

**CALIFORNIA TRANSPORTATION COMMISSION**  
**Approval of Traffic Congestion Relief Program**  
**Project Application Amendment**

**RESOLUTION TAA-02-03**  
**Amending Resolution TAA-01-07**

- 1.1 WHEREAS the Traffic Congestion Relief Act of 2000 (herein after referred to as "statute"), which was established by Chapters 91 (AB 2928) and 656 (SB 1662) of the Statutes of 2000, establishes the Traffic Congestion Relief Program, providing \$5.39 billion for projects throughout the State of California to reduce traffic congestion, provide for safe and efficient movement of goods, and provide system connectivity; and
- 1.2 WHEREAS in accordance with Government Code Section 14556.11 the California Transportation Commission (Commission) has adopted guidelines, in consultation with the Department of Transportation (Department) and regional agencies, to implement the Traffic Congestion Relief Program (TCRP); and
- 1.3 WHEREAS the statute and guidelines require applicants to specify full and complete project applications, including scope, cost and schedule, financial plans and funding sources; and
- 1.4 WHEREAS on February 21, 2001, the Commission approved Resolution TAA-01-01, amending Resolution TA-00-01, clarifying conditions set forth for Project #32.5 – subparagraph (e), environmental remediation, under Resolution TA-00-01; and
- 1.5 WHEREAS on May 2, 2001, the Commission approved Resolution TAA-01-04, amending Resolution TA-00-02, authorizing the use of \$400,000 approved for Project #32.3 - Sub-paragraph (c) completion of rail line from Willits to Arcata, to complete a comprehensive assessment for all work north of Willits; and
- 1.6 WHEREAS on May 2, 2001, the Commission approved Resolution TA-01-08 for \$5,000,000 for Project #32.4 - Sub-paragraph (d) upgrade rail line to class II or III standards, and \$31,000,000 for Project #32.9 - Sub-paragraph (i) long term stabilization projects, including the use of \$100,000 from #32.4 - Sub-paragraph (d) upgrade rail line to class II or III standards, to complete a comprehensive assessment for all work south of Willits; and
- 1.7 WHEREAS future funding for Project #32.3 - Sub-paragraph (c) completion of rail line from Willits to Arcata, Project #32.4 - Sub-paragraph (d) upgrade rail line to class II or III standards, Project #32.5 – subparagraph (e), environmental remediation, and Project #32.9 - Sub-paragraph (i) long term stabilization, is contingent upon the completion of comprehensive assessments to determine the scope of work, schedule, and use of the funds available; and
- 1.8 WHEREAS on November 7, 2001, the Commission approved Resolution TAA-01-07 authorizing additional time to complete the comprehensive assessments; and

