



Communication with Utilities and Railroads in the Project Development Process (Right of Way)

California Transportation Commission Workshop

Presented by Mark Phelan

June 23, 2020



Primary Utility and Railroad Companies

Utility Companies



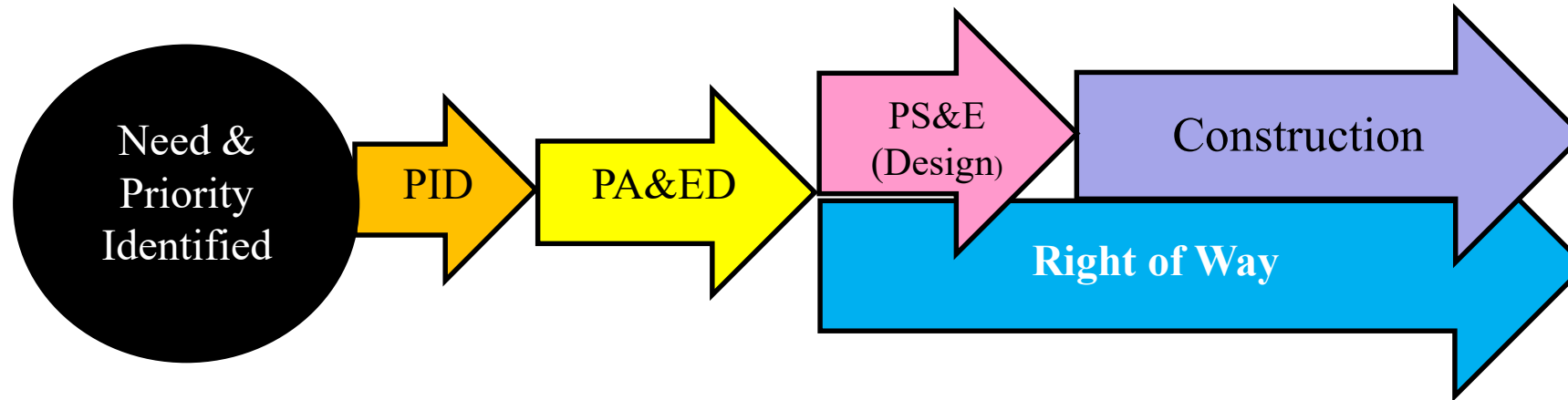
Railroads



Dozens of other additional Utilities and Regional Transit Operators

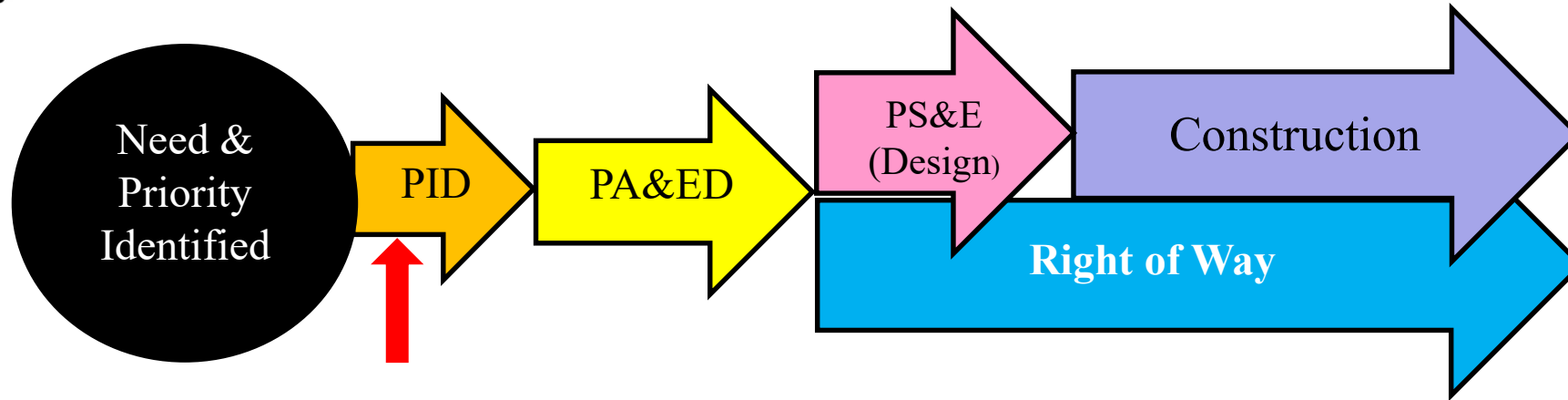


