

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: September 24-25, 2003

Reference No.: 3.5
Information Item

From: ROBERT L. GARCIA
Chief Financial Officer

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Local Assistance

Ref: **FOURTH CYCLE AB 1012 UNOBLIGATED RSTP, CMAQ, AND REGIONAL TEA "USE IT OR LOSE IT" BALANCE REPORT**

SUMMARY:

The annual notice to regional agencies for Cycle 4 of AB 1012 "Use it or Lose It" provisions was released on December 9, 2002. At that time, Cycle 4 Regional Surface Transportation Program (RSTP), Congestion Mitigation and Air Quality (CMAQ), and Regional Transportation Enhancement Activity (R-TEA) funds subject to potential reprogramming on December 9, 2003 totaled approximately \$209 million.

The July 31, 2003 balance reports show total funds subject to reprogramming for Cycle 4 of AB 1012 are approximately \$57 million, a reduction of \$152 million. Approximately 60 percent of the amount subject to reprogramming is in the CMAQ program. Obligation plans submitted by the regional agencies indicate all Cycle 4 balances will be obligated by the December 9, 2003 deadline. However, as a result of the state borrowing approximately \$200 million in obligation authority (OA) from the local agencies, only priority projects have been obligated since July 18, 2003. This has hampered the ability of local agencies to obligate funds necessary to meet the AB 1012 Cycle 4 requirements.

The Department of Transportation (Department) is working closely with the California Transportation Commission (Commission) to ensure local agencies are not penalized as a result of the OA loan. Regions with AB 1012 balances will be given priority for use of local OA when it becomes available. It is anticipated additional OA will become available early in the next federal fiscal year that begins October 2003. It is also anticipated that repayment of the loaned OA will take place by June 30, 2004.

BACKGROUND:

AB 1012 was enacted October 10, 1999 with a goal of improving the delivery of transportation projects. A section of the legislation states that regional agency CMAQ and RSTP funds that are not obligated within the first three years of federal eligibility are subject to reprogramming by the Commission in the fourth year. The Department is including R-TEA funds under the AB 1012 use it or lose it requirements. In addition, the Department is required to submit quarterly progress reports on impacted fund balances to the Commission.

Attachments

**APPORTIONMENT STATUS REPORT
CMAQ, RSTP, AND R-TEA
Per AB 1012
as of July 31, 2003**

Cycle 4 Summary

Region	CMAQ Unobligated 7/31/2003 Delivery Balance ¹	CMAQ Amount Subject to AB 1012 Reprogramming Cycle 4 12/9/2003 ²	RSTP Unobligated 7/31/2003 Delivery Balance ¹	RSTP Amount Subject to AB 1012 Reprogramming Cycle 4 12/9/2003 ²	R-TEA Unobligated 7/31/2003 Delivery Balance ¹	R-TEA Amount Subject to AB 1012 Reprogramming Cycle 4 12/9/2003 ²
Butte	637,959	-	-	-	-	-
Fresno	17,476,572	-	14,212,613	-	1,962,007	-
Kern	8,794,916	-	5,465,527	-	1,541,814	-
Kings	-	-	-	-	417,619	-
Los Angeles	35,362,888	-	194,866,118	9,310,991	15,718,280	-
Madera	-	-	716	-	200,061	-
Merced	3,221,447	-	1,449,407	-	-	-
Monterey	3,170,056	-	1,979,859	-	1,520,501	273,056
Orange	84,470,279	15,317,076	35,621,376	-	6,627,317	354,842
Riverside	22,995,095	-	32,773,559	5,695,777	5,493,470	1,102,326
Sacramento (SACOG)	17,484,859	-	11,114,306	-	3,003,877	-
San Benito	809,488	247,796	-	-	107,281	-
San Bernardino	55,205,133	14,411,407	24,729,636	-	7,831,785	1,934,501
San Diego	33,108,476	-	52,388,810	-	3,297,052	-
S.F. Bay Area (MTC)	13,775,962	-	53,246,853	-	16,745,492	-
San Joaquin	3,146,829	-	4,840,473	-	1,178,038	-
San Luis Obispo	-	-	1,495,741	-	1,905,373	644,619
Santa Barbara	3,264,135	-	3,384,011	-	1,924,984	460,929
Santa Cruz	2,471,657	-	(13,540)	-	1,099,638	371,272
Santa Cruz Co.	-	-	-	-	-	-
Santa Cruz RTC	-	-	-	-	-	-
Stanislaus	3,696,435	-	6,426,390	-	1,103,057	-
Tahoe	661,129	-	-	-	(4,776)	-
Tulare	8,678,624	1,699,575	-	-	1,791,116	324,517
Ventura	17,914,535	3,342,390	7,161,301	-	1,799,750	-
Rural Counties & SCAG	-	-	5,544,770	-	7,707,790	1,182,735
TOTAL	336,346,474	35,018,244	456,687,926	15,006,768	82,971,526	6,648,797

¹ Indicates all apportionments not yet obligated

² Reflects balances 2-years old entering 3rd year

Note: The Regional balances reflect activities that have been recorded in the Department's Local Assistance accounting system. There may be a time delay between the FHWA authorization and the recording of the transaction in the Department's Local Assistance accounting system.

**APPORTIONMENT STATUS REPORT
CMAQ, RSTP, AND R-TEA
as of July 31, 2003**

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**Cycle 4 Summary
Rural Counties**

Region	CMAQ Unobligated 7/31/2003 Delivery Balance ¹	CMAQ Amount Subject to AB 1012 Reprogramming Cycle 4 12/9/2003 ²	RSTP Unobligated 7/31/2003 Delivery Balance ¹	RSTP Amount Subject to AB 1012 Reprogramming Cycle 4 12/9/2003 ²	R-TEA Unobligated 7/31/2003 Delivery Balance ¹	R-TEA Amount Subject to AB 1012 Reprogramming Cycle 4 12/9/2003 ²
Rural County Information:						
Del Norte	-	-	-	-	-	-
Humboldt	-	-	-	-	808,770	120,588
Lake	-	-	-	-	134,763	-
Mendocino	-	-	-	-	512,071	-
Lassen	-	-	-	-	641,579	216,027
Modoc	-	-	-	-	106,269	-
Plumas	-	-	-	-	344,980	84,216
Shasta	-	-	-	-	30,683	-
Siskiyou	-	-	-	-	346,243	-
Tehama	-	-	-	-	-	-
Trinity	-	-	-	-	(115,854)	-
Colusa	-	-	-	-	-	-
El Dorado	-	-	159,698	-	94,823	-
Glenn	-	-	-	-	-	-
Nevada	-	-	-	-	276,002	-
Placer	-	-	1,551,865	-	445,629	-
Sierra	-	-	-	-	-	-
Inyo	-	-	8,005	-	982,765	64,573
Mono	-	-	-	-	815,551	139,450
Alpine	-	-	-	-	-	-
Amador	-	-	-	-	341,235	115,315
Calaveras	-	-	-	-	-	-
Mariposa	-	-	-	-	98,000	-
Tuolumne	-	-	-	-	295,185	-
Imperial (SCAG)	-	-	3,825,202	-	1,549,096	442,566
Rural Combined Totals:	-	-	5,544,770	-	7,707,790	1,182,735

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