

Memorandum

Tab 31

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: October 8, 2014

Reference No.: 3.6
Information Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Rihui Zhang, Chief
Division of Local Assistance

Subject: **THIRD QUARTER – BALANCE REPORT ON AB 1012 “USE IT OR LOSE IT” PROVISION FOR FEDERAL FISCAL YEAR 2012 UNOBLIGATED CMAQ AND RSTP FUNDS**

SUMMARY:

As of June 30, 2014, the Congestion Mitigation and Air Quality Improvement Program (CMAQ) has approximately \$1.4 million that is subject to reprogramming. The Regional Surface Transportation Program (RSTP) does not have any funding subject to reprogramming.

BACKGROUND:

The Intermodal Surface Transportation Efficiency Act was enacted in 1991 and was in effect for six years. During that time, the Regions were able to obligate only 87 percent of their federal funding. The next Federal Highway Act, known as the Transportation Equity Act for the 21st Century (TEA-21), was signed into law in 1998. During the first two years of TEA-21, the Regions' obligation of federal funds dropped to as low as 41 percent. By October 1999, the Regions had accumulated a \$1.2 billion backlog in federal apportionments and \$854 million in Obligation Authority (OA).

Assembly Bill (AB) 1012 was enacted on October 10, 1999 (Chapter 783, Statutes of 1999), with a goal of improving the delivery of transportation projects and addressing the backlog of the Regions' federal apportionments and OA. AB 1012 states that CMAQ and RSTP funds not obligated within the first three years of federal eligibility are subject to reprogramming by the California Transportation Commission in the fourth year in order to prevent the funds from being lost by the state.

The annual notice to the Regions, under AB 1012 "Use It or Lose It" provisions for Federal Fiscal Year (FFY) 2012 (October 1, 2011 through September 30, 2012), was released on November 20, 2013. With this notification, the total FFY 2012 funds identified as subject to reprogramming under the provisions of AB 1012 were approximately \$13.4 million. This included approximately \$6.9 million of RSTP funds and approximately \$6.5 million of CMAQ funds. As of June 30, 2014, the RSTP amount has decreased to \$0 and the CMAQ amount has decreased to about \$1.4 million. According to the Federal Highway Administration's data, these funds will not revert until at least FFY 2017. Further, as of July 31, 2014, there are no longer any CMAQ funds subject to reprogramming.

The California Department of Transportation is responsible for monitoring and reporting unobligated balances. Each month, the Department provides notification to the Regions of the unobligated CMAQ and RSTP balances that have one year remaining under the AB 1012 guidelines. Beginning in FFY 2000, and continuing through FFY 2013, the Regions have delivered enough projects to obligate a minimum of 100 percent of the available OA.

Attachments

Apportionment Status Report
CMAQ and RSTP
as of June 30, 2014

Reference No.: 3.6
October 8, 2014
Attachment 1

AB 1012
Balances entering the 3rd Year
(from FFY 2012*)
Regional Report Summary

*Previously referred to as Cycle 15

Region	CMAQ Unobligated 06/30/2014 Delivery Balance ¹	CMAQ Amount Subject to AB 1012 Reprogramming 11/01/2014 ²	RSTP Unobligated 06/30/2014 Delivery Balance ¹	RSTP Amount Subject to AB 1012 Reprogramming 11/01/2014 ²
Butte	3,407,465	-	-	-
Fresno	17,720,344	-	20,570,922	-
Kern	14,119,427	-	14,097,892	-
Kings	1,573,450	-	-	-
Los Angeles	137,694,861	-	149,801,713	-
Madera	4,822,122	1,230,237	-	-
Merced	1,589,266	-	-	-
Monterey	-	-	1,177,182	-
Orange	7,510,250	-	48,438,046	-
Riverside	44,895,510	-	51,423,521	-
S. F. Bay Area (MTC)	5,230,425	-	5,907,521	-
Sacramento (SACOG)	19,080,520	-	28,534,394	-
San Benito	-	-	17,121	-
San Bernardino	36,568,234	-	34,063,496	-
San Diego	(74,378)	-	272,198	-
San Joaquin	9,096,359	-	4,288,048	-
San Luis Obispo	4,585,486	-	819,447	-
Santa Barbara	-	-	1,007,465	-
Santa Cruz	-	-	356,775	-
Stanislaus	6,719,215	-	11,722,020	-
Tahoe	478,640	-	-	-
Tulare	6,318,549	-	3,779,848	-
Ventura	13,801,492	-	18,446,396	-
Rural Counties & SCAG	5,330,606	194,703	3,827,443	-
TOTAL	340,467,844	1,424,940	398,551,449	-

Note:

Balances in the 3rd year (October 1, 2013) are subject to reprogramming on November 1, 2014. These balances include amounts in the federal fiscal year 2014 "Advance" apportionments (dated November 1, 2013).

¹ Indicates all apportionments not yet obligated.

² Totals reflect balances in the third year.

³ These Regions are in air quality attainment and cannot use unobligated CMAQ apportionments, which are deobligations of closed out projects. It is anticipated that any CMAQ balance that accumulates in a Region in air quality attainment will be included in a future CMAQ rescission or transferred to another Region that over-delivered prior to the end of the current federal fiscal year.

Apportionment Status Report
CMAQ and RSTP
as of June 30, 2014

Reference No.: 3.6
October 8, 2014
Attachment 2

AB 1012
Balances entering the 3rd Year
(from FFY 2012*)
Rural Report Summary

*Previously referred to as Cycle 15

Region	CMAQ Unobligated 06/30/2014 Delivery Balance ¹	CMAQ Amount Subject to AB 1012 Reprogramming 11/01/2014 ²	RSTP Unobligated 06/30/2014 Delivery Balance ¹	RSTP Amount Subject to AB 1012 Reprogramming 11/01/2014 ²
Rural County Information:				
Alpine	-	-	(120)	-
Amador	672,496	24,715	-	-
Calaveras	382,689	-	-	-
Colusa	-	-	-	-
Del Norte	-	-	-	-
El Dorado	-	-	-	-
Glenn	-	-	-	-
Humboldt	-	-	-	-
Imperial (SCAG)	1,128,689	-	3,829,434	-
Inyo	-	-	-	-
Lake	-	-	-	-
Lassen	-	-	-	-
Mariposa	480,366	169,987	-	-
Mendocino	-	-	-	-
Modoc	-	-	-	-
Mono	-	-	-	-
Nevada	794,084	-	-	-
Placer	-	-	-	-
Plumas	-	-	(1,871)	-
Shasta	-	-	-	-
Sierra	-	-	-	-
Siskiyou	-	-	-	-
Tehama	1,079,261	-	-	-
Trinity	-	-	-	-
Tuolumne	793,020	-	-	-
Rural Combined Totals:	5,330,606	194,703	3,827,443	-

Note:

Balances in the 3rd year (October 1, 2013) are subject to reprogramming on November 1, 2014. These balances include amounts in the the Federal Fiscal Year 2014 "Advance" Apportionments Report dated November 1, 2013.

¹ Indicates all apportionments not yet obligated.

² Totals reflect balances in the third year.