Caltrans Project Development Process





Project Initiation – First Identification and Contact

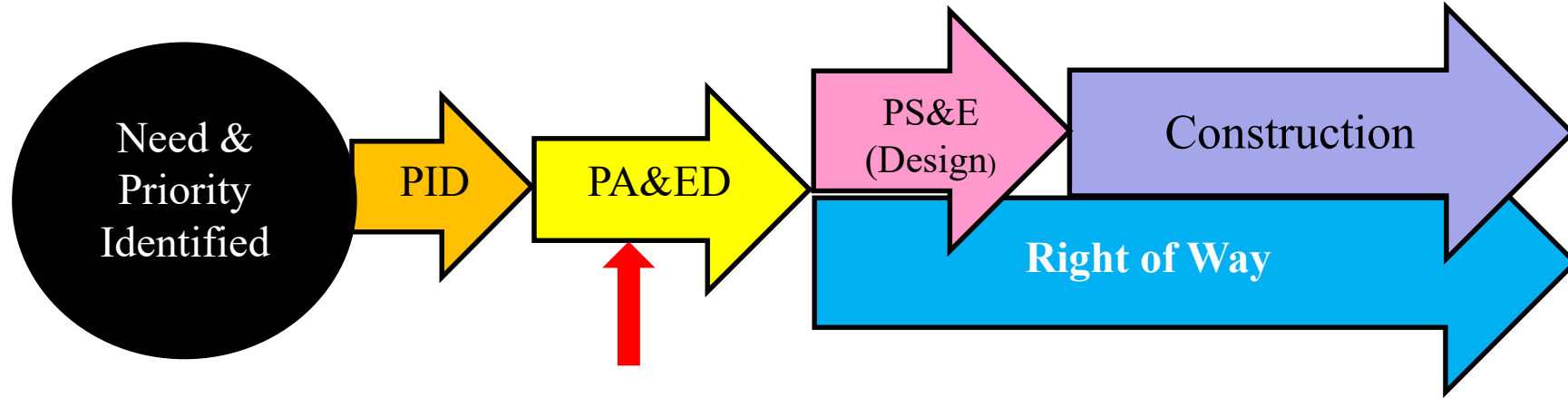


PID: Occasional Early Coordination (informal)

- Potential conflicts noted in the Project Initiation Document
- Conceptual cost estimate prepared based on historic data
- Identify potential utility/RR agreements to plan schedule
- Very little contact at this stage with externals



