

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: January 8, 2013

Reference No.: 3.6
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Denix D. Anbiah
Division Chief
Local Assistance

Subject: **FOURTH QUARTER - BALANCE REPORT ON AB 1012 "USE IT OR LOSE IT"**
PROVISION FOR FEDERAL FISCAL YEAR 2010 UNOBLIGATED CMAQ AND RSTP
FUNDS

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approves the redirection of \$143,490 of the Transportation Agency for Monterey County's (TAMC's) federal fiscal year (FFY) 2010 Congestion Mitigation and Air Quality Improvement Program (CMAQ) unobligated apportionments to the San Francisco Bay Area Metropolitan Transportation Commission (MTC).

ISSUE:

TAMC has \$143,490 of unobligated CMAQ apportionments that are subject to redirection per Assembly Bill (AB) 1012 (Chapter 783, Statutes of 1999). TAMC reached attainment in FFY 2006 and was no longer eligible to obligate CMAQ funds after FFY 2009. The Department recommends redirecting this amount of CMAQ unobligated apportionments to the MTC region for contribution towards Project ID 0400020304, which will improve mobility and reduce emissions along State Route 101 that is adjacent to TAMC. This project is part of the Freeway Performance Initiative program, which proposes to complete the ramp metering and traffic operations system on the region's freeway system. MTC endeavors to submit the request for authorization in February 2013.

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).

AB 1012 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 Regional Surface Transportation Program (RSTP) funds not obligated within the first three years of federal eligibility are subject to redirection by the Commission in the fourth year in order to prevent the funds from being lost by the state. As of September 30, 2012, there are no RSTP funds subject to redirection; however, the CMAQ amount is \$143,490. According to the Federal Highway Administration's data, these funds will not revert until FFY 2015.

The \$143,490 of CMAQ funds belongs to TAMC. This Region reached attainment in FFY 2006 and was no longer eligible to obligate CMAQ funds after FFY 2009. For the past four months, TAMC and the Department have been working together to find another Region to exchange unobligated funding. Since the Region and Department were unable to exchange the CMAQ funding, the Department is recommending for MTC to use the unobligated balance towards Project ID 0400020304 due to advance/over-delivery of CMAQ in FFY 2012. This proposal is consistent with the Division of Local Assistance's "Policy and Procedures for Managing Local Assistance Obligation Authority," which rewards Regions for advance/over-delivery of OA.

Project ID 0400020304 will improve mobility and reduce emissions along State Route 101 that is adjacent to TAMC. This project is part of the Freeway Performance Initiative program, which proposes to complete the ramp metering and traffic operations system on the region's freeway system. MTC endeavors to submit the request for authorization in February 2013.

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. Prior to this book item, no CMAQ or RSTP apportionments have been redirected by the Commission. Beginning in FFY 2000, and continuing through FFY 2012, 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 September 30, 2012

Reference No.: 3.6
January 8, 2013
Attachment 1

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

*Previously referred to as Cycle 13

Region	CMAQ Unobligated 9/30/2012 Delivery Balance ¹	CMAQ Amount Subject to AB 1012 Reprogramming 11/01/2012 ²	RSTP Unobligated 9/30/2012 Delivery Balance ¹	RSTP Amount Subject to AB 1012 Reprogramming 11/01/2012 ²
Butte	(44,340)	-	531,048	-
Fresno	9,946,097	-	17,315,673	-
Kern	10,326,903	-	11,471,044	-
Kings	126,719	-	337,715	-
Los Angeles	142,252,417	-	133,829,247	-
Madera	1,867,672	-	320,202	-
Merced	196,570	-	548,549	-
Monterey	143,490	143,490	2,268,788	-
Orange	7,522,079	-	529,818	-
Riverside	25,762,375	-	9,515,096	-
S. F. Bay Area (MTC)	(5,307,775)	-	(1,561,893)	-
Sacramento (SACOG)	856,397	-	7,733,172	-
San Benito	-	-	161,760	-
San Bernardino	14,680,730	-	3,822,850	-
San Diego	(100)	-	3,213,768	-
San Joaquin	(286,372)	-	(803,700)	-
San Luis Obispo	-	-	1,488,984	-
Santa Barbara	-	-	2,629,216	-
Santa Cruz	-	-	694,481	-
Stanislaus	698,360	-	4,695,910	-
Tahoe	1,095,386	-	119,732	-
Tulare	4,755,478	-	1,012,609	-
Ventura	749,522	-	14,596,205	-
Rural Counties & SCAG	1,462,498	-	4,127,837	-
TOTAL	216,804,104	143,490	218,598,112	-

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 September 30, 2012

Reference No.: 3.6
January 8, 2013
Attachment 2

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

*Previously referred to as Cycle 13

Region	CMAQ Unobligated 9/30/2012 Delivery Balance ¹	CMAQ Amount Subject to AB 1012 Reprogramming 11/01/2012 ²	RSTP Unobligated 9/30/2012 Delivery Balance ¹	RSTP Amount Subject to AB 1012 Reprogramming 11/01/2012 ²
Rural County Information:				
Alpine	-	-	1,628	-
Amador ^{3,4}	210,516	-	92,296	-
Calaveras ^{3,4}	9,667	-	106,400	-
Colusa	-	-	51,229	-
Del Norte	-	-	74,737	-
El Dorado	-	-	283,661	-
Glenn	-	-	71,875	-
Humboldt	-	-	343,755	-
Imperial (SCAG) ³	402,740	-	1,323,852	-
Inyo	-	-	8,481	-
Lake	-	-	158,430	-
Lassen	-	-	84,962	-
Mariposa ³	350,107	-	45,216	-
Mendocino	-	-	234,386	-
Modoc	-	-	3,682	-
Mono	-	-	2,849	-
Nevada ³	235,894	-	242,799	-
Placer	-	-	176,440	-
Plumas	-	-	55,345	-
Shasta	-	-	444,779	-
Sierra	-	-	1,623	-
Siskiyou	-	-	20,282	-
Tehama	-	-	152,674	-
Trinity	-	-	3,115	-
Tuolumne ^{3,4}	253,573	-	143,340	-
Rural Combined Totals:	1,462,498	-	4,127,837	-

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 was entered into between Amador, Calaveras & Tuolumne-balances adjusted accordingly. The MOUs spans five FFYs, and an MOU was applied in April for FFY 2012. However, AB 1012 formula adjustment was applied in June 2012.