

## MAP-21 FACT SHEET

# DRAFT

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**DATE:** September 19, 2012

**SUBJECT:** Surface Transportation Program (STP) Apportionment under Moving Ahead for Progress (MAP-21)

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### **PROBLEM STATEMENT:**

The Department needs to determine the allocation split between areas based on population and any area of the State for the Surface Transportation Program (STP) that will best achieve the Administration's goal of maintaining an overall funding level under MAP-21 similar to that under SAFETEA-LU and determine how to continue with sub-allocation for Regional Surface Transportation Program (RSTP) mandated under current State law.

### **RECOMMENDATION:**

Distribute the 50% specified by MAP-21 for areas based on their relative shares of the State's population using the RSTP distribution formula mandated under current State law that considers a special rule for the federal-aid urban (FAU) and federal-aid secondary (FAS) systems. The group will discuss the methodology by which any additional funds from the 50% any area funds be distributed among the recipients if they become available.

### **BACKGROUND:**

#### **STP under Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)**

Under SAFETEA-LU, 10 percent of STP funds were set aside for transportation enhancement activities; the remaining 90 percent of STP funds were sub-allocated at a ratio of 62.5 based on population and 37.5 percent based on any area of the State. 62.5 percent of the State's STP apportionment is to be obligated in the following areas in proportion to their relative shares of the State's population—

- *In Urbanized areas of the State with an urbanized area population of over 200,000, and*
- *In other areas of the State,*

The remaining 37.5 percent may be obligated in any area of the State. Also, SAFETEA-LU mandated special treatment for areas of less than 5000 population, requiring the State to obligate not less than 110 percent of the amount of funds

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apportioned to the State for the federal-aid secondary (FAS) system for fiscal year (FY) 1991.

**STP under MAP-21** MAP-21 implemented changes to several programs, including STP. While programs such as Bridge and Equity Bonus were discontinued, the overall funding level for States remained the same by increasing funding levels for the remaining consolidated programs such as STP. MAP-21 removed special rules for areas of less than 5,000 in population. Additionally, set-aside for Transportation Enhancements has been eliminated, and replaced with a 15% set aside of the State's FY 2009 Highway Bridge Program apportionment for off-system bridges, which may not be taken from amounts sub-allocated based on population.

The sub-allocation split between areas based on population and any area of the State changed from 62.5/37.5 to 50/50. After the required set asides for Transportation Alternatives and State Planning and Research, 50 percent of a State's STP apportionment is to be obligated in the following areas in proportion to their relative shares of the State's population--

- *Urbanized areas with population greater than 200,000* – This portion is to be divided among those areas based on their relative share of population, unless the Secretary approves a joint request from the State and relevant MPO(s) to use other factors.
- *Areas with population greater than 5,000 but no more than 200,000* – Projects in these areas are to be identified for funding by the State in consultation with regional planning organizations, if any.
- *Areas with population of 5,000 or less*

The remaining 50% may be used in any area of the State

## CA Streets and Highways Code (S&H) Code Section 182.6

California law refers to subsection (d) of Section 133 of Title 23 of the United States Code for RSTP apportionment methodology. It also includes additional provisions - S&H Code Section 182.6(d)(1) and S&H Code 182.6(d)(2), which guarantee minimum funding to counties under the federal-aid urban (FAU) program and FAS program of an amount not less than 110 percent of the amount that the county was apportioned under these programs in FY 1990-91. To comply with these requirements, the State has customarily supplemented “state flexible funds” to counties whose population does not yield the minimum apportionments mandated by California law. Historically, seven smaller counties (Alpine, Inyo, Modoc, Mono, Sierra, Siskiyou, and Trinity) have received state flexible funds. In FY 2011/12, the total state flexible funds used to supplement apportionments to these counties equate to approximately \$944,000. For illustration purposes, Alpine County, based strictly on population would receive \$16,000, but because of the minimum guarantees under California law, Alpine received \$131,208 apportionment in 2011/12.

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### **Other Considerations**

Because of MAP-21's major program restructure and consolidations, the SAFETEA-LU funding split of 62.5 percent based on population and 37.5 percent based on any area of the State, is no longer applicable as is demonstrated by the change in funding split in MAP-21. It is important to view STP not as an autonomous program, but interrelated with other federal programs to determine the appropriate RSTP amount for sub-allocation.

Also, the latest apportionment is based on the 2000 census population date. It can be reasonably expected that FHWA will apportion federal funds to States based on the latest 2010 census population data under MAP-21. Therefore, the RSTP sub-allocation will change based on the new population data.

### **ALTERNATIVES:**

### **PROPOSED IMPLEMENTATION SCHEDULE:**

Attachments