

## **MEMORANDUM**

**To:** CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

**CTC Meeting:** June 27-28, 2024

**From:** STEVEN KECK, Chief Financial Officer

**Reference Number:** 3.6, Information Item

**Prepared By:** Kimberly Ellis Erickson, Chief  
Division of Right of Way and Land Surveys

**Subject:** **QUARTERLY REPORT – FISCAL YEAR 2023-24 RIGHT OF WAY ANNUAL ALLOCATION – THIRD QUARTER**

### **SUMMARY:**

As of April 1, 2024, approximately \$67 million, or 61 percent, of the \$110 million allocated by the California Transportation Commission (Commission) for Right of Way (RW) capital 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 \$36 million for the remainder of the fiscal year. The forecasted balance at the end of the fiscal year is \$7 million.

The annual RW Capital Plan approved by the Commission on June 29, 2023, under Resolution FM-22-03, consisted of 611 projects. Funds have been committed on 282, or approximately 46 percent, of the previously identified projects. The RW Capital Plan has been amended to include 176 additional projects that required 2023-24 allocation.

### **BACKGROUND:**

The Department's Division of Right of Way and Land Surveys administers the RW 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 RW Capital Plan. The RW Capital Plan includes RW capital outlay costs, plus the specific categories of costs during the Project Approval and Environmental Document (PA&ED) phase, costs exceeding programming, and inverse condemnation costs. The Commission further delegates to the Department the authority to adjust allocation between projects and expenditure categories.

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serves all people and respects the environment"*

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

It is forecasted that \$7 million of the annual allocation balance will not be committed by June 30, 2024. Revised right of way impacts and schedules account for the forecasted balance.

**FISCAL YEAR 2023-24 RW CAPITAL ANNUAL ALLOCATION SUMMARY**  
(Dollars x 1,000)

<b>Capital Projects</b>	<b>Annual Allocation per CTC Resolution FM-22-03</b>	<b>Annual Allocation Encumbered or Expended as of 04/01/2024</b>	<b>Annual Allocation Balance<sup>1</sup></b>
STIP Capital Costs	\$18,527	\$7,642	\$10,885
STIP Costs During the PA&ED Phase <sup>2 3</sup>	\$31	\$5	\$26
STIP Costs Exceeding Programming <sup>3</sup>	\$5,664	\$10,183	(\$4,519)
STIP Inverse Costs <sup>3</sup>	\$0	\$1,768	(\$1,768)
<b>Subtotal STIP</b>	<b>\$24,222</b>	<b>\$19,598</b>	<b>\$4,624</b>
SHOPP Capital Costs	\$75,260	\$37,395	\$37,865
SHOPP Costs During the PA&ED Phase <sup>2 3</sup>	\$3,169	\$981	\$2,188
SHOPP Costs Exceeding Programming <sup>3</sup>	\$7,309	\$3,229	\$4,080
SHOPP Inverse Costs <sup>3</sup>	\$40	\$5,791	(\$5,751)
<b>Subtotal SHOPP</b>	<b>\$85,778</b>	<b>\$47,396</b>	<b>\$38,382</b>
<b>Total</b>	<b>\$110,000</b>	<b>\$66,994</b>	<b>\$43,006</b>

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

<sup>1</sup> The forecasted Annual Allocation Balance includes the following fund source adjustments: \$7 million to Federal SHOPP funds 24302-0890

<sup>2</sup> As of April 1, 2024, expenditures and encumbrances made during the PA&ED phase total 0.9 percent of the approved allocation. Resolution G-19-01 limits these commitments to 5 percent of the total Annual Allocation.

<sup>3</sup> The 2024 STIP Fund Estimate identifies a \$16 million fund reservation for unprogrammed RW capital costs. As of April 1, 2024, \$19.7 million has been committed. Approximately \$7.1M will be reclassified as programmed costs after STIP share adjustments are made at the time of Construction Contract Acceptance.

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