



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**California Division**

May 30, 2019

650 Capitol Mall, Suite 4-100  
Sacramento, CA 95814  
(916) 498-5001  
(916) 498-5008 (Fax)

In Reply, Refer To:  
HDA-CA

Ms. Laurie Berman  
Director  
California Department of Transportation  
1120 N Street  
Sacramento, CA 95814

Attention: Mr. Fardad Falakfarsa, Chief,  
Office of Federal Resources

SUBJECT: FHWA Construction Start Deadline – Emergency Relief (ER) Permanent Repair  
Time Extension Request

Dear Ms. Berman:

The FHWA California Division is preparing to receive requests for ER Permanent Repair Time Extensions for FY20. These requests are limited to ER permanent repair projects from FY17 disaster events that will not advance to construction authorization by September 30, 2019, and projects listed for approval in the California Division's April 18, 2019 ER Time Extension Reconsideration Approval Letter.

As indicated in 23 CFR 668.105(h), "ER projects shall be promptly constructed. Any [permanent repair] project that has not advanced to the construction obligation stage by the end of the second fiscal year following the disaster occurrence will not be advanced unless suitable justification to warrant retention is furnished." ER time extensions are limited to exceptional cases where Caltrans and/or the Local Public Agencies can demonstrate that failure to reach construction authorization was beyond their control and limited to one of the following actions: extensive environmental evaluation, litigation, or complex right-of-way acquisition.

All requests for time extensions must include time-specific project documentation which must describe how and when extensive environmental evaluation, litigation, or complex right-of-way acquisition impacted project progression. The California Division Office, with assistance by Caltrans, will evaluate all time extensions provided to Caltrans by September 30, 2019. All project documentation must be provided to Caltrans at the time of initial request.

The California Division will continue to work with Caltrans to further develop existing guidance to support time extension requests. Should you have any questions, please contact Keaton Browder, Emergency Relief Program Manager, at (916) 498-5344 or [Keaton.Browder@dot.gov](mailto:Keaton.Browder@dot.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'PS', is written over a horizontal line.

Paul Schneider  
Chief Operating Officer