



**1405 N. IMPERIAL AVE., SUITE 1
EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
FAX: (760) 592-4497**

**TECHNICAL ADVISORY COMMITTEE
AGENDA**

DATE: August 23, 2012

TIME: 10:00 a.m. – 12:00 p.m.

**LOCATION: ICTC Offices
1405 N. Imperial Ave., Suite 1
El Centro, CA 92243**

Chairperson: Jorge Galvan

Vice-Chair: Terry Hagen

Individuals wishing accessibility accommodations at this meeting, under the Americans with Disabilities Act (ADA), may request such accommodations to aid hearing, visual, or mobility impairment by contacting ICTC offices at (760) 592-4494. Please note that 48 hours advance notice will be necessary to honor your request.

PUBLIC COMMENTS

Any member of the public may address the Committee for a period not to exceed three minutes on any item of interest not on the agenda within the jurisdiction of the Committee. The Committee will listen to all communication, but in compliance with the Brown Act, will not take any actions on items that are not on the agenda.

DISCUSSION/ACTION ITEMS

1. Introductions
2. Adoption of the minutes for July 26, 2012 *Requesting a motion to adopt* **ACTION**
3. GreenNet Online Permitting System *Presentation will be made by Brent Locke and Eric Taylor* **INFORMATIONAL**
4. EPA Sanctions – Review of Federal Aid Projects *Presentation by ICTC Staff* **INFORMATIONAL**
5. ICTC Updates / Announcements *Presentation will be made by ICTC staff* **DISCUSSION**
6. Caltrans Updates / Announcements *Presentation will be made by Caltrans staff* **DISCUSSION**

**CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE, IMPERIAL, WESTMORLAND,
IMPERIAL IRRIGATION DISTRICT AND COUNTY OF IMPERIAL**

7. SCAG Update / Announcements
Presentation will be made by SCAG Staff DISCUSSION
8. General Discussion / New Business DISCUSSION
9. Adjournment

The next meeting of the ICTC TAC is scheduled for September 27, 2012. Meeting will be held at the ICTC offices at 10 AM. For questions you may call Crisi Lerma at (760) 592-4494 or contact by email at crisilerma@imperialctc.org.



1405 N. IMPERIAL AVE., SUITE 1
EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
FAX: (760) 592-4497

TECHNICAL ADVISORY COMMITTEE
DRAFT MINUTES

July 26, 2012

Present:

Yazmin Arellano	City of Brawley
Alex Espinoza	City of Calexico
Mindy Hernandez	City of Calipatria
Terry Hagen	City of El Centro
Norma Villicana	City of El Centro
Abraham Campos	City of El Centro
Nick Wells	City of Holtville
Fumi Galvan	The Holt Group/City of Holtville
Joel Hamby	City of Imperial
Wayne Walker	City of Westmorland
Bill Brunet	County of Imperial
John Gay	County of Imperial
Frank Fiorenza	IID

Others:

Mark Baza	ICTC
Kathi Williams	ICTC
David Salgado	ICTC
Virginia Mendoza	ICTC
Cristi Lerma	ICTC
Luis Medina	Caltrans
Dolores Valadez	Caltrans
Gus Silva	Caltrans
Tomas Oliva	SCAG

1. The meeting was called to order by Vice-Chair Terry Hagen at 10:08 a.m. A quorum was present. Introductions were made.
2. A motion was made to adopt the June 28, 2012 minutes. **(Hamby/Brunet) Motion Carried.**
3. EPA Sanctions – Review of Federal Aid Projects
 - Mr. Baza has been providing monthly updates on the sanctions occurring on August 9, 2012

due to the lawsuit between APCD and EPA. The court ordered mediation between the two agencies. Next an agreement will be signed in which the APCD will need to modify its rules. As a result a stay of the sanctions should be obtained by December 2012. There are two projects that did not get obligated and may be in jeopardy as a result of the sanctions, however once the stay is achieved the sanctions should be waived. The good news is that all agencies are now in agreement after the lengthy litigation.

