

**BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF YUBA**

**RESOLUTION OF THE YUBA COUNTY)
BOARD OF SUPERVISORS ADOPTING)
TRAFFIC IMPACT FEES FOR THE)
SOUTH YUBA TRANSPORTATION)
IMPROVEMENT AUTHORITY (SYTIA))**

RESOLUTION NO. 2019-84

WHEREAS, the South Yuba Transportation Improvement Authority (SYTIA) was created as a Joint Powers Authority for the purpose of providing improvements to the transportation system located in the southern portion of the County of Yuba including within the limits of the City of Wheatland; and

WHEREAS, SYTIA is comprised of the County of Yuba and the City of Wheatland; and

WHEREAS, SYTIA retained the services of TJKM Transportation Consultants to prepare a traffic impact fee study; and

WHEREAS, TJKM Transportation Consultants prepared the SYTIA Traffic Impact Fee Study in accordance with the Mitigation Fee Act dated May 1, 2019 (Gov. Code, § 66000 et seq.); and

WHEREAS, the SYTIA Traffic Impact Fee Study sets forth in detail the fair share costs of the planned SYTIA transportation improvements attributed to new development within the unincorporated areas of Yuba County south of the Yuba River and new development within the City of Wheatland; and

WHEREAS, the SYTIA Board of Directors, prior to adopting the SYTIA Traffic Impact Fee, conducted a public hearing at which oral and written presentations were permitted; and

WHEREAS, both the County and the City are authorized by law to impose development impact fees pursuant to the Mitigation Fee Act (Government Code section 660000 et seq.); and

WHEREAS, the County Board of Supervisors has considered the SYTIA Traffic Impact Fee Study prepared by TJKM Transportation Consultants dated May 1, 2019; and

WHEREAS, the County Board of Supervisors has, prior to adopting the SYTIA Traffic Impact Fee, held at least one public meeting at which oral and written presentations were permitted; and

WHEREAS, costs of construction will continue to escalate and annual adjustments to traffic impact fees are necessary to keep pace with such construction cost increases. Such annual adjustments for construction cost escalation do not represent a relative increase in the amount of any development fee but rather a method of retaining parity between the amount of the fee and the costs of construction.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Yuba:

Section 1 Purpose and Findings

A. **Purpose:** In order to comply with the requirements of the Mitigation Fee Act (Gov. Code, § 66000 et seq.) SYTIA has caused to be prepared the SYTIA Traffic Impact Fee Study (herein “Study”), a copy of which has been adopted by SYTIA and is on file with the Clerk of the Yuba County Board of Supervisors. This report sets forth the public facilities and equipment that would likely be required to be constructed/acquired, or which have already been constructed/acquired, in order to meet the needs caused by new development. The Board of Supervisors does hereby accept the Study and in so doing determines that SYTIA Traffic Impact Fees are needed to be imposed upon persons obtaining building permits for new structures within the boundaries of the Study area (herein “Developers”) in order to finance these public facilities and equipment, and to pay for new development’s fair share of the acquisition/construction cost of these improvements.

B. **Findings:** The Board of Supervisors finds and determines:

1. The facilities set forth in the Study are representative of the facilities required to implement the circulation elements of the Yuba County and City of Wheatland General Plans.
2. The Study and related information, including the basis upon which the fees are calculated, has been available to the public at the Yuba County Community Development & Services Agency for a minimum of 14 days.
3. In establishing the fees described in the following Sections, the Board of Supervisors has found the fees to be consistent with the Yuba County General Plan and assists with implementation of the County’s Circulation Elements. In addition, pursuant to Government Code section 65913.2, the Board of Supervisors have considered the effects of the fee with respect to

the County's housing needs as established in the Housing Element of the General Plan.

4. The Board of Supervisors hereby incorporates as though fully set forth herein the findings and supporting statements regarding the purpose of the fee, the use of the fee revenues, the reasonable relationship between the type of development project on which the fee is imposed, and the reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed, as contained in the SYTIA Traffic Impact Fee Study, Chapter 5, pages 11-12.

These determinations are incorporated by reference into this resolution.