- 1.9 WHEREAS the consultant selection process for the comprehensive assessments has taken longer than anticipated due to the need to coordinate with, and seek concurrence from, multiple State agencies and other stakeholders; and
- 1.10 WHEREAS the NCRA has submitted revised applications for Project #32.3 - Sub-paragraph (c) completion of rail line from Willits to Arcata, Project #32.4 - Sub-paragraph (d) upgrade rail line to class II or III standards, Project #32.5 - subparagraph (e), environmental remediation, and Project #32.9 - Sub-paragraph (i) long term stabilization, to update the project schedules to reflect the current status; **and**
- 1.11 **WHEREAS on December 12, 2001, the Commission adopted Resolution TA-01-18 stipulating that no additional TCR Program funds shall be allocated to the NCRA, beyond the \$17,750,000 allocated to date, until such time as the NCRA demonstrates to the Commission how it will fund administrative operations beyond June 30, 2002; and**
- 1.12 **WHEREAS at the May 9, 2002 CTC meeting, the NCRA provided the Commission with a financial plan for administrative and debt reduction for Fiscal Year (FY) 2002-03 through FY 2007-08.**
- 2.1 NOW THEREFORE BE IT RESOLVED the Commission does hereby approve the following four TCRP project application amendments for the North Coast Railroad Authority (NCRA) as submitted, with subsequent clarifications and revisions:
- Project #32.3 – North Coast Railroad; Sub-paragraph (c) completion of rail line from Willits to Arcata. Amend application to update project schedule. No other changes to TCR application approval of \$1,000,000 under Resolution TAA-01-04, as amended by TAA-01-07.
  - Project #32.4 – North Coast Railroad; Sub-paragraph (d) upgrade rail line to class II or III standards. Amend application to update project schedule. No other changes to TCR application approval of \$5,000,000 under Resolution TA-01-08, as amended by TAA-01-07.
  - Project #32.5 – North Coast Railroad; Sub-paragraph (e) environmental remediation projects. Amend application to update project schedule. No other changes to TCR application approval of \$100,000 under Resolution TAA-01-01, as amended by TAA-01-07.
  - Project #32.9 – North Coast Railroad; Sub-paragraph (i) long-term stabilization projects. Amend application to update project schedule. No other changes to TCR application approval of \$31,000,000 under Resolution TA-01-08, as amended by TAA-01-07;
- and
- 2.2 BE IT FURTHER RESOLVED, as stipulated in Resolution TA-01-08 and reiterated in TAA-01-07, prior to subsequent requests to the Commission for an allocation of funds for the “South of Willits” segment authorized under Project #32.4 – Upgrade to Class II/III Standards, or Project #32.9 – Long Term Stabilization, NCRA shall submit for review and approval to Department and CTC staff a design workplan for the Class II/III upgrade and stabilization activities developed from the comprehensive assessment for the “South of Willits” segment; and

- 2.3 BE IT FURTHER RESOLVED, as stipulated in Resolution TA-01-08 and reiterated in TAA-01-07, prior to submitting a request to the Commission for an allocation of funds for the "North of Willits" segment authorized under Project #32.9 – Long Term Stabilization, NCRA shall submit for review and approval to Department and CTC staff a design workplan for the Class II/III upgrade and stabilization activities developed from the comprehensive assessment for the "North of Willits" segment to be funded under Government Code Section 14556.50, subparagraph (c); and
- 2.4 BE IT FURTHER RESOLVED, as stipulated in Resolution TAA-01-01 and reiterated in TAA-01-07, prior to submitting a request to the Commission for an allocation of funds for projects authorized under Project #32.5 – Environmental Remediation, the remaining conditions must be met:
- Memorandum of Understanding that outlines the parameters and schedule for delivery of the interim and final products necessary to prepare a scope of work and schedule, within the funding available, must satisfy the requirements of the ECD and must also include a schedule for satisfactory completion of required ECD actions; and
  - Written certifications from NCRA shall be signed by the Executive Director of the NCRA and each representative of the ECD state agency parties and shall be submitted as part of the future project application for the remaining \$4,000,000 available to the project; and
  - The remaining \$4,000,000 for environmental remediation will not be allocated by the Commission until the NCRA submits certifications to the Department and the Commission verifying that the NCRA and the state agencies party to the ECD have reached agreement regarding the scope of work, schedule and use of those funds.
- 2.4 BE IT FURTHER RESOLVED, as stipulated in Resolution TAA-01-07, prior to an allocation of funds for right of way acquisition and/or construction NCRA shall demonstrate environmental approval for the proposed capital improvements under the above mentioned applications; and
- 2.5 **BE IT FURTHER RESOLVED that with the possible exception of funding for work to be completed under Government Code section 14556.50, subparagraph (e) – environmental remediation projects, no additional TCR Program funds shall be allocated to the NCRA until such time as the NCRA demonstrates to the Commission that the outstanding issues with the current common carrier rail operator have been resolved to allow the resumption of service by the current common carrier or by another common carrier operating pursuant to all appropriate state and federal statutes, codes, and regulations; and**
- 2.6 BE IT FURTHER RESOLVED that the TCRP project application amendment approval by the Commission reserves the State funding for the projects as specified by the statute, and allows NCRA to incur costs in accordance with the approved project application, statute and guidelines; and
- 2.7 BE IT FURTHER RESOLVED that CTC Resolution TAA-01-07 is hereby amended.