4. ICTC Updates / Announcements (Presentation by ICTC staff)

- Ms. Mendoza stated that the recommended nominations list for the State-Local Partnership Program (SLPP) was presented and approved by the Commission on July 25, 2012 (the evening before). The nomination list details each agency's proposed project(s). Each project lists the apportionment amount of SLPP funding and the committed local match. LTA Measure D funds will be utilized for the local match for each agency. The executed resolutions need to be submitted to ICTC by September 14, 2012. Ms. Mendoza said that the approved list will be forwarded to the CTC.
- There was a change in the date to of the STIP-TE Scoring Committee from August 1, 2012 to September 14, 2012.
- Mr. Baza stated that the Federal Transportation Bill, MAP 21, was approved by Congress. The new 18 month bill will prioritize freight movement and look at corridors of regional and national significance; it will have a mass transit account; CMAQ in the amount of \$2.2 million; plus much more. The approved transportation funding bill includes the majority of the policy provisions supported by SCAG and County Commissions.
- Ms. Williams stated that she will be sending an email requesting the Article 3 submittals from all participating agencies.

5. Caltrans Updates / Announcements

- Mr. Medina had the following updates:
- The new transportation bill MAP 21 may have an impact on Safe Routes to School funding. Mr. Medina stated that he will send an e-file of information to be distributed to all that explains the differences between SAFETEA-LU and MAP-21.
- FHWA completed project reviews for ARRA funded projects in the Imperial County Region between July 17, 2012 and July 20, 2012. All the feedback from the agencies was good and that it was a good learning experience.
- The DBE program waiver granted on August 7, 2008 has been rescinded. Contract goals for federally funded projects authorized on and after July 1, 2012 must include all DBE groups. Projects authorized between July 1, 2012 and September 30, 2012 may be authorized under the old race conscious DBE procedures. Projects authorized after October 1, 2012 will need to comply with the new race conscious DBE requirements. The Office Bulletin providing specific guidance on the new program is on the Local Assistance website at http://www.dot.ca.gov/hq/LocalPrograms/DLA_OB/DLA_OB.htm
- Cycle 5 HSIP and Cycle 3 HR3 Calls for Projects, deadline to submit was by close of business Friday, July 20, 2012. District 11 received 24 applications, 2 from the Imperial Region.
- The SR2S received 336 project applications statewide, only 139 were selected. 12 applications were selected from District 11 and 1 was selected from the Imperial Region. Successful applicants request for Allocation(s) are to be submitted within 6 months of selection notification and will not be able to increase the scope of the project.
- District 11 received 6 Bicycle Transportation Account (BTA) program applications, 2 from the Imperial Region and 4 from the San Diego Region agencies. These applications were reviewed and then submitted to the BTA Program Manager in Sacramento on June 15, 2012. Headquarters will be performing a 2nd review, equivalent to 60% weighted average, on the final selection. Announcement of the successful BTA applications is contingent upon the

approval of the State Budget. Local agencies will be notified of the result of their applications.

- The Resident Engineers Academy provides core training in state and federal regulations for Local Agency Resident Engineers. The Academy, partially subsidized by Caltrans, is ideal for both seasoned and newly-hired Resident Engineers. This four-day course provides practical, hands-on training for Resident Engineers. The subject matter experts and instructors use a real-life approach to deliver information utilizing examples, problem-solving activities, and exercises. The Academy Date is scheduled for September 24-27, 2012 at the Caltrans District 11 Office in San Diego. The fees are \$360 for State and Local Participants and \$560 for all others. Due to limited seating in the Resident Engineers Academy, you must request admittance by sending an email to Sofia Reynoso at Sofia.Reynoso@dot.ca.gov by 12:00PM July 18, 2012. Other academy dates are available throughout California if this is full.
- The Federal Aid Series was completed in San Diego on June 4-8, 2012. This Series was previously provided by UC Berkeley Tech Transfer and our training will now be provided by California State University at Sacramento (CSUS). If you missed the Federal Aid Series in San Diego you may attend other locations by registering on line. Registration will be open until one week prior to the date of training. After that date, you must contact our registrar at (800) 858-7743. If the class is full, you can be added to the waiting list by contacting our registrar at www.cce.csus.edu/localassistance
- The Quarterly Review Period for inactive obligations covering 04/01/2012 through 06/30/2012 has been posted to the Local Assistance website. If there are questions, please contact Sofia Reynoso at 619-220-5386.
- Mr. Baza thanked Caltrans specifically Luis Medina and Dolores Valadez for working diligently to push all projects being impacted by EPA sanctions through and get them obligated.
- If there are any questions with any of these announcements/updates please contact Mr. Luis Medina at luis_z_medina@dot.ca.gov

