

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: March 28-29, 2012

Reference No.: 3.13
Information Item

From: NORMA ORTEGA
Chief Financial Officer

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Division Chief
Local Assistance

Subject: **QUARTERLY REPORT OF AB 1012 "USE IT OR LOSE IT" PROVISION FOR FEDERAL FISCAL YEAR 2010 UNOBLIGATED CMAQ AND RSTP FUNDS**

SUMMARY:

As of December 31, 2011, the Regional Surface Transportation Program (RSTP) amount subject to reprogramming is about \$20.7 million. In addition, the Congestion Mitigation and Air Quality Program (CMAQ) amount subject to reprogramming is \$420,935. These amounts are expected to be obligated by September 30, 2012.

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 a low of 41 percent. By October 1999, the Regions had accumulated a \$1.2 billion backlog in federal apportionments and \$854 million in Obligational Authority (OA).

Assembly Bill (AB) 1012 (Chapter 783, Statutes of 1999) was enacted October 10, 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) 2010 (October 1, 2009 through September 30, 2010), was released on November 15, 2011. With this notification, the total FFY 2010 funds identified as subject to reprogramming under the provisions of AB 1012 were approximately \$17 million. This included approximately \$16.9 million of RSTP funds and approximately \$300,000 of CMAQ funds. As of December 31, 2011, the RSTP amount has increased to about \$20.7 million due to project deobligations, and the CMAQ amount has increased to almost \$425,000.

The California Department of Transportation (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.

No CMAQ or RSTP apportionments have been reprogrammed by the Commission. Beginning in FFY 2000, and continuing through FFY 2011, 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 December 31, 2011)

Reference No.: 3.13
March 28-29, 2012
Attachment 1

AB 1012
Balances entering the 3rd Year
(from FFY 2010*)
Regional Report Summary

*Previously referred to as Cycle 13

Region	CMAQ Unobligated 12/31/2011 Delivery Balance ¹	CMAQ Amount Subject to AB 1012 Reprogramming 11/01/2012 ²	RSTP Unobligated 12/31/2011 Delivery Balance ¹	RSTP Amount Subject to AB 1012 Reprogramming 11/01/2012 ²
Butte	2,353,940	-	3,262,962	-
Fresno	19,243,181	-	28,564,500	6,282,459
Kern	16,285,519	-	17,728,136	-
Kings	1,613,326	-	2,078,586	-
Los Angeles	193,393,330	-	274,117,377	8,809,383
Madera	1,911,307	-	1,974,771	-
Merced	3,183,012	-	3,379,882	-
Monterey	143,490	143,490	7,665,016	-
Orange	53,246,699	-	66,197,999	-
Riverside	35,933,346	-	21,778,766	-
S. F. Bay Area (MTC)	84,473,232	-	130,766,722	-
Sacramento (SACOG)	25,699,941	-	32,322,337	-
San Benito	-	-	859,647	-
San Bernardino	36,697,287	-	44,326,659	-
San Diego	31,045,662	-	44,642,866	-
San Joaquin	9,649,228	-	11,408,723	-
San Luis Obispo	-	-	4,921,773	-
Santa Barbara	-	-	7,993,008	-
Santa Cruz	-	-	4,127,576	-
Stanislaus	9,760,526	-	10,774,220	-
Tahoe	1,295,386	-	740,404	-
Tulare	7,939,730	-	5,961,681	-
Ventura	12,951,875	-	26,615,974	5,624,052
Rural Counties & SCAG	5,666,888	277,445	22,109,257	-
TOTAL	552,486,905	420,935	774,318,840	20,715,894

Balances now include:

* October 2011 -- Revised "Advance" FFY 2012 Apportionments.

Footnotes:

¹ Indicates all apportionments not yet obligated.

² Totals reflect balances in the third year.

The regional balances are no longer based on the Department's Local Assistance accounting system. As of July 1, 2010, the regional balances are based on the Department's new accounting system; the Department's Federal Aid Data System; and/or FHWA FMIS transaction information. There may be a delay between the FHWA authorization and the recording of the transaction in the Department's monthly reporting.

Apportionment Status Report
CMAQ and RSTP
(as of December 31, 2011)

Reference No.: 3.13
March 28-29, 2012
Attachment 2

AB 1012
Balances entering the 3rd Year
(from FFY 2010*)
Rural Report Summary

*Previously referred to as Cycle 13

Region	CMAQ Unobligated 12/31/2011 Delivery Balance ¹	CMAQ Amount Subject to AB 1012 Reprogramming 11/01/2012 ²	RSTP Unobligated 12/31/2011 Delivery Balance ¹	RSTP Amount Subject to AB 1012 Reprogramming 11/01/2012 ²
Rural County Information:				
Alpine	-	-	132,836	-
Amador ^{3,4}	537,851	105,525	564,126	-
Calaveras ^{3,4}	554,209	-	651,612	-
Colusa	-	-	303,654	-
Del Norte	-	-	444,196	-
El Dorado	-	-	1,686,689	-
Glenn	-	-	427,176	-
Humboldt	-	-	2,043,070	-
Imperial (SCAG) ³	2,092,174	-	3,188,952	-
Inyo	-	-	681,834	-
Lake	-	-	941,600	-
Lassen	-	-	535,381	-
Mariposa ³	350,107	-	275,362	-
Mendocino	-	-	1,393,048	-
Modoc	-	-	300,089	-
Mono	-	-	232,574	-
Nevada ³	1,361,663	-	1,479,325	-
Placer	-	-	1,013,074	-
Plumas	-	-	334,399	-
Shasta	-	-	2,636,331	-
Sierra	-	-	132,831	-
Siskiyou	-	-	675,161	-
Tehama	-	-	904,944	-
Trinity	-	-	255,027	-
Tuolumne ^{3,4}	770,883	171,920	875,965	-
Rural Combined Totals:	5,666,888	277,445	22,109,257	-

Balances now include:

* October 2011 -- Revised "Advance" FFY 2012 Apportionments.

Footnotes:

¹ Indicates all apportionments not yet obligated.

² Totals reflect balances in the third year.

³ Beginning in FFY 2006, these rural regions are now receiving CMAQ apportionments.

⁴ MOU (June 2008) between Amador (ACTC); Calaveras (CCOG); and Tuolumne (TCTC) -- \$133,221 of CMAQ apportionment from ACTC to CCOG for FFY 2011-12; and \$132,101 of CMAQ apportionment from TCTC to CCOG for FFY 2011-12 (this FFY 2012 transfer not yet applied; pending receipt of full FFY 2012 apportionments from FHWA). Repayment will offset the CMAQ amounts subject to reprogramming for ACTC (\$105,525) and TCTC (\$132,101).