

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: February 25-26, 2004

Reference No.: 3.9
Information Item

From: ROBERT L. GARCIA
Chief Financial Officer

Prepared by: Terry Abbott
Division Chief
Local Assistance

Ref: **FIFTH CYCLE AB 1012 UNOBLIGATED RSTP, CMAQ, AND REGIONAL TEA “USE IT OR LOSE IT” BALANCE REPORT**

SUMMARY:

The annual notice to regional agencies for the Fifth Cycle of AB 1012 “Use It or Lose It” provisions was released on December 29, 2003. At that time, Fifth Cycle Regional Surface Transportation Program (RSTP), Congestion Mitigation and Air Quality (CMAQ), and Regional Transportation Enhancement Activity (R-TEA) funds subject to potential reprogramming on December 29, 2004 totaled approximately \$229 million, based on September 30, 2003 balances. Eleven agencies had CMAQ balances subject to reprogramming, nine agencies had RSTP balances subject to reprogramming, and 31 regions had R-TEA balances subject to reprogramming.

The December 31, 2003 balance reports show total funds subject to reprogramming for the Fifth Cycle of AB 1012 are approximately \$166 million, a reduction of \$63 million. Approximately 48 percent of the amount subject to reprogramming is in the RSTP program, 41 percent is in the CMAQ program, and 11 percent is in the R-TEA program. The number of agencies with CMAQ balances subject to reprogramming has remained the same at 11, agencies with RSTP balances subject to reprogramming has decreased from nine to eight, and the number of regions with R-TEA balances subject to reprogramming has decreased from 31 to 26.

The Governor’s proposed mid-year reductions require approximately \$400 million in regional agency obligation authority (OA) be transferred to the state balance. In order to implement this proposal, all regional agency obligations in excess of \$1 million are being processed using the advance construction process. However, since the advance construction process does not obligate federal funds, the AB 1012 balances subject to reprogramming will not be reduced. The California Department of

Transportation (Department) is currently evaluating and will keep the California Transportation Commission (Commission) apprised of the impact of this proposal on the "Use It or Lose It" provisions of AB 1012.

BACKGROUND:

AB 1012 was enacted October 10, 1999 with a goal of improving the delivery of transportation projects. A section of the legislation states that regional agency CMAQ and RSTP funds that are not obligated within the first three years of federal eligibility are subject to reprogramming by the Commission in the fourth year. The Department is including R-TEA funds under the AB 1012 use it or lose it requirements. In addition, the Department is required to submit quarterly progress reports on impacted fund balances to the Commission.

Attachments

**APPORTIONMENT STATUS REPORT
CMAQ, RSTP, R-TEA
Per AB 1012
as of December 31, 2003**

Reference: 3.9
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Fifth Cycle Summary