6. SCAG Updates / Announcements

- Mr. Oliva stated that he sent each local agency's planning director information about the grant writing workshop he recently attended.
- The public comment period is currently underway for the 2012-13 to 2017-18 FTIP. A public hearing is scheduled for July 26, 2012 and will be available by videoconference at the Valley Center offices.
- Mr. Oliva stated that he and Mr. Salgado have been participating in a working group for the Safe Routes to School program with the County of Imperial's Public Health Department. He said that the County invited every agency to participate in this committee. This can be a beneficial collaboration for Imperial County as a region because the committee will be meeting frequently to begin identifying regional goals and eventually form mission goals. Mr. Baza stated that Imperial's SR2S applications have been lacking public outreach specifically from schools, students and parent community input. Mr. Salgado stated he just learned that Holtville does a walk to school day and bike to school day once a year where the Fire Department walks with the children. All of this information is pertinent when applying for SR2S funds.
- Mr. Oliva introduced the new SCAG intern Ms. Ana Romo. She is currently studying at UCSD in mechanical engineering.

7. General Discussion / New Business

- Mr. Baza asked Mr. Gus Silva to introduce himself. Mr. Silva is the Tribal Liaison of District 11. His role is to enhance communication between all agencies.
- Mr. Medina added a few comments regarding the discussion on forming a local SR2S

coalition. He stated to make sure to document all efforts, to conduct a walkability audit and to make sure the proposal fixes a problem or issue.

8. Meeting adjourned at 11:28 a.m.
 - The next meeting will be held on August 23, 2012 at 10 a.m. at the ICTC Offices.



IMPERIAL COUNTY
TRANSPORTATION COMMISSION

1405 N. IMPERIAL AVE., SUITE 1
EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
FAX: (760) 592-4497

August 16, 2012

Sedalia Sanders, Chairperson
Imperial County Transportation Commission
1405 N. Imperial Ave Suite 1
El Centro, CA 92243

SUBJECT: EPA Sanctions Update and Draft Schedule of Proposed Actions

Dear Commission Members:

The highway sanction under the Federal Clean Air Act (CAA) will begin on August 9, 2012, in the particulate matter (PM10) nonattainment portion of Imperial County. The sanction results from partial U.S. Environmental Protection Agency (EPA) disapproval of a fugitive dust rule that was required for compliance with PM10 provisions of the State Implementation Plan and the CAA. On July 27, 2012 EPA, Imperial County Air Pollution Control District (ICAPCD) and California Department of Parks and Recreation (State Parks & Recreation) reached a settlement agreement on several rule improvements to fulfill the best available control measures requirements. As of August 9th, any new obligations for federal transportation funds are frozen, with the exception of transit funds, safety projects for local roads and state highway projects, and some projects that have exemption for air quality benefit, such as, Congestion Mitigation and Air Quality (CMAQ), and Transportation Enhancement (TE) funded projects.

While the sanction is in effect, any project(s) with federal funds that were obligated/approved prior to August 9th for engineering, environmental, design, right-of-way (RW), or construction can continue toward completion.

Since last year we have been working very aggressively to obligate every available federal dollar up through the most current Federal Transportation Improvement Program (FTIP). This effort began well before knowing that ICAPCD, the EPA and State Parks & Recreation would be ordered to mediation or even knowing what the outcome of mediation, where all parties were able to reach agreement on the proposed rule changes.

