



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

California Division

January 31, 2019

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In Reply Refer To:
HDA-CA

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

Attention: Fardad Falakfarsa, Chief, Office of Federal Resources

SUBJECT: FY 2019 Emergency Relief Time Extension Approval

Dear Ms. Berman:

The Federal Highway Administration (FHWA) has reviewed your October 3, 2018 letter requesting a 1-year time extension for 73 permanent repair projects that have exceeded the allotted time to advance to construction obligation as described in 23 CFR 668.105(h).


As described in the FHWA ER Manual, satisfactory justification for time extensions are generally due to delays "caused by the need for extensive environmental evaluation, litigation, or complex right-of-way acquisition." In addition, FHWA considers lack of project activity, potential site stabilization, the need to reduce scope, and the overall project need when evaluating Emergency Relief time extension requests. A 1-year time extension set to expire on September 30, 2019 was granted for 7 projects that met the extension justification criteria.

66 projects failed to meet the extension justification criteria, thus a 1 year time extension was not granted. These projects may use Emergency Relief funds for the sole purpose of reimbursing eligible costs incurred prior to October 1, 2018. Projects that were not granted a 1-year time extension are subject to stipulations provided in FHWA Order 5020.1A, *Repayment of Preliminary Engineering Costs*.

Please be advised, failure to receive an Emergency Relief time extension does not relieve the transportation agency, that is Caltrans or the Local Public Agency, from restoring or repairing the damaged highway facility. Failure to restore or repair the damaged highway facility may jeopardize future Emergency Relief funding at the damage location.

FHWA determinations are provided in Attachment A and Attachment B. Should you have any questions relating to this determination, please contact Keaton Browder, Emergency Relief Program Manager, at (916) 498-5344 or Keaton.Browder@dot.gov.

Sincerely,


Matthew Schmitz
Director, Project Delivery

Enclosures:

Attachment A: Caltrans Capital ER Projects

Attachment B: Local Public Agency ER Projects