Section 2 Levy of Fee

- A. **SYTIA Traffic Impact Fee:** SYTIA Traffic Impact Fees are calculated at the time of issuance of the building permit triggering their collection and due prior to final inspection of said building permit for development within the boundaries of the Study (the unincorporated areas of Yuba County south of the Yuba River and within the City of Wheatland), for the purpose of paying new development's fair share of SYTIA facilities. The revenues raised from SYTIA Traffic Impact Fees, shall be held, maintained, used and accounted for by SYTIA as required in section 66013 of the Fee Mitigation Act. The initial amount of the fee shall be as set forth in "Table 1: Fee Schedule" in the Study, which Study is incorporated herein by reference.

The County reserves the right to use the proceeds of the fee on other circulation improvements so long as the expenditures are consistent with the goals, intent and purposes of SYTIA, the circulation objectives of the County General Plan, and the circulation objectives identified in the Study.

- B. **Calculation/Classification of Uses:** For purposes of calculating the applicable fee, the County adopts the uses identified in "Table 1: Fee Schedule" of the Study, which Study is incorporated herein by reference. For uses not listed on the table, the Yuba County Community Development and Services Agency Director shall make a determination as to the most similar use. For unique circumstances on uses listed on the table, the Community Development and Services Agency Director may make a determination as to an appropriate adjustment to the amount of use that is applicable.

Section 3 Collection of the Fee

The fees shall be collected prior to issuance of final building permit.

Section 4 Credits

A Developer may request a credit against the SYTIA Traffic Impact Fee for improvements constructed and accepted by SYTIA. Credits will only be given for improvements which would have been constructed and accepted by SYTIA. Any request for a credit shall be in writing on such forms as may be acceptable to the Yuba County Community Development and Services Agency Director. Administration of credits shall be consistent with the principles set forth in the Study.

In the event that a Developer is entitled to credits in excess of SYTIA Traffic Impact Fees otherwise due, the Developer and SYTIA may enter into a reimbursement agreement by which the Developer is reimbursed from future SYTIA Traffic Impact Fees.

Section 5 Effective Date

Any fee imposed pursuant to this Resolution shall not take effect until sixty (60) days after the date of adoption by the Board of Supervisors.

Section 6 Annual Adjustment

An annual adjustment to account for construction cost escalations shall be applied to SYTIA Traffic Impact Fees in the manner and time specified herein:

- A. Prior to the end of each fiscal year, the Yuba County Community Development and Services Agency Director shall report his or her finding on the annual escalation of construction costs for the prior twelve (12) months through May and the SYTIA Traffic Impact Fees shall be adjusted accordingly.
- B. The basis for this annual adjustment shall be the percentage increase in the average of the San Francisco and 20-Cities Construction Cost Index (CCI) as published by Engineering News Record, for the period ending May of the previous fiscal year, or other similar construction cost index.
- C. The Yuba County Community Development and Services Agency shall post the annual adjustment in fees as specified in this section.

Section 7 Referrals and Appeals

The Yuba County Community Development and Services Agency Director may refer any determination or approval required by this Resolution to the Board of Supervisors.

Any party may appeal any decision of the Yuba County Community Development and Services Agency Director to the Board of Supervisors by filing a written appeal with the Clerk of the Board within ten (10) days of any decision. For appeals that protest the imposition or amount of the fee pursuant to Government Code section 66020, the protested amount as determined by the Yuba County Community Development and Services Agency Director shall first be tendered. The Clerk of the Board shall set the

hearing within thirty (30) days of submission of the appeal and the hearing shall occur within ninety (90) days of its receipt. The Board may continue the matter if necessary, however the Board shall issue a written decision no later than 30 days after making its decision. The written decision shall be final.

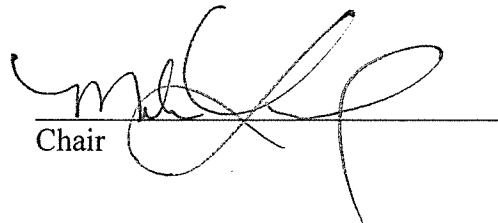
Section 8 Severability

If any provision, clause, sentence, or paragraph of this Resolution or the imposition of any fee authorized by this Resolution in its application to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this Resolution which can be given effect without the invalid provisions or application of fees. To this end, the provisions of the Resolution are declared to be severable.

