



Legislation Details (With Text)

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File created: 9/26/2019 **In control:** Board of Supervisors
On agenda: 10/15/2019 **Final action:** 10/15/2019

Title: Chief Administrative Office, Parks Division, recommending the following regarding the Latrobe Road Rail System Washout Repair Project:
1) Receive a presentation on four options and provide direction on an option for the repair project, with staff recommending approval of Option 4 (below); and
2) If Option 4 is approved, it is recommended the Board approve the attached budget amendment for Fiscal Year 2019-2020 in the amount of \$132,674 allocating \$39,674 in Federal Emergency Management Agency funding and \$93,000 of local funds to the Chief Administrative Office, Parks and Trails Division, for work to be completed by the Department of Transportation. (Est. Time 15 Min.)

FUNDING: Local and state discretionary funding initially (100%). Department of Transportation staff working with the Federal Emergency Management Agency and the California Office of Emergency Services to obtain reimbursement, with local funds coming from Parks Project Savings in the Accumulative Outlay Fund, SPTC JPA, and Ponderosa Quimby Fund; potential General Fund impact depending on option selected.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Latrobe Washout Picture, 2. B - Latrobe Project Options, 3. C - Budget Amendment Form, 4. Public Comment Rcvd 10-15-19 BOS 10-15-19, 5. Executed Budget Transfer

Date	Ver.	Action By	Action	Result
10/15/2019	1	Board of Supervisors	Approved	Pass

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DISCUSSION / BACKGROUND

The excessive rain events that occurred during early January 2017 resulted in damages to the existing rail system, embankment slopes, and track near Latrobe Road approximately 2,000 feet from the railroad crossing on Latrobe Creek Road. The damages resulted in a FEMA repair project

referred to as “Latrobe Road Rail System Washout Repair Project” (ELELG20, DR4301, PW360). There are two primary components of this project: embankment repairs and drainage repairs.

Through an extensive engineering study of the storm damage site, the causes of failure and the proposed project repair were determined to be related to drainage performance. This information was documented through an Alternatives Analysis (also referred to as the “engineering study”) and was submitted to FEMA/CalOES for review and approval of the damage repair scope. In July 2019, it was determined by FEMA engineers that the drainage repairs and improvements would not be reimbursed as they were not identified as damaged by the storm event (e.g. FEMA believes that the drainage issues predate the storm) or approved in the original site damage description. FEMA concluded during review of the engineering study that the embankment erosion and track reconstruction originally identified in the site damage description is eligible for reimbursement; however, no additional scope or funding for drainage system reconstruction would be approved for the project. To date, the project’s approved FEMA funding is \$91,431.

As detailed in the engineering study, the cause of failure for the Latrobe Rail System site is due to an undersized creek crossing adjacent to the damaged embankment area. The proposed repair project evaluated multiple alternatives to remedy the undersized creek crossing and ensure the railroad embankment would be protected during future storms. The two potential drainage alternatives for this project include upsizing the drainage piping within the storm damage site or upsizing the creek crossing located approximately 100 feet from the storm damage site.

Below is a summary of alternatives with funding considerations prepared by the Department of Transportation for the Latrobe Rail System Repair Project. Staff is recommending that the Board proceed with Option #4, below:

Option #1: Appeal

This option would involve County staff appealing the decision made by FEMA on this project. The appeal would request that FEMA pay for the embankment repairs (already approved by FEMA) and the drainage repairs (denied by FEMA). The drainage repair in this option would include upsizing the drainage piping where it is located within the storm damage site. No additional work would be completed until review and final determination of the FEMA appeal letters.

Positive Outcomes:

- Potential FEMA funding for project costs, not including match.

Negative Outcomes:

- There is an upcoming deadline of August 16, 2020 to utilize approved FEMA funding. The appeal process can be very lengthy.
- Two separate FEMA engineering reviews would need to be reversed and must overcome investigations of damages that occurred before the storm event.
- Other County FEMA funded projects may be impacted.
- Risk is high that FEMA will not approve additional funding.

