

CALIFORNIA COASTAL COMMISSION

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W-25a

September 24, 2010

TO: Commissioners and Interested Persons

FROM: Peter M. Douglas, Executive Director
Susan M. Hansch, Chief Deputy Director
Tami Grove, Statewide Development and Transportation Liaison

SUBJECT: Interagency Agreement with California Department of Transportation (Caltrans) to fund the equivalent of 5.5 staff PY to provide coordinated review and processing of Caltrans' plans and projects for public hearing and Commission action at the Coastal Commission Meeting of October 13-15, 2010

Recommendation:

Staff recommends that the Commission authorize the Executive Director to enter into a five-year interagency agreement to accept up to \$4,320,000 from the Department of Transportation, subject to annual installments of fund transfers, to provide environmental assistance, coordination and review services to Caltrans-related plans and projects that are under the Commission's permit, appeal and federal consistency review jurisdiction. The contract includes staff time, travel and operating expenses.

Motion:

"I move that the Commission authorize the Executive Director to enter into a five-year interagency agreement with the Department of Transportation (CALTRANS) and accept up to \$4,320,000 to provide coordinated review and processing of CALTRANS plans and projects."

Staff recommends a **YES** vote.

Staff Analysis:

Caltrans undertakes many plans and projects in the coastal zone every year, involving construction, maintenance and repair of highways, bridges, and other facilities. Transportation planning issues are interlinked with many of the land use planning issues

that the Commission reviews and monitors in local coastal programs throughout the state. Further, many transportation projects are located within the Coastal Commission's original jurisdiction area for coastal permits. While many other projects are located within the coastal permit jurisdiction of cities or counties with certified Local Coastal Programs (LCPs), these projects are appealable to the Commission in most cases. Because a large number of these projects are significant public works, a wide array of Coastal Act issues are often involved.

The Coastal Commission has extremely limited staff resources to devote to the review of Caltrans plans, particularly for the necessary detailed analysis of coastal permit applications and appeals. The Coastal Act requires timely review of applications; however, in the past, due to staffing limitations, the Commission was not always able to promptly act on Caltrans' submittals. Roughly 10 years ago, Caltrans recognized that this situation was frequently preventing the participation of Commission staff in the early stages of alternatives analysis and environmental review of their projects, resulting in the advancement of final plans and project blueprints that did not always comport with Coastal Act and LCP policies. Too often, this situation resulted in costly re-designs and delays or permit denials of projects that represented significant investments.

As a remedy, Caltrans entered into an Interagency Agreement with the Coastal Commission to provide additional resources needed for a timely, coordinated, and meaningful review of Caltrans plans and projects. This arrangement has generally fostered a better exchange of information between the two agencies and improved the overall design of projects in the coastal zone to be consistent with coastal policies. One particularly noticeable measure of success from this effort is that a number of significant public works projects approved at the local level are not now appealed to the Coastal Commission, resulting in sizeable time and cost savings to all parties involved. Moreover, this additional funding has enabled the Commission to be in the position to agree to consolidating the permit review of several projects that fall within both our original and local government jurisdictions; representing considerable time savings to Caltrans.

This new Interagency Agreement will continue this previous arrangement by providing funding resources to support the equivalent of 5.5 PY, including the equivalent of 3.25 PY at the Coastal Program Analyst III level and 1.75 PY at a blended rate that will cover our scientists, staff attorneys and managers that participate in expediting Caltrans' plan and project reviews. One PY of this funding is being supported by Caltrans' District 11 in San Diego to underwrite the Coastal Commission's participation in Caltrans' and the San Diego Association of Government's development of a Public Works Plan for the Interstate 5 and LOSSAN rail corridors of northern San Diego County. Another half PY is being funded directly by Caltrans' District 4 to cover the costs associated with expediting processing of their plans and projects in coastal Sonoma, Marin, San Francisco and San Mateo Counties.

To the extent possible with the level of funding under this Interagency Agreement, the Commission agrees to provide such services as: participation in Caltrans' project scoping, development meetings, and field reviews; identification of critical issues, key decision points and potential conflicts as early as possible; input on alternative analyses and selection processes; jurisdictional determinations; early identification of applicable coastal access and other coastal policy issues; prompt reviews of environmental documents; guidance on the preparation of informationally-complete permit applications; timely review, analysis and processing of those applications; evaluation and guidance in the development and selection of appropriate mitigation and monitoring activities; involvement in State/Regional transportation planning activities, especially Regional Transportation Plans and providing for the California Coastal Trail; and, participation in transportation-related planning efforts on a local, regional or statewide basis relating to climate change, including efforts to anticipate the impacts of sea level rise on transportation infrastructure, evaluate adaptive responses, and consider related land use issues.

The date for launching this next phase of this continuing work is November 1, 2010, as specified in the Interagency Agreement and agreed to by Caltrans. Caltrans has entered into similar agreements with other resource agencies, with the same goal of improving the design and review of transportation plans and projects that affect a variety of resources throughout the State.