Region	CMAQ Unobligated 12/31/03 Delivery Balance ¹	CMAQ Amount Subject to AB 1012 Reprogramming Fifth Cycle 12/29/2004 ²	RSTP Unobligated 12/31/03 Delivery Balance ¹	RSTP Amount Subject to AB 1012 Reprogramming Fifth Cycle 12/29/2004 ²	R-TEA Unobligated 12/31/03 Delivery Balance ¹	R-TEA Amount Subject to AB 1012 Reprogramming Fifth Cycle 12/29/2004 ²
Butte	187,959	-	-	-	-	-
Fresno	15,647,537	5,326,964	13,700,443	6,657,374	1,935,271	810,752
Kern	7,951,966	1,454,641	5,508,924	-	1,357,814	-
Kings	-	-	-	-	417,619	196,785
Los Angeles	4,924,553	-	137,227,311	53,488,829	11,485,422	1,521,854
Madera	-	-	716	-	-	-
Merced	3,228,653	1,121,880	1,456,490	-	-	-
Monterey	2,507,468	321,700	1,593,468	-	1,272,354	670,071
Orange	63,440,279	30,871,014	37,126,428	12,054,211	6,582,317	3,263,828
Riverside	8,334,172	-	16,083,055	2,450,530	5,493,470	2,236,223
Sacramento (SACOG)	13,455,350	-	10,072,993	-	1,196,087	-
San Benito	526,484	230,001	-	-	-	-
San Bernardino	51,843,719	20,873,184	17,398,228	2,336,206	5,606,974	2,804,753
San Diego	15,574,448	-	15,992,234	-	(1,759,579)	-
S.F. Bay Area (MTC)	(24,553,584)	-	11,879,362	-	8,903,287	1,025,526
San Joaquin	2,448,094	-	3,580,620	-	1,178,038	446,703
San Luis Obispo	-	-	1,495,741	-	1,180,409	592,641
Santa Barbara	3,039,133	-	3,320,540	-	927,984	256,753
Santa Cruz	1,586,657	222,485	58,457	-	69,638	-
Stanislaus	3,402,163	-	4,778,357	839,761	1,108,020	541,453
Tahoe	661,129	190,806	-	-	141,224	56,000
Tulare	5,984,221	2,386,519	-	-	1,646,977	775,184
Ventura	12,156,410	5,441,031	7,074,295	444,068	1,473,750	488,635
Rural Counties & SCAG	-	-	4,638,617	1,671,305	5,946,067	2,343,053
TOTAL	\$192,346,811	\$68,440,225	\$292,986,279	\$79,942,284	\$56,163,143	\$18,030,214

¹ Indicates all apportionments not yet obligated.
² Reflects balances 2-years old entering 3rd year.

Fifth Cycle assumes the use of all previous cycle balances.
Note: The Regional balances reflect activities that have been recorded in the Department's Local Assistance accounting system. There may be a time delay between the FHWA authorization and the recording of the transaction in the Department's Local Assistance accounting system.
Balances do not include FFY 2004 apportionments.

APPORTIONMENT STATUS REPORT
CMAQ, RSTP, R-TEA
Per AB 1012
as of December 31, 2003

Reference: 3.9
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Fifth Cycle Summary
Rural Counties

Region	CMAQ Unobligated 12/31/03 Delivery Balance ¹	CMAQ Amount Subject to AB 1012 Reprogramming Fifth Cycle 12/29/2004 ²	RSTP Unobligated 12/31/03 Delivery Balance ¹	RSTP Amount Subject to AB 1012 Reprogramming Fifth Cycle 12/29/2004 ²	R-TEA Unobligated 12/31/03 Delivery Balance ¹	R-TEA Amount Subject to AB 1012 Reprogramming Fifth Cycle 12/29/2004 ²
Rural County Information:						
Del Norte	-	-	-	-	-	-
Humboldt	-	-	-	-	425,922	111,263
Lake	-	-	-	-	-	-
Mendocino	-	-	-	-	509,071	212,005
Lassen	-	-	-	-	425,552	225,350
Modoc	-	-	-	-	-	-
Plumas	-	-	-	-	344,980	140,317
Shasta	-	-	-	-	30,683	-
Siskiyou	-	-	-	-	145,884	-
Tehama	-	-	-	-	-	-
Trinity	-	-	-	-	(115,854)	-
Colusa	-	-	-	-	-	-
El Dorado	-	-	159,698	-	94,823	-
Glenn	-	-	-	-	-	-
Nevada	-	-	-	-	276,002	109,295
Placer	-	-	1,551,865	-	34,629	-
Sierra	-	-	-	-	-	-
Inyo	-	-	133	-	759,671	332,793
Mono	-	-	-	-	655,551	339,413
Alpine	-	-	-	-	-	-
Amador	-	-	-	-	341,235	120,292
Calaveras	-	-	-	-	-	-
Mariposa	-	-	-	-	98,000	16,275
Tuolumne	-	-	-	-	295,185	155,739
Imperial (SCAG)	-	-	2,926,921	1,671,305	1,624,733	580,311
Rural Combined Totals:	-	-	\$4,638,617	\$1,671,305	\$5,946,067	\$2,343,053

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