

## MEMORANDUM

To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: June 24-25, 2020

From: STEVEN KECK, Chief Financial Officer

Reference Number: 3.4, Information Item

Prepared By: Mark Phelan, Chief (Acting)  
Division of Right of Way and Land Surveys

Subject: QUARTERLY REPORT – FISCAL YEAR 2019-20 RIGHT OF WAY ANNUAL ALLOCATION – THIRD QUARTER

### SUMMARY:

As of May 12, 2020, approximately \$78.4 million, or 44 percent, of the \$178 million allocated by the California Transportation Commission (Commission) for Right of Way (R/W) capital in Fiscal Year 2019-20 has been committed on State Highway Operation and Protection Program (SHOPP) and State Transportation Improvement Program (STIP) projects. The California Department of Transportation (Department) plans to spend \$30.4 million for the remainder of the fiscal year. The forecasted balance at the end of the fiscal year is \$69 million.

The annual R/W Capital Plan approved by the Commission on June 26, 2019, under Resolution FM-18-04, consisted of 595 projects. Funds have been committed on 261, or 44 percent, of the previously identified projects. The R/W Capital Plan has been amended to include 209 additional projects that needed 2019-20 allocation.

### BACKGROUND:

The Department's Division of Right of Way and Land Surveys administers the R/W capital budget under delegated authority from the Commission. The Commission provides an annual allocation consistent with each fiscal year's Budget Act, approved STIP and SHOPP documents, and the R/W Capital Plan. The R/W Capital Plan includes R/W capital outlay costs, plus the specific categories of costs prior to environmental clearance (pre-Project Approval & Environmental Document), costs exceeding programming (post-certification), inverse condemnation costs, as well as the Coordinated Border Infrastructure Program (CBI). The Commission further delegates to the Department the authority to adjust allocation between projects and expenditure categories.

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Per Resolution G-19-01, the Department is required to report on a quarterly basis the status of the R/W Capital Plan, including a list of the projects added, subtotals of the specific categories, and the balance of the annual allocation.

The forecasted balance will not be committed due to postponed condemnation lawsuits and contracting delays related to mitigation service contracts and utility agreements. The summary below provides a breakdown of forecasted expenditures and encumbrances forecasted through June 30, 2020.

**FISCAL YEAR 2019-20 R/W CAPITAL ANNUAL ALLOCATION SUMMARY**  
**(Encumbrances and/or expenditures through May 12, 2020)**  
**(Dollars x 1,000)**

<b>Capital Projects</b>	<b>Total FY Annual Allocation per CTC Resolution FM-18-04</b>	<b>Annual Allocation Encumbered and/or Expended</b>	<b>Forecasted Encumbrances and/or Expenditures 05/12/20 through 06/30/20</b>	<b>Forecasted Annual Allocation Balance<sup>1</sup></b>
STIP Capital Costs	\$37,269	\$18,504	\$4,757	\$14,008
STIP Pre-PA&ED Costs <sup>2 3</sup>	\$214	\$64	\$47	\$103
STIP Post-Certification Costs <sup>3</sup>	\$4,047	\$2,613	\$500	\$934
STIP Inverse Costs <sup>3</sup>	\$25	\$70	\$0	(\$45)
<b>Subtotal STIP</b>	<b>\$41,555</b>	<b>\$21,251</b>	<b>\$5,304</b>	<b>\$15,000</b>
SHOPP Capital Costs	\$107,196	\$32,706	\$22,899	\$51,591
SHOPP Pre-PA&ED Costs <sup>2 3</sup>	\$1,474	\$2,408	\$250	(\$1,184)
SHOPP Post-Certification Costs <sup>3</sup>	\$2,053	\$4,197	\$500	(\$2,644)
SHOPP Inverse Costs <sup>3</sup>	\$2,579	\$2,342	\$0	\$237
<b>Subtotal SHOPP</b>	<b>\$113,302</b>	<b>\$41,653</b>	<b>\$23,649</b>	<b>\$48,000</b>
Coordinated Border Infrastructure (CBI)	\$22,980	\$15,506	\$1,474	\$6,000
<b>Total Right of Way</b>	<b>\$177,837</b>	<b>\$78,410</b>	<b>\$30,427</b>	<b>\$69,000</b>

A copy of the detailed [R/W Capital Plan](#) is available online.

<sup>1</sup> The Forecasted Annual Allocation Balance includes the following fund sources: \$18.1 million from state STIP funds 20301-0042, \$15.1 million from federal STIP funds 20301-0890, \$22.4 million from state SHOPP funds 20302-0042, and \$7.3 million from federal SHOPP funds 20302-0890.

<sup>2</sup> Pre-PA&ED expenditures are limited to 5 percent of the total annual allocation. As of May 12, 2020, pre-PA&ED expenditures total 1 percent of the allocation.

<sup>3</sup> The 2020 STIP Fund Estimate identified \$11 million in unprogrammed R/W capital costs. As of May 12, 2020, unprogrammed R/W capital costs total \$9,227,793. Approximately 17.5% of that total will be reclassified as programmed costs after STIP county share adjustments are made at the time of Construction Contract Acceptance.

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