



• **Board of Directors**  
**Engineering and Operations Committee**

November 16, 1999 Board Meeting

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8-2

**Subject**

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Authorization to enter into an agreement with the State of California Department of Transportation for reimbursement of costs incurred to protect a portion of the Rialto Feeder to accommodate road improvements.

**Description**

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Caltrans has developed preliminary plans for the continuation of State Route 30 from the city of La Verne to the city of San Bernardino. These plans indicate that the future freeway will cross the Rialto Feeder at two locations.

In December 1997, Metropolitan entered into a utility agreement with Caltrans to design an encasement to protect approximately 500 linear feet of the 120-inch-diameter pipeline. Caltrans proposes to amend this agreement to authorize construction and reimburse Metropolitan for all project costs.

Caltrans will provide, at no cost to Metropolitan, temporary construction right-of-way within the boundaries of the future freeway. Since the horizontal alignment of the pipeline will not change, no permanent right-of-way and/or Joint Use Agreement is required for operations and maintenance of the protected pipeline.

Under the terms of the proposed agreement with Caltrans, all costs incurred by Metropolitan for this project shall be reimbursed by Caltrans through monthly billings. The total estimated reimbursable cost of this project is \$1,750,000. Should Metropolitan elect not to enter into this agreement, Caltrans will be forced to pursue eminent domain proceedings, which will significantly delay the construction of the freeway.

Design, purchase of materials, and construction will be accomplished by Metropolitan personnel.

The proposed project qualifies for a categorical exemption under the California Environmental Quality Act because it consists of a minor alteration of an existing public facility involving no expansion of use beyond that existing at the time of Metropolitan's determination (State CEQA Guidelines, Section 15301 [Class 1, Existing Facilities]). The project is strictly to protect an existing pipeline within a proposed Caltrans right-of-way. No other environmental documentation or review is required for this project.

**Policy**

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Board approval is required to execute reimbursable agreements in amounts exceeding \$500,000 (MWD Administrative Code, Section 8118(a)(3)).

**Board Options/Fiscal Impacts**

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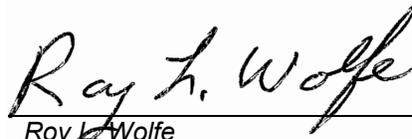
**Option #1**

Execute a reimbursable agreement with Caltrans to protect the Rialto Feeder pipeline at the proposed State Route 30 crossing.

**Staff Recommendation**

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It is recommended that the general manager be authorized to execute an amended or new agreement with Caltrans, substantially on the terms outlined in this letter, and in form approved by the general counsel, for the protection of approximately 500 linear feet of Metropolitan's 120-inch-inside-diameter Rialto Feeder pipeline.



Roy L. Wolfe  
Acting Manager, Corporate Resources

10/28/99

Date



Ronald R. Jester  
General Manager

11/2/99

Date