Utility and Railroad Coordination – PA&ED

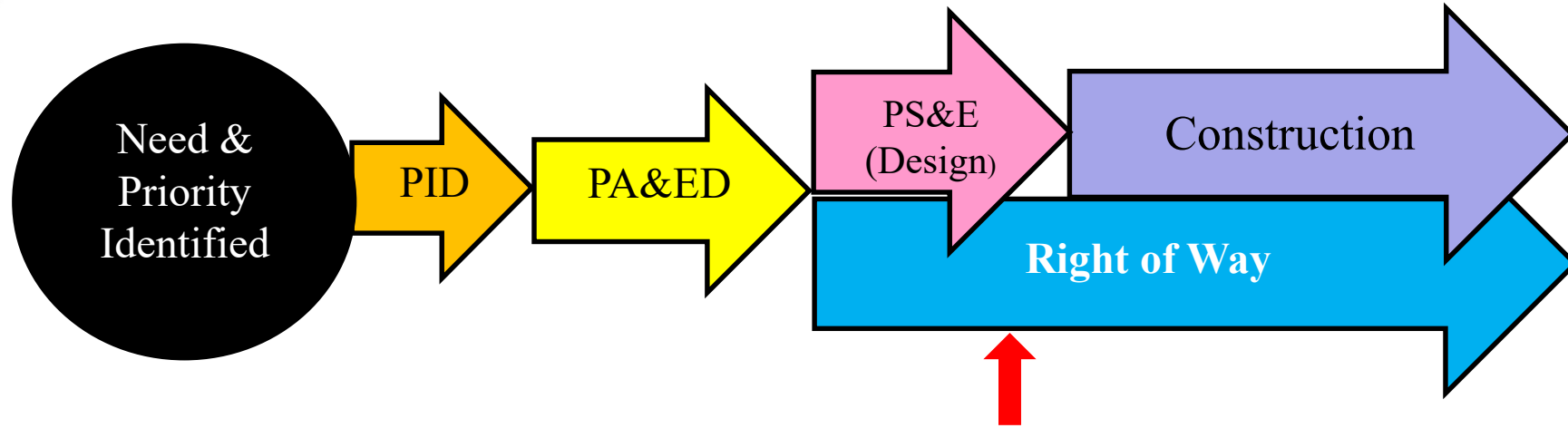


PA&ED – Standard Early Coordination (informal)

- Conflicts are identified in more detail
- Begin consultation with Utility companies
- Send plans to utilities and request verification maps
- Identify required railroad agreements



Utility and Railroad Coordination – PS&E & R/W

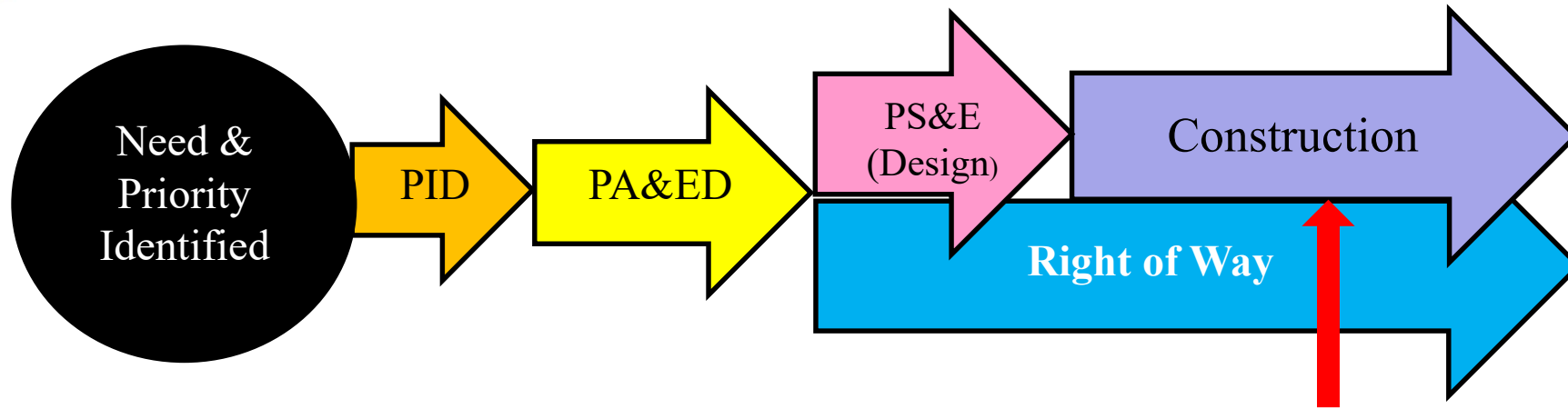


Right of Way and PS&E phases are concurrent

- Identify replacement property rights as necessary
- Finalize Utility agreements, request and approve relocation plans and provide Notices to Owner
- Execute final agreements with Railroads



Utility and Railroad Coordination – Construction



- Monitor Utility relocations, pay utility and railroad invoices
- Prepare and record conveyance documents
- Monitor RR and Utility agreements for schedule tracking and funding balances
- Close out and final accounting

Challenges



Caltrans:

- - Scope changes
 - Agreement revision due to changing impact areas
 - “Re-starting the clock” due to revisions
 - Staff turnover and lack of expertise
- Lack of leverage
- Lack of quality as-built maps

Utilities and Railroads

- Independent offices/lack of corporate direction
- Staff turnover
- Disagreement on prior rights and liability for relocation
- Conflicting work of a higher priority (emergency repairs, fires, etc.)
- No Caltrans priority with major rail carriers (UP, BNSF)



Mitigation Strategies

- Engage utilities and railroads during PID review
- Improved mapping earlier in PA/ED phase
- Minimize scope changes during project development
- Identify conflict risks and risk management
- Project Team understanding of Utility and RR schedules
- Engage with utility management – identify focal points with partners
- Quarterly status meetings with utilities and railroads

Questions?