Funding Information for Option #1

Projected FEMA/CalOES Costs = \$638,000 (Approved: \$91,432, Additional to be approved: \$546,568)

Projected Local Costs = \$90,000

- ACO Funding from Parks Project Savings = \$35,255
- Ponderosa Quimby = \$29,745
- Funding from JPA = \$25,000

Option #2: Cancel the Project

This option would cancel the project. This would eliminate further expenses but would still require payment of costs incurred to date by the Department of Transportation. No site repairs would be completed and the County would be required to reimburse FEMA the \$68,573 that has been advanced to the County for this project.

Positive Outcomes:

- No additional project costs would be incurred.

Negative Outcomes:

- No additional FEMA funding would be received and funding received to date would need to be reimbursed.
- No repairs would be completed.

Funding Information for Option #2

Projected FEMA/CalOES Costs = \$0 (\$68,573 that has been received from FEMA to date will need to be reimbursed to FEMA)

Projected Local Costs = \$60,000

- ACO Funding from Parks Project Savings = \$30,255
- Ponderosa Quimby = \$29,745

Option #3: Embankment Repairs Paid by FEMA and Drainage Repairs Paid with Local Funds

This option would utilize FEMA funding to repair the embankment and would utilize local funds for the drainage repairs. The drainage repair in this option would include upsizing the drainage piping where it is located within the storm damage site, directly under the rail system. Since the drainage repairs would be completed at the same time as the embankment repairs and track repairs, it would be most cost effective to complete this drainage option.

Positive Outcomes:

- The full project is completed.

Negative Outcomes:

- High county cost.

Funding Information for Option #3

Projected FEMA/CalOES costs = \$330,000 (Approved: \$91,432, Additional to be approved: \$238,568)

Projected Local costs = \$398,000

- ACO Funding from Parks Project Savings = \$45,000
- Ponderosa Quimby = \$29,745
- Funding from JPA = \$25,000

Additional Funding that would need to be Approved = \$298,255 (Possible Sources: ACO, General Fund)

Option #4 - THE RECOMMENDED OPTION: Embankment Repair Paid by FEMA and Future Drainage Repair

This option would utilize FEMA funding to repair the embankment and would pursue future funding (i.e. grants) to perform the drainage improvements at a later date. Since drainage improvements would be performed after the embankment repairs, the drainage repair in this option would include upsizing the creek crossing located approximately 100 feet from the storm damage site. One of the primary reasons for choosing this drainage option is to avoid removing the track and embankment repairs that will have been completed to install the drainage pipe. Upsizing the creek crossing will require additional environmental clearance and permits; however, DOT staff believes this drainage option is preferable over replacing the drainage pipe.

Positive Outcomes:

- This drainage option best addresses the source of the drainage problem and will provide the best long-term solution.

Negative Outcomes:

- There is a potential risk that another washout could occur prior to the drainage repairs being completed.
- Potential lengthy delay between the two repair projects depending on grant opportunities.
- No guarantee of grant awards and potential grant match costs.

Funding Information for Option #4

Projected FEMA/CalOES costs = \$340,000 (Approved: \$91,432, Additional to be approved: \$238,568)

Projected Local costs = \$93,000

- ACO Funding from Parks Project Savings = \$38,255
- Ponderosa Quimby = \$29,745
- Funding from JPA = \$25,000

Estimated additional funding that would need to be approved for drainage in the future = \$700,000 (Possible Sources: Grant Funding - Additional action will be needed by the Board at a future date).

The Department of Transportation will not proceed with this project until it receives approval from FEMA for the additional \$238,568.

ALTERNATIVES

The Board could provide other direction to staff.

PRIOR BOARD ACTION

June 11, 2019 - 19-0228

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Department of Transportation and County Counsel.

CAO RECOMMENDATION / COMMENTS

It is recommended that the Board approve this item.

FINANCIAL IMPACT

The current DOT estimate for Option 4 is \$433,000 for the full project cost. To date, on this project, the County has received \$68,573 from FEMA. DOT has also received approval for an additional \$22,859 for studies needed for the design of the fix. An additional \$238,568 will be requested from FEMA.

As part of the match, \$38,255 will be transferred from the appropriation for contingency in the Accumulative Capital Outlay (ACO) Fund, reflecting funds previously budgeted for parks projects which were not spent. The SPTC-JPA has approved a \$25,000 contribution and \$29,745 will come from the Quimby-Ponderosa Fund, for a total of \$93,000.

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

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