Section 9 Adoption

The foregoing Resolution was introduced at a regular meeting of the Board of Supervisors this 13 day of August, 2019, by the following vote:


AYES: Supervisors Vasquez, Loften, Bradford, Fletcher
NOES: Supervisor Leahy
ABSTAIN: None
ABSENT: None


Chair

ATTEST:


Clerk of the Board

APPROVED AS TO FORM:


County Counsel
7/3/19

Final Report

Approved and adopted by
SYTIA Board of Directors
June 4, 2019

SOUTH YUBA TRANSPORTATION IMPROVEMENT AUTHORITY (SYTIA)

Traffic Impact Fee Study

May 1, 2019



**In Conjunction with
David Taussig & Associates, Inc.**

**South Yuba Transportation Improvement
Authority
Traffic Impact Fee Study**

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CHAPTER 1. INTRODUCTION AND SUMMARY

Introduction

Traffic Impact Fee

This report provides the initial recommended traffic impact fee for the South Yuba Transportation Improvement Authority (SYTIA). The County of Yuba and the City of Wheatland have established a joint-powers authority (Authority) with a mission to help develop, fund, program, and construct transportation infrastructure required to support the land development planned and anticipated over the next 30 years in southern Yuba County. The boundaries of the area covered by the proposed SYTIA traffic impact fee are shown in Figure 1. The study area is bounded by the Bear River on the south, the Feather River on the west, the Yuba River on the north and the Yuba County/Nevada County line on the east.

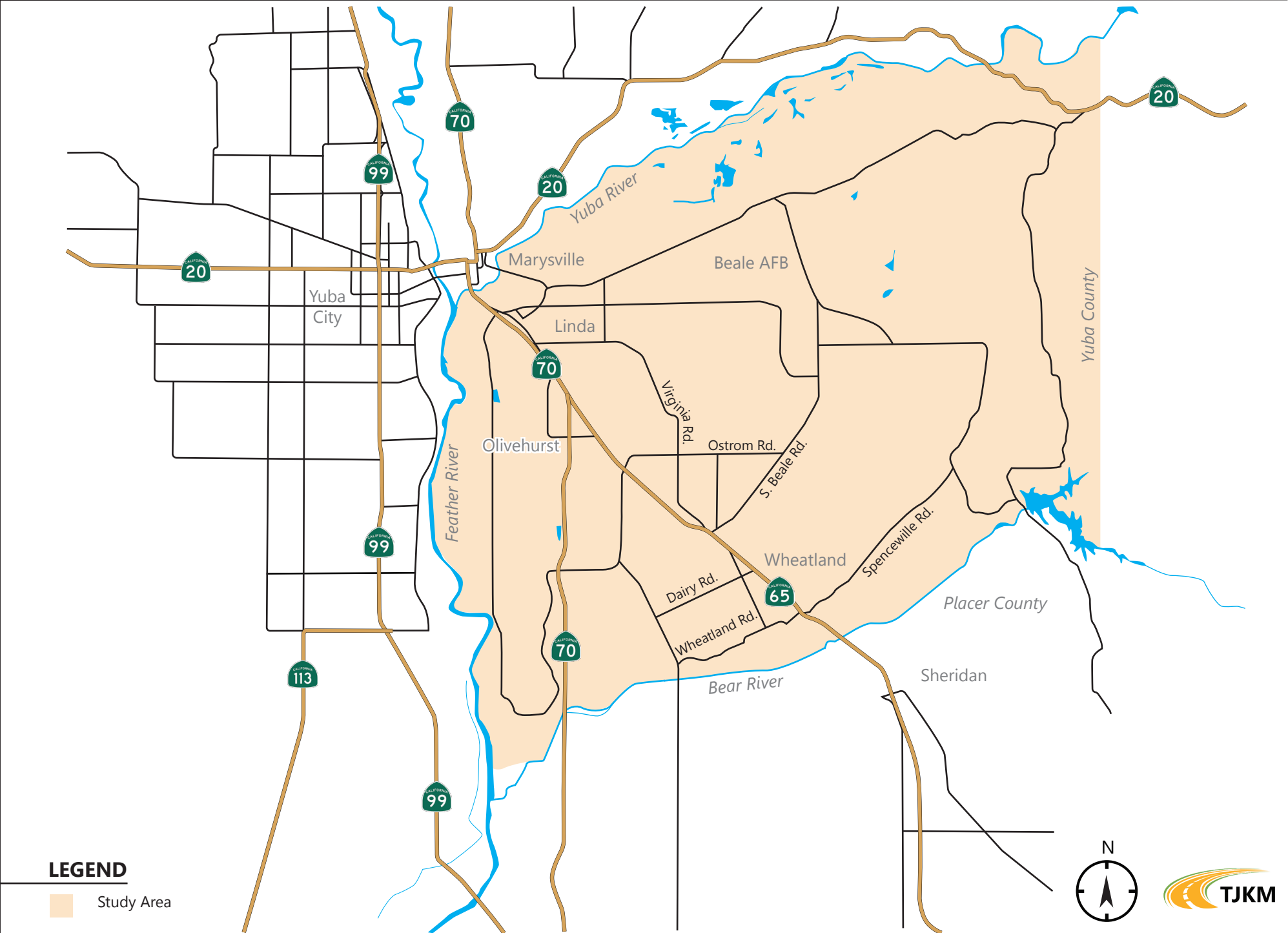
This report provides the required transportation impact fee (TIF) study to establish a nexus between anticipated developments and supporting infrastructure needs. Traffic Impact Fees are one-time fees typically paid prior to the issuance of a building permit and imposed on development projects by local agencies responsible for regulating land use. The fee's purpose is to help mitigate the transportation impacts of development growth. In addition to fees and projects considered in this document, other on-site, frontage, and off-site improvements directly associated with future projects may be required. A project-specific traffic impact study will assess this.

