

## Memorandum

To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: June 25, 2015

Reference No.: 3.11  
Information Item

From: NORMA ORTEGA  
Chief Financial Officer

Prepared by: Rihui Zhang, Chief  
Division of Local Assistance

Subject: **THIRD QUARTER – BALANCE REPORT ON AB 1012 “USE IT OR LOSE IT”  
PROVISION FOR FEDERAL FISCAL YEAR 2013 UNOBLIGATED RSTP AND CMAQ  
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 \$7.7 million and \$4.4 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 only obligated 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 RSTP and CMAQ 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) 2013 (October 1, 2012 through September 30, 2013), was released on November 18, 2014. The total FFY 2013 funds identified as subject to reprogramming under the provisions of AB 1012 were approximately \$12.5 million. This included approximately \$7.9 million of RSTP funds and approximately \$4.6 million of CMAQ funds. As of March 31, 2015, the RSTP amount has decreased to \$7,723,889 and the CMAQ amount has decreased to \$4,399,912.

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 RSTP and CMAQ balances that have one year remaining under the AB 1012 guidelines. Beginning in FFY 2000, and continuing through FFY 2014, 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, 2015

Reference No.: 3.11  
June 25, 2015  
Attachment 1

AB 1012  
Balances entering the 3rd Year  
(from FFY 2013\*)  
Regional Report Summary

\*Previously referred to as Cycle 16

Region	CMAQ Unobligated 03/31/2015 Delivery Balance <sup>1</sup>	CMAQ Amount Subject to AB 1012 Reprogramming 11/01/2015 <sup>2</sup>	RSTP Unobligated 03/31/2015 Delivery Balance <sup>1</sup>	RSTP Amount Subject to AB 1012 Reprogramming 11/01/2015 <sup>2</sup>
Butte	2,549,898	-	2,664,869	-
Fresno	17,352,871	-	24,097,292	1,695,346
Kern	19,876,735	74,295	19,351,857	-
Kings	2,359,250	-	1,860,924	-
Los Angeles	205,228,087	-	158,130,525	-
Madera	2,985,132	-	1,827,675	-
Merced	2,667,230	-	3,108,254	-
Monterey	-	-	6,186,008	-
Orange	23,104,936	-	26,240,277	-
Riverside	42,640,442	-	40,441,956	-
S. F. Bay Area (MTC)	46,192,277	-	47,671,464	-
Sacramento (SACOG)	23,945,240	-	37,286,912	-
San Benito	-	-	698,435	-
San Bernardino	50,192,359	-	45,272,394	-
San Diego	3,572,321	-	19,765,850	-
San Joaquin	14,748,241	-	11,083,031	-
San Luis Obispo	3,883,040	-	3,738,997	-
Santa Barbara	-	-	6,231,742	-
Santa Cruz	11	11	3,507,488	-
Stanislaus	9,775,271	-	9,088,331	-
Tahoe	418,623	-	506,489	-
Tulare	3,589,130	-	6,249,015	-
Ventura	20,377,397	3,733,653	25,032,728	5,260,756
Rural Counties & SCAG	7,371,891	591,953	21,952,906	767,787
<b>TOTAL</b>	<b>502,830,382</b>	<b>4,399,912</b>	<b>521,995,420</b>	<b>7,723,889</b>

**Footnotes:**

Balances in the 3rd year (October 1, 2014) are subject to reprogramming on November 1, 2015. These balances include the federal fiscal year 2015 "Advance" apportionments (dated November 4, 2013) and federal fiscal year 2014 "Actual" apportionments (dated July 7, 2014).

<sup>1</sup> Indicates all apportionments not yet obligated.

<sup>2</sup> Totals reflect balances in the third year.

<sup>3</sup> 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 March 31, 2015

Reference No.: 3.11  
June 25, 2015  
Attachment 2

AB 1012  
Balances entering the 3rd Year  
(from FFY 2013\*)  
Rural Report Summary

\*Previously referred to as Cycle 16

Region	CMAQ Unobligated 03/31/2015 Delivery Balance <sup>1</sup>	CMAQ Amount Subject to AB 1012 Reprogramming 11/01/2015 <sup>2</sup>	RSTP Unobligated 03/31/2015 Delivery Balance <sup>1</sup>	RSTP Amount Subject to AB 1012 Reprogramming 11/01/2015 <sup>2</sup>
<b>Rural County Information:</b>				
Alpine	-	-	153,877	-
Amador	455,686	-	486,670	-
Calaveras	957,569	-	581,719	-
Colusa	-	-	285,518	-
Del Norte	-	-	364,690	-
El Dorado	-	-	1,014,262	-
Glenn	-	-	363,987	-
Humboldt	-	-	1,691,268	-
Imperial (SCAG)	1,715,658	-	5,297,861	767,787
Inyo	-	-	885,362	-
Lake	-	-	805,301	-
Lassen	-	-	502,311	-
Mariposa	463,796	156,336	248,474	-
Mendocino	-	-	1,146,293	-
Modoc	-	-	348,736	-
Mono	-	-	387,234	-
Nevada	1,458,039	-	1,208,827	-
Placer	-	-	944,915	-
Plumas	-	-	294,999	-
Shasta	-	-	2,190,080	-
Sierra	-	-	158,975	-
Siskiyou	-	-	770,100	-
Tehama	1,504,727	435,617	809,972	-
Trinity	-	-	312,442	-
Tuolumne	816,415	-	699,032	-
<b>Rural Combined Totals:</b>	<b>7,371,891</b>	<b>591,953</b>	<b>21,952,906</b>	<b>767,787</b>

**Footnotes:**

Balances in the 3rd year (October 1, 2014) are subject to reprogramming on November 1, 2015. These balances include the federal fiscal year 2015 "Advance" apportionments (dated November 4, 2013) and federal fiscal year 2014 "Actual" apportionments (dated July 7, 2014).

<sup>1</sup> Indicates all apportionments not yet obligated.

<sup>2</sup> Totals reflect balances in the third year.

<sup>3</sup> 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.