State of California
DEPARTMENT OF TRANSPORTATION

Business, Transportation and Housing Agency

Memorandum

To: CHAIR AND COMMISSIONERS

CTC meeting: December 8-9, 2004

Reference No.: 4.3b.
Information Item

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Ref: **PENDING TRAFFIC CONGESTION RELIEF (TCR) PROGRAM LETTER OF NO PREJUDICE REQUESTS**

BACKGROUND:

Government Code Section 14556.33, established by Chapter 908 (AB1335) of the Statutes of 2001, allows an applicant agency, that is either a regional or local entity, to seek approval of an AB 1335 Letter of No Prejudice (Letter). If approved by the California Transportation Commission (Commission), the Letter allows the applicant agency to expend its own funds for any component of the transportation project, and seek allocation and reimbursement from the Traffic Congestion Relief (TCR) Fund in future years. On August 14, 2003, the Commission approved Resolution G-03-12, adopting the Guidelines for Letter of No Prejudice, Traffic Congestion Relief Program (Guidelines).

The FY 2004-05 Budget Act includes the transfer of $163,000,000 from the General Fund to the TCR Fund for those TCR projects with existing allocations only. Pending resolution of future funding for TCR projects, the Commission has deferred approval of new Letter requests until future funding for the TCR Program can be assessed and a review of TCR projects is completed.

The following list identifies eight Letter requests totaling $595,425,000 deferred by the Commission to date:

- Project #1.1 – $10,000,000 for Phase 3, for BART to San Jose; extend BART from Fremont to Downtown San Jose in Santa Clara and Alameda Counties – Extension from Fremont to Warm Springs.
  Applicant Agency: Santa Clara Valley Transportation Authority (VTA)

- Project #1.2 – $214,409,000 for Phases 2 and 3, for BART to San Jose; extend BART from Fremont to Downtown San Jose in Santa Clara and Alameda Counties – Extension from Warm Springs to downtown San Jose.
  Applicant Agency: VTA

- Project #2 – $35,000,000 for Phase 3, for Fremont-South Bay Commuter Rail; acquire rail line and start commuter rail service between Fremont and San Jose in Santa Clara/Alameda Counties.
  Applicant Agency: VTA

- Project #36 – $182,900,000 for Phase 4, for Los Angeles Eastside Transit Extension; build new light rail line in East Los Angeles, from Union Station to Atlantic via 1st Street to Lorena in Los Angeles County.
  Applicant Agency: Los Angeles County Metropolitan Transportation Authority

- Project #37.1 – $26,100,000 for Phase 3, for Los Angeles Mid-City Transit Improvements.
  Applicant Agency: Los Angeles County Metropolitan Transportation Authority.

- Project #44 – $2,726,000 for Phase 4, Route 47 (Terminal Island Freeway); construct interchange at Ocean Boulevard Overpass in the City of Long Beach in Los Angeles County.
  Applicant Agency: Port of Long Beach

- Project #70.2 – $123,700,000 for Phases 2 and 4, for Route 22; add HOV lanes on Garden Grove Freeway, Route I-405 to Route 55 in Orange County.
  Applicant Agency: Orange County Transportation Authority

- Project #123 – $590,000 for Phase 4 for Oceanside Transit Center; parking structure.
  Applicant Agency: City of Occanside
  (The Letter request meets all conditions of the Guidelines except a pending STIP allocation or a STIP AB 3090 request)