To guide the widespread imposition of public facilities fees, the State Legislature adopted the Mitigation Fee Act (the Act) with Assembly Bill 1600 in 1987 and subsequent amendments. The Act, contained in California Government Code §§66000-66025, establishes requirements on local agencies for the imposition and administration of fee programs. The specific tasks performed in preparing this analysis and their results are summarized in this section.

TIF Development Process

The development of the updated TIF program involved the major tasks described below.

1. **List of Projects** The list of projects for the TIF program was based on plans developed by SYTIA Board and its two member agencies. The projects consist of various elements of the proposed Wheatland Bypass.
2. **Project Costs** The project costs were prepared and included in this document. The costs were adjusted to account for through trips that do not result from development within the study area. The costs also reflect the use of outside funding sources.
3. **Trip Generation** An estimate was prepared of the p.m. peak hour trip generation that will result from development of the expected future land uses within the fee area. The p.m. peak hour was utilized since it is usually the period for which road improvements are designed.
4. **Cost per Trip** A cost per trip was calculated along with the corresponding schedule of fees. The schedule of fees includes fee categories for residential and non-residential land uses.



Executive Summary

Chapter 1 – Introduction and Summary

Chapter 2 – Peak Hour Trips

The first step required for the TIF is the determination of the number of peak hour trips expected in the life of the TIF. The trip generation portion of the TIF program is based on the proposed changes in land use during the life of the TIF. The growth in trips over the TIF period was based on information based on the expected growth in land use and related traffic generation in the SYTIA until 2050. Application and analysis of the growth in homes and employment information showed a maximum of 35,363 additional p.m. peak hour trips would be generated by the land use growth during that timeframe (projected to 2050).

Chapter 3 – Selection and Cost of Projects

The recommended list of new transportation improvements to serve the Authority was developed to provide service on the proposed Wheatland Bypass. The recommended improvement projects are listed in **Chapter 3** with locations depicted on Figures 2 and 3. Costs and details of the individual projects are described in **Appendix A** of this report.

The projects have a total program cost of \$250,000,000, of which \$100,000,000 is proposed for the TIF, based on the nexus findings.

