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September 30, 2011

Ms. Diane Boyer-Vine
Legislative Counsel
State Capitol, Room 3021
Sacramento, CA 95814

Mr. Gregory Schmidt
Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

Mr. E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, CA 95814

Dear Ms. Boyer-Vine and Messrs. Schmidt and Wilson:

Enclosed is the "2011 Report to the Legislature on Unrefunded Gasoline Tax Used for Off Highway Agricultural Purposes". This report estimates the funds to be transferred in fiscal years 2011-12 and 2012-13 from the Motor Vehicle Fuel Account to the California Department of Food and Agriculture (CDFA) Fund. The transfers represent the estimated amount of the unclaimed portion of refundable motor vehicle fuel taxes used for off-highway agricultural purposes. This biennial report was prepared by the California Department of Transportation (Caltrans) in cooperation with the CDFA, as required by Section 8352.5 of the Revenue and Taxation Code.

There are no changes anticipated in the base gasoline excise tax rate; however, the methodology used to estimate the total agricultural gas expenditures, as well as the average retail price for gasoline, have been revised. The methodology change is described in detail in the enclosed report and the most current data has been used to calculate the transfers for 2011-12 and 2012-13. The amount to be transferred for 2011-12 is $38,320,291. The 2011-12 transfer includes a deduction of $3,500 for the Department's administrative, clerical, and reproduction costs in calculating the transfers and preparing the report. These costs are withheld per Revenue and Taxation Code Section 8352.9. The amount to be transferred for 2012-13 is $38,323,791.

Distribution to the Legislature has been made by Caltrans pursuant to Government Code Section 9795. This report can be found at http://www.dot.ca.gov/reports-legislature.html.

Sincerely,

MALCOLM DOUGHERTY
Acting Director

Enclosure