the conservation easement at the mitigation site, and an executed cooperative agreement with the future land manager, Gold Ridge Resource Conservation District (Gold Ridge RCD), are needed to be able to implement mitigation requirements for the follow-up child projects. Coordination efforts are continuing, to reach an agreement with the landowner and to finalize the LTMP with resource agencies and implement off-site biological and stormwater requirements. Challenges, such as new landowner requests during construction, a third-party agency's change in staffing or resources, resulted in unanticipated redesign, environmental, right of way, and construction efforts to incorporate, investigate, develop options, and get approval to implement the conservation easement.

At the October 2022 Commission meeting, the Department received \$3,300,000 of the \$8,520,000 requested. With the \$3,300,000 supplemental funding, the Department was able to complete the following activities:

- March 8, 2023: Shifted traffic to the new bridge and roadway realignment.
- January 2023: Secured permitting agencies' approval for CCO, most significantly to relocate a waterline from the bridge superstructure to address constructability. Finalized the Global Positioning System Substation location with the California Coastal Commission (CCC) and Sonoma County for ongoing coastal monitoring requirements.
- December 2022:
 - ✓ Finalized the design of the initial alignment of the California Coastal Trail with Sonoma County, California State Parks, and the CCC. Coordination is ongoing and the

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construction is targeted for completion this fall, consistent with the repurposing the existing alignment of SR 1.

- ✓ Finalized conservation easement boundary, access points, water infrastructure and deed restrictions. Reached agreement with the private property owner, California Department of Fish and Wildlife (CDFW), U.S. Fish and Wildlife Service (USFWS), the CCC, future conservation easement holder (California Rangeland Trust), and Gold Ridge RCD on the management of the Pacific Gas and Electric utility easements within the conservation easement. Secured tentative approval on the HMMP and LTMP. Final approval is pending review by CDFW and other agencies.
- November 2022: Felled 45 eucalyptus trees within the future Conservation Easement and processed them to be used as creek restoration and species habitat elements, as specified in the HMMP. Removed the temporary wetland mats and access roads under the new bridge and completed all permitted temporary impacts to wetlands.
- October 2022: Resolved the Coastal Development Permit Special Condition to eliminate the requirement to stain the bridge to avoid additional temporary impacts to seasonal wetlands in a third construction season.

The Department has revised this second supplemental funds request to \$4,930,000 from the initial estimate of \$5,220,000 in October 2022, to reflect completed work. The supplemental funds are necessary to complete construction, plant establishment, reach CCA by November 2024, and end of project by December 2026. The upcoming work consists of removing the existing highway, installing a diversion system to demolish two sets of box culverts starting in June 2023, restoring the creek channel and wetlands, and finishing bridge aesthetics, drainage, utilities, coastal trail construction, and plant establishment.

Support efforts from March 2023 to November 2024 (CCA) will include:

Construction: \$1,700,000

- Work on old SR 1, drainage work, water and sewer line, construction best management practices, permanent erosion control, Scotty Creek culvert removal, existing SR 1 removal, and one year of plant establishment.

Environmental: \$1,730,000

- Continue biological, stormwater, archaeological and tribal monitoring, tracking, and reporting of ongoing construction activities in accordance with permit conditions from the CCC, CDFW, USFWS, National Marine Fisheries Service (NMFS), U.S. Army Corps of Engineers (USACE), North Coast Regional Water Quality Control Board (NCRWQCB), and the project's Tribal partners through November 2024.
- Review any proposed CCOs and obtain necessary resource agency approvals for unanticipated construction changes through November 2024.

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- Continue coordination with Sonoma County regarding the Hazard Debris Clean Up and potential opportunities for Sonoma County to start initial removal before Department construction completion.
- Develop and complete the final off-site mitigation package which is currently at 75 percent with a target submittal to CDFW and USFWS by April 2023. This activity will set the framework for the follow-up off-site biological mitigation project.
- Finalize the design and planting regime of the wetland creation and enhancement proposed within the future conservation easement with the Gold Ridge RCD by May 2023. This activity will set the framework for the follow-up off-site biological mitigation project.
- Secure permitting agencies' approval of the conservation easement and execute, with the California Rangeland Trust, the necessary title transactions by March 2024. This activity will set the framework for the follow-up off-site biological mitigation project.
- Participate in the Gleason Beach Coastal Public Access Taskforce (Taskforce) (started July 2022) to develop the Phase I (November 2023) and Phase II (December 2026) implementation of Coastal Access Plans. Phase I includes improvements to be implemented by this project by November 2023, and Phase II will be implemented by Sonoma County subsequently.
- Perform all post-construction surveys, including a final impact validation report, restoration reports, final short-term temporary and long-term temporary impact surveys and monitoring and reporting per permit requirements to document all construction impacts by December 2024.

Environmental efforts after CCA and before end of project (December 2026): \$1,500,000

- Monitoring of on-site mitigation, remediation resolution, and preparation of annual reports through December 2026 consistent with the requirements of the Coastal Development Permit and Lake and Streambed Alteration Agreement.
- Support costs associated with hosting the bi-annual Coastal Terrace Prairie Adaptive Management Working Group meetings commencing within 60 days of the final approval of the LTMP, and every 6 months through December 2026. This activity will set the framework for and support the follow-up off-site biological mitigation project.
- Coordination with Sonoma County related to the Hazard Debris Clean Up, Visual Impact Mitigation, and Emergency Roadway Repair Permit Follow-up through December 2026.
- Preparation and submittal of the required biennial bluff monitoring reporting on blufftop erosion changes by November 30 of every other year starting November 2023 through December 2026. Reports will provide comprehensive monitoring of the coastal bluff line in relation to the road realignment tie-in segments at the northern and southern project conforms.

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- Preparation and submittal of biennial monitoring reports of the approved relocation of an existing rock revetment and the placement of new rock revetment for the repurposed existing SR 1 by November 30 of every other year starting November 2025 through December 2026. Reports will document appropriate maintenance, address any significant weather or damage that may affect future performance or require repairs.

CONSEQUENCES:

If this allocation request for supplemental funds is not approved, the Department will not be able to complete construction for this climate change adaptation and roadway realignment project. To terminate and complete construction at a later time, will likely result in risks of claims from the contractor, permit non-compliance, higher construction capital and support costs, escalation for future reprogramming, worsening coastal erosion, emergency repairs, and route closure.

FINANCIAL RESOLUTION:

Resolved, that \$4,930,000 be allocated for Construction Support, to provide funds to complete the construction phase for this SHOPP project.

Attachment