Chapter 4 – Program Costs and Fee Calculation

The base fee per p.m. peak hour trip is calculated by dividing the total cost of the TIF program, \$100,000,000 by the total projected 35,363 new p.m. peak hour trips. The TIF requirement calculates a cost of \$2,828 per p.m. peak hour trip. The proposed TIF fee schedule is as follows:

Table 1: Fee Schedule

Land Use Category	Fee Rate
Single Family/Unit	\$2,828
Multi-Family/Unit	\$1,697
Commercial/KSF	\$1,697
Office/KSF	\$1,697
Industrial/KSF	\$566
Agricultural/KSF	\$283

KSF = Thousand square feet

Chapter 5 – Nexus Findings

California legislation requires that charges on new developments bear a reasonable relationship to the needs created by, and the benefits accruing to, that development. This is known as “nexus.” California courts have long used that reasonableness standard or nexus to evaluate the constitutionality of exactions, including development fees. Based on the analysis included in this report, the future development and the need for their associated improvements meet or exceed

the basic requirements set forth in Government Code sections beginning with 66000 to govern development fees.

The total cost for necessary improvements is based on the project list. The methodology of this report ensured that only a portion of that total cost is ascribed to future growth, based on the proportion of need generated by that growth. Thus, there is a reasonable relationship between the proposed use of the TIF and the proposed land use development projects on which the fee will be imposed. In the same manner, there is a reasonable relationship between the need for facilities included in the TIF and the proposed land use development projects.

CHAPTER 2. EXISTING AND FUTURE DEFICIENCIES AND PEAK HOUR TRIPS

A key step in the fee development process is to determine the number of trips that will be generated by growth within the SYTIA area during the life of the fee. TJKM used information provided by Yuba County based on projections from the General Plan for the County and for the City of Wheatland to determine the expected land use growth.

Based on this information, the growth between 2018 and 2050 is expected to be as follows:

Population:	57,081
Dwelling units:	18,007
Employment:	21,695

Table 2 below summarizes the land use growth within the SYTIA area with these land use categories. The "Growth" column in the table is the estimated amount of dwelling units (DU), and employment until 2050.

The table lists the growth in trips in each category after the p.m. peak hour factors based on the Institute of Transportation Engineers (ITE) publication *Trip Generation, 10th Edition*. Peak hour trips are considered because traffic analyses are based on congestion, which is largely a result of more people trying to use the transportation system during the busiest hours.

Table 2: Determination of TIF Trips

Land Use Category	Amount	P.M. Peak hour trip rate	Number of trips
Dwelling units	18,007	1.0	18,007
Employment	21,695	0.8 ¹	17,356
Total			35,363

¹ P.M. peak hour trips for employment represent all trips peak hour generated by non-residential uses during the hour, not just those of employees.

The 0.8 employment trip rate utilized in the table is representative trip rate for all non-residential land uses. The total p.m. peak hour trips for all residential and non-residential uses is 35,363 trips.

CHAPTER 3. SELECTION AND COST OF PROJECTS

The SYTIA project is primarily intended to construct the Wheatland Bypass, a replacement for portions of California State Highway 65 in southern Yuba County. Two alternative alignments for the project are shown in **Figure 2** (Alignment A) and **Figure 3** (Alignment B) on the following pages. The main components of the project are described as follows:

- A new high-capacity roadway beginning at a connection with CA 65 south of the Bear River in Placer County extending northerly to connect with the existing CA 65 freeway north of Morrison Road/Rancho Road intersection.
- The South Beale Road/CA 65 interchange and railroad overcrossing.
- A westward extension of the bypass to connect with Forty Mile Road.
- The extension of Plumas Lake Blvd. from the existing CA 70 interchange northeasterly to Plumas Arboga Road
- Bridges over the Bear River, Grasshopper Slough, Dry Creek and Best Slough.
- An interchange with Spenceville Road and an overcrossing of South Beale Road.

The preliminary total cost of Alignment A, including soft costs and contingencies is \$293.15 million. The preliminary cost of Alignment B, also including soft costs and contingencies, is \$242.84 million.

More information regarding the costs of these projects is included in Appendix A.