Communication with External Agencies in the Project Development Process (Environmental)

California Transportation Commission Workshop

Presented by Kirsten Helton

June 23, 2020



Agencies and Requirements

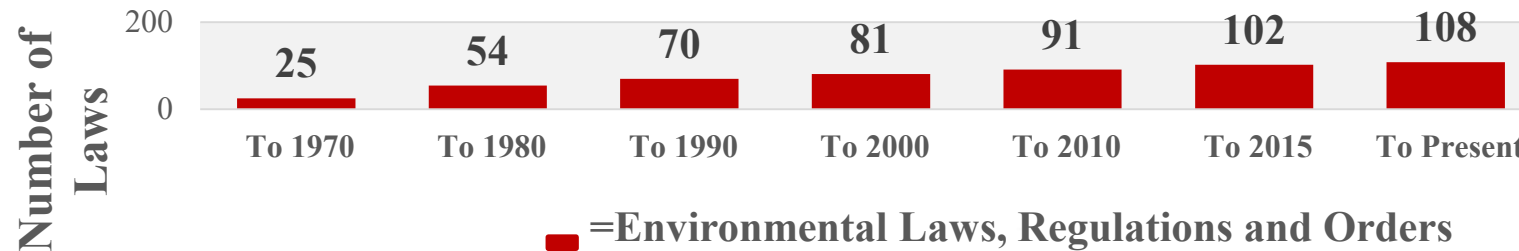
FEDERAL AGENCIES

STATE AGENCIES

United States Army Corps of Engineers
United States Bureau of Land Management
USDA
Federal Emergency Management Agency
NOAA
National Park Service
President's Advisory Council on Historic Preservation
United States Coast Guard
FHWA
United States Department of Housing and Urban Development
United States Department of the Interior
United States Environmental Protection Agency
United States Fish and Wildlife Service
United States Forest Service

23 USC 139 Cooperating and Participating Agencies
Bay Conservation and Development Commission
California Air Resources Board
Caltrans
California Coastal Commission
California Department of Fish and Wildlife
California Department of Food and Agriculture
California Department of Toxic Substance Control
California State Lands Commission
California State Parks SHPO
California Transportation Commission
Native American Heritage Commission
Native American Tribes
Regional Water Quality Control Boards
State Water Resources Control Board
Tahoe Regional Planning Agency