Over the last few months we were down to only 10 projects that had not yet been obligated but with Caltrans and Federal Highway Administration's (FHWA) help our Imperial Valley projects were approved and obligated for all but two projects. Our local agency and Caltrans project staff did their part to submit project fund request and Caltrans Local Assistance and FHWA did their part to prioritize Imperial Valley project submittals for review and approval. The two remaining projects are not seriously impacted as their next phase of work (Design, RW or Construction) for obligation is not ready until at least Summer of 2013 and they have sufficient funds obligated and available to continue moving forward into the next calendar year.

**CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE, IMPERIAL, WESTMORLAND,
IMPERIAL IRRIGATION DISTRICT AND COUNTY OF IMPERIAL**

The two projects are the Cesar Chavez Blvd. (Calexico) Project and the I-8 Dogwood Overcrossing (El Centro) Project:

1. The Cesar Chavez Blvd. project, which connects SR-98 with the west port of entry. The project is going through environmental and preliminary engineering phases and the next steps are right of way and construction, which should be well beyond the proposed sanctions impact.
2. The I-8 Dogwood Overcrossing project is in the final stages of the design phase and will continue onto construction once design is complete as the majority of the project funds are approved and available well beyond the sanctions proposed impact.

In Imperial Valley we do have additional projects programmed with federal funds for Fiscal Year 2012/2013 and beyond, however, those projects won't be impacted either based on the six month +/- schedule for ICAPCD, State Parks & Recreation, CARB, and EPA to approve the rule adjustments based on their agreements reached during mediation.

Below is a draft schedule of proposed actions that leads us to a stay of the sanction as described to me by ICAPCD and EPA's fact sheet:

- ICAPCD will hold their hold their public workshop(s) in Mid-September
- ICAPCD will present revised rules to their Board on October 16, 2012 for adoption
- ICAPCD will forward the locally adopted rules onto California Air Resources Board
- CARB will have their own version of approval action, then CARB would forward onto EPA
- EPA will then announce in the Federal Register with analysis of the proposed rules, possibly in November/December 2012
- EPA's posting provides another opportunity for public review and comment
- EPA's action for Stay of the sanction - January/February 2012

This projected schedule of actions assumes the revised rules are adopted locally; approved by the State (CARB); and approved by the EPA. Senator's Boxer, Feinstein and Congressman Filner's staff have been informed by EPA and I have briefed their local staff.

Sincerely,



MARK BAZA
Executive Director

Attachment

MB/cl

Information Sheet

Imperial County Federal Highway Funding Restrictions

August 6, 2012

Today's Action

- Today, the Federal Highway Administration (FHWA) notified the California Department of Transportation (Caltrans) that federal highway funding restrictions will begin on August 9, 2012 in Imperial County for highway construction projects whose funds have not yet been awarded by FHWA by that date. Projects that have already had funds awarded before August 9, 2012 may proceed if no other FHWA action is required. This action will result in no job loss and no impact on transportation projects if the funding restrictions are removed as anticipated within the next six months.

Background

- Imperial County is a serious PM-10 nonattainment area which continues to have exceedances of the health-protective national ambient air quality standard. Elevated levels of PM-10 in the air can lead to aggravation of respiratory and cardiovascular disease, asthma, decreased lung function and premature death.
- As a serious PM-10 nonattainment area, Imperial County Air Pollution Control District (ICAPCD) must adopt and enforce regulations that require significant sources of PM₁₀ to use best available control measures (BACM) to control fugitive dust, and hence PM₁₀, from agriculture, construction, recreational off-highway vehicle (OHV) activity, unpaved roads and other local sources.
- EPA issued a limited approval/limited disapproval of ICAPCD's dust rules on July 8, 2010. The Clean Air Act requires that 24 months after the effective date that rules are disapproved, if the deficiencies identified by EPA are not adequately addressed, federal highway funding restrictions, or sanctions, are placed on the PM-10 nonattainment area. Revised Imperial PM-10 rules have not been submitted to EPA; thus federal highway funding restrictions will begin on August 9, 2012.
- ICAPCD and State Parks disagreed that rule improvements were needed and challenged EPA's disapproval action in the United States Ninth Circuit Court of Appeals. On February 17, 2012, the Ninth Circuit directed the parties to resolve the dispute through mediation.
- On July 27, 2012 EPA, ICAPCD and State Parks reached a settlement agreement on several rule improvements to fulfill the best available control measures requirements. More information on the settlement and opportunities to provide public comment is available at: <http://www.epa.gov/region9/air/actions/ca.html#iv>.