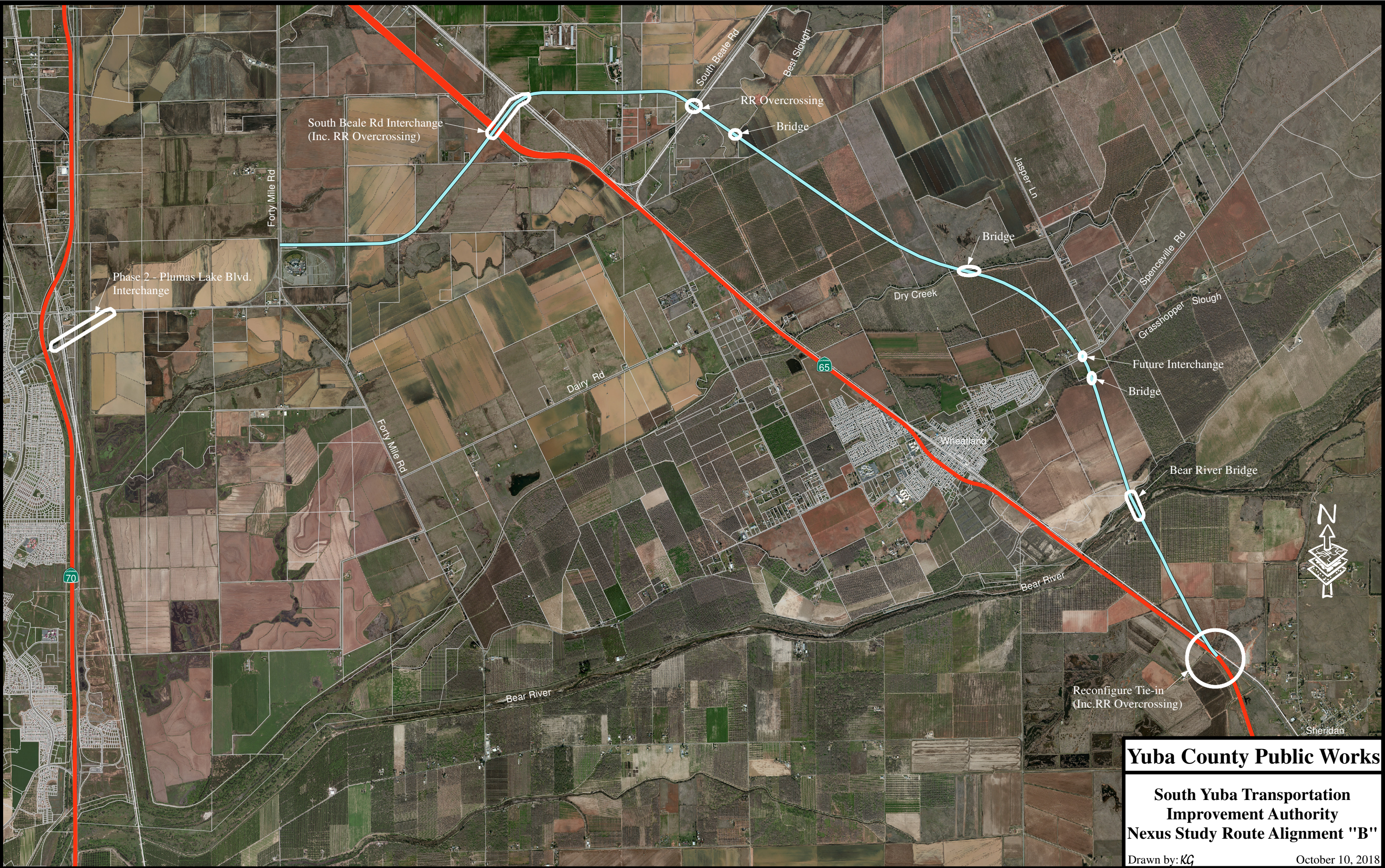


Yuba County Public Works

South Yuba Transportation
Improvement Authority
Nexus Study Route Alignment "A"

Drawn by: KQ

October 10, 2018



Yuba County Public Works

**South Yuba Transportation
Improvement Authority
Nexus Study Route Alignment "B"**

Drawn by: *KQ* October 10, 2018

CHAPTER 4. PROGRAM COSTS AND FEE CALCULATION

Cost per Trip Estimate

Table 3 presents a summary of the TIF improvement project costs, the projected future trips to be added by new development, and the resulting estimated TIF improvement cost per trip. The total cost of the TIF projects to be included in the program is \$100,000,000.

