

Memorandum

TAB 30

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: June 25, 2014

Reference No.: 3.6
Information Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Rihui Zhang, Chief
Division of Local Assistance

Subject: **SECOND 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 March 31, 2014, the Regional Surface Transportation Program (RSTP) and the Congestion Mitigation and Air Quality Improvement Program (CMAQ) have approximately \$700,000 and \$2.5 million, respectively, 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 (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 March 31, 2014, the RSTP amount has decreased to \$659,313 and the CMAQ amount has decreased to \$2,462,850. According to the Federal Highway Administration's data, these funds will not revert until FFY 2016.

The Department 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 March 31, 2014

Reference No.: 3.6
June 25, 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 03/31/2014 Delivery Balance ¹	CMAQ Amount Subject to AB 1012 Reprogramming 11/01/2014 ²	RSTP Unobligated 03/31/2014 Delivery Balance ¹	RSTP Amount Subject to AB 1012 Reprogramming 11/01/2014 ²
Butte	3,393,369	-	2,667,297	-
Fresno	22,751,778	-	21,471,126	-
Kern	17,771,630	-	19,614,805	-
Kings	1,573,450	-	1,856,832	-
Los Angeles	143,688,934	-	159,142,622	-
Madera ⁴	5,740,522	2,148,637	1,824,118	-
Merced	3,219,578	-	3,101,773	-
Monterey	-	-	6,191,109	-
Orange	1,296,424	-	48,438,046	-
Riverside	50,664,510	-	51,733,988	-
S. F. Bay Area (MTC)	19,501,017	-	24,932,461	-
Sacramento (SACOG)	31,085,084	-	34,450,514	-
San Benito	-	-	698,662	-
San Bernardino	53,441,279	-	34,172,206	-
San Diego	(1,424,856)	-	1,191,158	-
San Joaquin	9,427,786	-	6,436,132	-
San Luis Obispo	4,585,486	-	4,157,797	-
Santa Barbara	-	-	6,174,075	-
Santa Cruz	-	-	3,510,980	-
Stanislaus	7,514,294	-	13,003,037	547,874
Tahoe	918,640	-	509,672	-
Tulare	7,611,436	-	6,666,004	-
Ventura	19,315,741	-	20,009,471	-
Rural Counties & SCAG	7,289,475	314,212	21,165,168	111,438
TOTAL	409,365,577	2,462,850	493,119,054	659,313

Footnotes:

* Balances in the 3rd year (October 1, 2013) are subject to reprogramming on November 1, 2014. These balances include 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.

⁴ This amount includes \$465,419 from the "CMAQ Amount Subject to AB 1012 Reprogramming 11/01/2013."

Apportionment Status Report
CMAQ and RSTP
as of March 31, 2014

Reference No.: 3.6
June 25-26, 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 03/31/2014 Delivery Balance ¹	CMAQ Amount Subject to AB 1012 Reprogramming 11/01/2014 ²	RSTP Unobligated 03/31/2014 Delivery Balance ¹	RSTP Amount Subject to AB 1012 Reprogramming 11/01/2014 ²
Rural County Information:				
Alpine	-	-	153,886	-
Amador	672,496	24,715	487,003	-
Calaveras	382,689	-	582,347	-
Colusa	-	-	285,306	-
Del Norte	-	-	365,011	-
El Dorado	-	-	1,017,729	-
Glenn	-	-	363,999	-
Humboldt	-	-	1,691,306	-
Imperial (SCAG)	3,087,559	119,510	4,510,410	111,438
Inyo	-	-	885,491	-
Lake	-	-	804,915	-
Lassen	-	-	507,868	-
Mariposa	480,366	169,987	248,644	-
Mendocino	-	-	1,147,575	-
Modoc	-	-	348,742	-
Mono	-	-	387,234	-
Nevada	794,084	-	1,209,618	-
Placer	-	-	934,620	-
Plumas	-	-	298,420	-
Shasta	-	-	2,190,896	-
Sierra	-	-	158,975	-
Siskiyou	-	-	770,100	-
Tehama	1,079,261	-	802,533	-
Trinity	-	-	312,442	-
Tuolumne	793,020	-	700,096	-
Rural Combined Totals:	7,289,475	314,212	21,165,168	111,438

Footnotes:

* Balances in the 3rd year (October 1, 2013) are subject to reprogramming on November 1, 2014. These balances include 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.