

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 6-7, 2007

Reference No.: 2.5j.  
Action Item

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Subject: **FISCAL YEAR 2007-08 RIGHT OF WAY LUMP SUM ALLOCATION  
RESOLUTION FM-06-06**

## **RECOMMENDATION:**

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve the following Resolution allocating a lump sum of \$320,384,000 for right of way capital outlay for Fiscal Year (FY) 2007-08.

## **ISSUE:**

Each year the Department is required to obtain an annual right of way capital allocation from the Commission before it can deliver the right of way needs for programmed projects in the Project Delivery Plan. The approval of this Resolution will provide the Department the ability to deliver its right of way commitments for FY 2007-08. This allocation is subject to enactment of the 2007 Budget Act.

## **BACKGROUND:**

Resolution G-01-09 requires the Department to annually present its Right of Way Capital Outlay Expenditure Plan to the Commission for review and acceptance. The Resolution states that the plan will be supported by a project list that includes at a minimum, project description, source programming document, district, county, route, post mile, expenditure authorization, planning programming number, planned right of way expenditure, and total programmed right of way capital.

The FY 2007-08 Right of Way Capital Outlay Expenditure Plan is consistent with the Department's State Highway Operation and Protection Program and State Transportation Improvement Program documents, as approved by the Commission, and includes \$37,000,000 of Border Infrastructure Program (BIP) funds for the San Diego 905 Otay Mesa Project. A new line item has been added for Highway Safety, Traffic Reduction, Air Quality and Port Security Fund (Route 99 Bond), for the following three projects: 1) EA - 1A432 (Sutter), 2) EA - 32450 (Tulare), and 3) EA - 41580 (Merced). Separate line items for Pre-Project Mitigation cost and Specific Categories of Post Certification, Damage to Property Settlements (Inverse), Hardship, Project Development are also listed.

Consistent with Resolution G-01-09, the Department reviewed with Commission staff the proposed list of projects that comprise the requested FY 2007-08 right of way capital allocation.

**RESOLUTION:**

Resolved, that the amount of \$320,384,000 be allocated from the Budget Act of 2007, Budget Act Items 2660-301-0042, 2660-301-0890, 2660-302-0042, 2660-302-0890, and 2660-304-6053, 2660-304-6058, 2660-304-6064, and Non-Budget Act Item 2660-801-3008, as a lump sum for right of way capital outlay expenditures for FY 2007-08.

**FY 2007-08 ESTIMATE OF FUNDS ALLOCATED FOR RIGHT OF WAY***(Dollars x 1,000)*

	<b><u>ALLOCATION</u></b> <b><u>(RESOLUTION FM-06-06)</u></b>
<b>Capital Projects</b>	
STIP	<b>\$177,000</b>
SHOPP	<b>\$40,000</b>
Route 99 Bond	<b><u>\$7,384</u></b>
<b>Total Capital Projects</b>	<b>\$224,384</b>
<b><u>Specific Categories:</u></b>	
Minor Projects*	<b>\$0</b>
Post Certification	<b>\$73,000</b>
Damage to Property (Inverse)	<b>\$22,000</b>
Hardship	<b>\$0</b>
Project Development	<b><u>\$1,000</u></b>
<b>Total Specific Categories</b>	<b>\$96,000</b>
<b><u>Pre-Project Mitigation</u></b>	<b>\$0</b>
<b><u>Total Right of Way</u></b>	<b>\$320,384</b>

\*A total sum of \$3,667,000 for planned minor right of way expenditures has been requested as part of the Minor Construction Program Allocation (2.5k).