The fee calculation is based on trip generation estimates in **Table 2** and the cost estimates of the TIF improvement projects. There are two alternative alignments for the Wheatland Bypass, one costing \$293 million and one costing \$243 million. For the purposes of this preliminary fee calculation, TJKM is using a project cost estimate of \$250 million. The cost per p.m. peak hour trips is calculated to be \$2,828 using a total TIF cost of \$100 million, and 35,363 new p.m. peak hour trips. The TIF improvement project costs as well as the calculated new TIF cost per trip are shown in **Table 3**.

TJKM has conducted an analysis of the SACMET model and determined that approximately one-third of all traffic using the proposed roadway has neither a trip origin nor a trip destination within the SYTIA. These through trips are therefore not the responsibility of the local developers to provide roadway capacity. In addition, the revenue assumes that 40 percent of the cost of development will be borne by outside sources. The Wheatland Bypass will be a relocation of CA 65, having regional and statewide importance beyond South Yuba County and will need to be partly financed by outside sources. Table 3 shows that as a result of the two discounts described above, the project cost for which SYTIA developers are responsible is \$100,000,000.

When accounting for the 35,363 planned trips in the study area, the cost per trip becomes \$2,828.

Table 3: 2019 Cost per Trip Estimate

	2018 TIF Costs
a. All Projects	\$250,000,000
b. Discount for through traffic (33.3 percent)	(83,333,000)
c. Subtotal	\$166,667,000
d. Funding by outside sources (40%)	(66,667,000)
e. Subtotal	\$100,000,000
Total TIF Funding	\$100,000,000
Total P.M. Peak Hour Trips Added by New Development	35,363
TIF Cost Per P.M. Trip	\$2,828

Table 4 presents the new schedule of fees. The land use categories in this fee schedule have been determined based on a range of expected development land use types. The fees are calculated by multiplying the trip rates in the second column by the cost per trip, \$2,828.

The resulting fee rate, shown in the highlighted column of **Table 4** is the rate per dwelling unit for residential developments, or per thousand square feet (KSF) for non-residential development.

Table 4: Calculations of Fees

Land Use Category	P.M. Trip Rate ²	Cost Per P.M. Trip	Proposed Fee Rate
Single Family /Unit	1.00	\$2,828	\$2,828
Multi-Family/Unit	0.60	\$2,828	\$1,697
Retail Commercial/KSF	0.60	\$2,828	\$1,697
Office/KSF	0.60	\$2,828	\$1,697
Industrial/KSF	0.20	\$2,828	\$566
Agricultural/KSF	0.10	\$2,828	\$283

¹KSF = thousand square feet ²Source: Development Impact Fee Justification Study for Yuba County, DTA, Inc., 2014

The Authority may establish procedures for applying these fees using regulations such as, or similar to, Chapter 13.50 of the Yuba County Ordinance Code. This chapter includes the following categories:

- General Provisions
- Adoption of Studies
- Establishment of Fees
- Deposit of Fees in Trust
- Protest and Appeals
- Administration
- Enforcement

CHAPTER 5. NEXUS FINDINGS

TIF's are one-time fees typically paid prior to the issuance of a building permit and imposed on development projects by local agencies responsible for regulating land use (cities and counties) to mitigate the transportation impacts of the development. To guide the widespread imposition of public facilities fees, the State Legislature adopted the Act with Assembly Bill 1600 in 1987 and subsequent amendments. The Act, contained in California Government Code §§66000-66025, establishes requirements on local agencies for the imposition and administration of fee programs. The Act requires local agencies to document four findings when establishing, increasing or imposing a fee.

The four statutory findings required for adoption of the maximum justified fee documented in this report are presented in this chapter and supported in detail by this report. All statutory references are to the Act.

1. Purpose of the Fee

For the first finding, the Authority must:

Identify the purpose of the fee. (§66001(a)(1))

The purpose of this fee is to implement the actions of various Authority documents and policies. The imposition of impact fees is one of the preferred methods of ensuring that development bears a proportionate share of the cost of capital facilities necessary to accommodate new development. This fee will charge new development the fair share cost of transportation improvements needed to mitigate the transportation impacts created by that development.

