

SR 49 Sidewalk Gap Closure Project MOU with SPRTA for Right of Way Acquisition, Finding the Project Exempt from CEQA and Filing a Notice of Exemption

Item J

Requested Action

1. Execute MOU with SPRTA for SPRTA to acquire ROW for the SR49 Sidewalk Gap Closure Project
2. Adopt findings that the project is exempt from CEQA and direct filing of a Notice of Exemption

Project Background

- Project constructs sidewalk and curb ramps along SR49 between I-80 and Dry Creek Rd.
- Closes gaps in existing pedestrian network
- ~3/4 is within unincorporated County
- ~1/4 in City of Auburn

Authority Background

- PCTPA is Responsible Agency under CEQA
 - Design, environmental, and ROW phases
- Caltrans is Lead Agency under CEQA
 - Construction
- PCTPA's formation documents omit authority to acquire ROW
 - PCTPA seeks SPRTA assistance to acquire ROW

MOU

- MOU between PCTPA and SPRTA
 - MOU specifies duties of each agency
 - SPRTA to use authority to acquire ROW
 - PCTPA to fund all costs
- Project is not being added to the list of SPRTA Tier 1 or 2 impact fee funded projects
- Project will not receive any SPRTA funding

ROW Acquisition by SPRTA

- ~48 affected parcels
 - ~5 partial acquisitions
 - ~43 Temporary Construction Easements
- Because of the large number and tight schedule, requesting delegation of various authorities by SPRTA to Executive Director (ED)
- PCTPA Board would retain authority and responsibility to approve appropriation of funds for ROW acquisition

CEQA Findings

- Caltrans is CEQA Lead Agency
- PCTPA is a Responsible Agency and needs to take action under CEQA
- SPRTA must rely on Caltrans environmental document but make its own finding
- Staff recommendation is same findings as Caltrans

CEQA Findings

- Caltrans found project Categorical Exempt
 - Per Section 15301(c) Existing Facilities: minor alteration of existing facilities, while not expanding existing uses
- SPRTA Findings:
 - Project fills sidewalk gaps in an existing corridor
 - Minor alterations occur within the existing corridor
 - Project is not expanding uses
 - No special circumstances exist creating significant adverse effect on environment

Recommendation

Adopt resolutions:

1. Directing execution of MOU with SPRTA for SPRTA to acquire ROW for the SR49 Sidewalk Gap Closure Project
2. Adopting findings that the project is categorically exempt under CEQA and direct filing of a Notice of Exemption