

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: December 9-10, 2015

Reference No.: 3.12
Information Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Rihui Zhang, Chief
Division of Local Assistance

Subject: **NOTIFICATION OF AB 1012 “USE IT OR LOSE IT” PROVISION FOR FEDERAL FISCAL YEAR 2014 UNOBLIGATED CMAQ AND RSTP FUNDS**

SUMMARY:

The annual notice to the Regions, under Assembly Bill (AB) 1012 (Chapter 783, Statutes of 1999) “Use It or Lose It” provisions for Federal Fiscal Year (FFY) 2014 (October 1, 2013 through September 30, 2014), was released in mid-November 2015. With this notification, the total FFY 2014 funds identified as subject to reprogramming under the provisions of AB 1012 are approximately \$59.6 million. This includes about \$33.8 million of Regional Surface Transportation Program (RSTP) funds and about \$25.8 million of Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds.

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, 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 Obligational Authority (OA).

AB 1012 was enacted on October 10, 1999, with a goal of improving the delivery of transportation projects and addressing the significant backlog of the Regions’ federal apportionments and OA. AB 1012 states that CMAQ and RSTP funds that are 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 California Department of Transportation (Department) is responsible for monitoring and reporting unobligated balances. The Department provides notification to the Regions of the unobligated CMAQ and RSTP balances that have one year remaining under the AB 1012 guidelines.

Attachments

Apportionment Status Report
CMAQ and RSTP
as of October 1, 2015

Reference No.: 3.12
December 9-10, 2015
Attachment 1

AB 1012
Balances entering the 3rd Year
(from FFY 2014*)
Regional Report Summary

*Previously referred to as Cycle 17

Region	CMAQ Unobligated 10/01/2015 Delivery Balance ¹	CMAQ Amount Subject to AB 1012 Reprogramming 11/01/2016 ²	RSTP Unobligated 10/01/2015 Delivery Balance ¹	RSTP Amount Subject to AB 1012 Reprogramming 11/01/2016 ²
Butte	2,325,499	-	2,663,245	-
Fresno	20,484,450	-	30,149,232	7,173,877
Kern	20,536,162	716,804	20,219,288	-
Kings	3,888,183	-	1,859,795	-
Los Angeles	124,035,142	-	194,292,048	-
Madera	4,776,581	1,215,437	1,827,675	-
Merced	4,158,885	-	3,108,254	-
Monterey	-	-	6,186,008	-
Orange	47,012,961	-	55,053,410	-
Riverside	48,967,794	-	61,269,113	8,740,273
S. F. Bay Area (MTC)	73,507,541	-	98,987,839	-
Sacramento (SACOG)	41,439,247	-	34,626,187	-
San Benito	-	-	698,436	-
San Bernardino	70,429,440	13,809,166	59,713,437	10,332,271
San Diego	32,506,241	-	39,682,622	-
San Joaquin	17,702,102	1,457,216	9,660,952	-
San Luis Obispo	4,733,101	186,859	3,737,007	-
Santa Barbara	-	-	6,231,741	-
Santa Cruz	-	-	3,157,488	-
Stanislaus	10,980,655	-	7,847,658	-
Tahoe	960,602	-	506,185	-
Tulare	1,713,596	-	7,232,598	-
Ventura	23,948,284	7,290,320	26,725,214	6,953,241
Rural Counties & SCAG	6,970,597	1,079,171	21,814,290	632,034
TOTAL	561,077,061	25,754,973	697,249,723	33,831,696

Footnotes:

Balances in the 3rd year (October 1, 2015) are subject to reprogramming on November 1, 2016. These balances include the federal fiscal year 2015 "Advance" apportionments (dated November 4, 2013) and federal fiscal year 2016 "Advance" apportionments (dated September 1, 2015).

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 October 1, 2015

Reference No.: 3.12
December 9-10, 2015
Attachment 2

AB 1012
Balances entering the 3rd Year
(from FFY 2014*)
Rural Report Summary

*Previously referred to as Cycle 17

Region	CMAQ Unobligated 10/01/2015 Delivery Balance ¹	CMAQ Amount Subject to AB 1012 Reprogramming 11/01/2016 ²	RSTP Unobligated 10/01/2015 Delivery Balance ¹	RSTP Amount Subject to AB 1012 Reprogramming 11/01/2016 ²
Rural County Information:				
Alpine	-	-	153,877	-
Amador	455,686	134,842 ³	486,389	-
Calaveras	384,564	-	581,719	-
Colusa	-	-	285,518	-
Del Norte	-	-	364,690	-
El Dorado	-	-	1,013,152	-
Glenn	-	-	363,987	-
Humboldt	-	-	1,690,274	-
Imperial (SCAG)	2,181,980	-	5,162,108	632,034
Inyo	-	-	885,362	-
Lake	-	-	804,824	-
Lassen	-	-	502,311	-
Mariposa	456,476	148,753	248,474	-
Mendocino	-	-	1,146,293	-
Modoc	-	-	348,736	-
Mono	-	-	387,234	-
Nevada	2,025,178	359,958	1,208,827	-
Placer	-	-	944,914	-
Plumas	-	-	294,999	-
Shasta	-	-	2,190,080	-
Sierra	-	-	158,975	-
Siskiyou	-	-	770,100	-
Tehama	1,505,641	435,617	809,972	-
Trinity	-	-	312,442	-
Tuolumne	(38,929)	-	699,032	-
Rural Combined Totals:	6,970,597	1,079,171	21,814,290	632,034

Footnotes:

Balances in the 3rd year (October 1, 2015) are subject to reprogramming on November 1, 2016. These balances include the federal fiscal year 2015 "Advance" apportionments (dated November 4, 2013) and federal fiscal year 2016 "Advance" apportionments (dated September 1, 2015).

¹ Indicates all apportionments not yet obligated.

² Totals reflect balances in the third year.

³ These Regions are in air quality attainment and beginning with federal fiscal year 2016 will no longer receive new CMAQ funding. These Regions can use these unobligated CMAQ apportionments prior to their AB 1012 reprogramming date or any loss of funds, such as a federal rescission.