2. Use of Fee Revenues

For the second finding, the Authority must:

Identify the use to which the fee is to be put. (§66001(a)(2))

If the use is financing public facilities, the facilities shall be identified. That identification may, but need not, be made by reference to a capital improvement plan as specified in Section 65403 or 66002, may be made in applicable general or specific plan requirements, or may be made in other public documents that identify the public facilities for which the fee is charged.

Detail on planned uses of fee revenues is contained in **Chapter 3** of this report.

3. Benefit Relationship

For the third finding, the Authority must:

Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed. (§66001(a)(3))

The Authority has determined the improvements listed in the report are necessary to address traffic congestion and General Plan compliance, as identified in the County General Plan environmental documents, due to future development. Public facilities funded by the fee will enhance the network of transportation infrastructure accessible to the additional residents and workers associated with new development, resulting in mobility and accessibility benefits to the

new development. Thus, there is a reasonable relationship between the use of fee revenues and the new residential and nonresidential development that will pay the fee.

4. Burden Relationship

For the fourth finding, the Authority must:

Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed. (§66001(a)(4))

The number of residential dwelling units and building square footage are indicators of the demand for transportation facilities needed to accommodate growth. As new building square footage is created, the occupants of the new structures will place additional burdens on the transportation facilities. The need for the fee is based on traffic engineering studies assessing the impact of additional vehicle trips from new development. Traffic engineering and related data were also used to inform the scope of improvements included in the fee program. For transportation improvements needed to accommodate the development anticipated in the near term, the cost burden is fully allocated based on development anticipated in the near term. For transportation improvements that are not immediately needed to accommodate near term development, but that will be needed to accommodate development in the longer term, the cost burden is allocated based on projections of new development. Thus, there is a reasonable relationship between the need for the planned improvements, the scope of the improvements, and the parcels that will pay the fee.

APPENDIX A

Cost Estimates for Alignment A and Alignment B

Route	Item	Distance	Costs
A	Plumas Lake Blvd Interchange Phase 2		\$25,000,000
A	S. Beale Rd Interchange (Inc. RR overcrossing)	-2240'	\$40,000,000
A	S. Beale Rd overcrossing (Inc. RR)	-700'	\$15,000,000
A	Spenceville Rd Interchange	-370'	\$20,000,000
A	Bridge over Bear River	-4000'	\$50,000,000
A	Tie-in to Hwy 65	-1690'	\$20,000,000
A	Route A (11 miles, incl. Best Slough, Dry Creek, Grasshopper Slough bridges) minus above items @ \$5 mill/mile	49080'	\$46,500,000
	Totals	58080'	\$216,500,000
A	Right of way costs (11 miles x 200' wide=300 ac) x \$30,000 ac		\$9,000,000
	Grand total		\$225,500,000
A	Soft Costs/Contingency @ 30%		\$67,650,000
	Grand total		\$293,150,000

B	Plumas Lake Blvd Interchange Phase 2		\$25,000,000
B	S. Beale Rd Interchange (Inc. RR overcrossing)	-2240'	\$40,000,000
B	S. Beale Rd overcrossing (Inc. RR)	-700'	\$15,000,000
B	Spenceville Rd Interchange	-200'	\$20,000,000
B	Bridge over Bear River	-1000'	\$17,000,000
B	Tie-in to Hwy 65	-900'	\$20,000,000
B	Route B (9.4 miles, including Best Slough, Dry Creek, Grasshopper Slough bridges) minus above items @ \$5 mill/mile	44592'	\$42,300,000
	Totals	49632'	\$179,300,000
B	Right of way costs (9.4 miles x 200' wide=250 ac) x \$30,000 ac		\$7,500,000
	Total		\$186,800,000
B	Soft Costs/Contingency @ 30%		\$56,040,000
	Grand total		\$242,840,000

Notes:

- 1 Bear River bridge costs based on 5th Street bridge construction costs.
- 2 Roadway costs per mile based on Phase 2A of Lincoln Bypass construction costs (2 lane widening portion).
- 3 Soft costs include design, staking, plan check, inspections, and contingency.