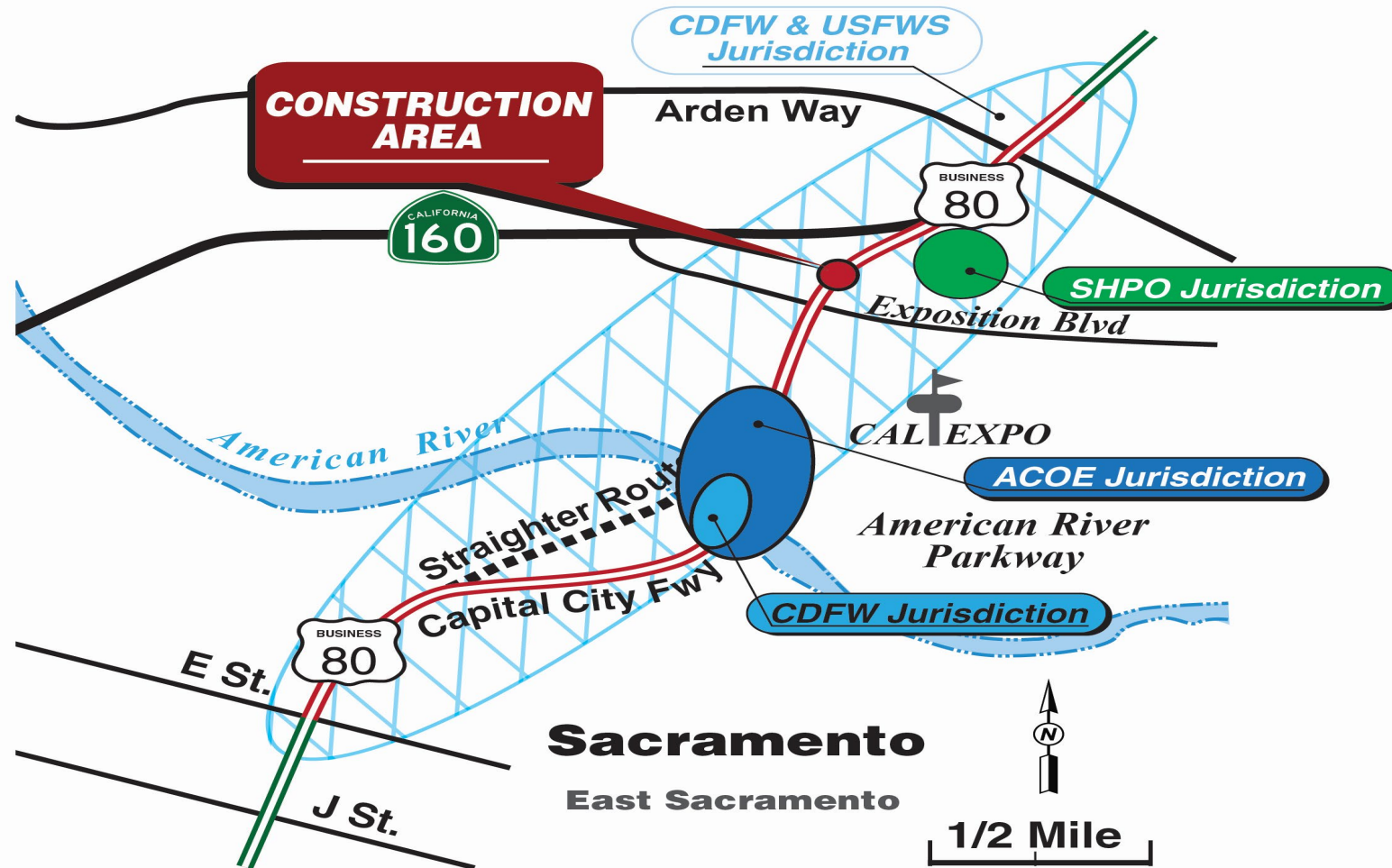
Increasing Project Delivery Requirements (Pre- 1940 to Present)



How Agencies Issue Permits



Agencies adopt Caltrans Environmental Documents to issue permits





PID: Occasional Early Coordination (informal)

- For only most complex projects
- Survey methodologies
- Agency concerns
- Early concurrence on process
- All at a very conceptual level



Agency Coordination – PA&ED

Project Approval
& Environmental
Document



PA&ED – Standard Early Coordination (informal)

- Proposed project alternatives
- Survey methodologies/Areas of project impact
- Agency concerns
- Concurrence on process
- Still fairly conceptual



PS&E – Permitting Process (formal)

- Survey results
- Areas of Project Impact – Quantified
- Mitigation proposals
- Concurrence on impacts/project actions/mitigation
- Narrow time frame
- All permits needed for RTL

Challenges



Caltrans:

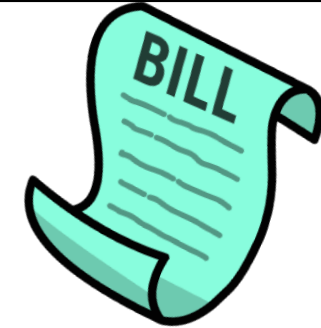
- Lack of time/resources in PID
- Design timing
 - Failure to prioritize environmental considerations in Design
 - Late involvement of DES (Bridges)
 - Permit revision due to changing impact areas
- No time for negotiation of permit conditions in schedule

Agencies:

- Autonomous regions/field offices can affect consistency
- Complex approval process
 - Delegation of signature authority broached in AB1282
- Differing opinions on extent of jurisdiction and mitigation



AB 1282 Recommendations Offer Solutions



Establishes the Transportation Permitting Task Force Statutory Goals:

- **Early engagement**
- **Reasonable deadlines**
- **Greater certainty of permit approval requirements**



Questions?