Next Steps

- To stay the highway funding restrictions, ICAPCD must adopt, California Air Resources Board must submit, and EPA must propose to approve rule revisions that address the deficiencies identified in EPA's July 8, 2010 final action. This process is expected to take four to six months. There will be several opportunities for public comment on the settlement agreement and the associated rule revisions.

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE DIRECTOR
P.O. BOX 942873, MS-49
SACRAMENTO, CA 94273-0001
PHONE (916) 654-5266
FAX (916) 654-6608
TTY 711
www.dot.ca.gov



*Flex your power!
Be energy efficient!*

July 24, 2012

Mr. Vincent Mammano
Division Administrator
Federal Highways Administration
California Division
650 Capitol Mall, Suite 4-100
Sacramento, CA 95814

Dear Mr. Mammano:

As requested by the Federal Highway Administration (FHWA) during the interagency consultation on July 6, 2012, the Final Project List of Imperial County Federal Transportation Improvement Program 2011 projects is enclosed.

The highway sanction under the Federal Clean Air Act (CAA) will begin on August 9, 2012, in the particulate matter (PM10) nonattainment portion of Imperial County. The sanction results from partial U.S. Environmental Protection Agency (EPA) disapproval of a fugitive dust rule that was required for compliance with PM10 provisions of the State Implementation Plan and the CAA. Under CAA and U.S. EPA regulations, the mandatory highway sanction applies two years after the effective date of the disapproval action if the deficiencies identified by EPA are not fixed and approved by EPA during that time. Application of the sanction is almost certain because the Imperial County Air Pollution Control District disputed EPA's action regarding the rule, so revisions to meet EPA's requirements cannot be completed in time to avoid imposition of the sanction. Imperial County's litigation over EPA's action is currently in the settlement process.

As indicated on the enclosed Final Project List, there are three categories of projects:

- 1) Projects Potentially Impacted by a Sanction (orange highlighted)
- 2) Projects are Currently Undergoing the Obligation Process (green highlighted)
- 3) All Other Projects Will Not be Impacted by Sanction (non-highlighted)

The California Department of Transportation (Caltrans) requests that FHWA confirm the exemption status of those designated Safety Exemption projects. In addition, Caltrans requests that FHWA confirm that obligated projects may continue work in the current obligated phase.

Caltrans is working to obligate the listed projects that are highlighted in green or orange before the August 9, 2012 deadline. The three projects shown in orange are most affected by the

Mr. Vincent Mammano
July 24, 2012
Page 2

application of the Imperial County highway funding sanction, and may not be obligated by the deadline.

Caltrans appreciates the ongoing assistance of FHWA in the guidance and potential impacts of project status for Imperial County highway projects.

If you have any questions or require further information, please contact Bill Figge, Caltrans Planning Deputy District Director for our District 11 office in San Diego, at (619) 688-6681, or bill_figge@dot.ca.gov.

Sincerely,



Fob

MALCOLM DOUGHERTY
Director

Enclosure

- c: Jermaine R. Hannon, Director PAQEC, FHWA, California Division
- Mark Baza, Executive Director, Imperial County Transportation Commission,
- Hasan Ikrata, Executive Director, Southern California Association of Governments
- Stew Sonnenberg, FHWA, California Division
- Karina O'Connor, U.S. EPA, Region 9
- Wienke Tax, U.S EPA, Region 9
- Kome Ajise, Acting Deputy Director, Planning and Model Programs, California Department of Transportation
- Laurie Berman, District Director, District 11, California Department of Transportation
- Bill Figge, Deputy District Director, District 11, California Department of Transportation