

**Resolution Number TC-XXX  
FY 14 CMAQ Funding Distribution  
Transportation Commission of Colorado, April 18, 2013**

WHEREAS, the Congestion Mitigation and Air Quality (CMAQ) improvement program was established under the Intermodal Surface Transportation Efficiency Act (ISTEA), continued under the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21), and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and has been further continued under Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21); and

WHEREAS, the purpose of the CMAQ program is to provide a flexible funding source for transportation projects and programs that assist non-attainment and attainment/maintenance areas in meeting National Ambient Air Quality Standards (NAAQS); and

WHEREAS, MAP-21 included “Special Rules” for the CMAQ program including eligibility for Electric Vehicle (EV) and Natural Gas Vehicle (NGV) infrastructure at any location in the state; and

WHEREAS, federal regulations provide guidance on how to administer the CMAQ Program, while allowing the state to determine how funds will be allocated; and

WHEREAS, TC-1832, approved February 18, 2010, provided for the allocation of CMAQ funds for Federal Fiscal Year (FFY) 2012 through FFY 2017; and

NOW THEREFORE BE IT RESOLVED, that based on discussions between CDOT and CMAQ eligible recipients, the Transportation Commission has determined that CMAQ funds will be allocated in the following manner:

- For FY 14:
  - Funds will be distributed to recipients in the same amount and proportion as in FY 14 Resource Allocation for CMAQ;
  - Approximately \$225,000 (federal) additional CMAQ funds will be allocated to DRCOG in the first FY 14 budget supplement in order to backfill their voluntary reduction in TAP funds. This allows CDOT to allocate TAP funds to the same levels as the FY 14 Resource Allocation amounts for the former TE program to all other recipients.
  - CMAQ funds remaining after the above described allocations will be held in reserve pending further discussion between CDOT and the CMAQ recipients on the use and distribution of the funds.
  
- For FY 15 and subsequent years:
  - A new distribution formula for CMAQ will be developed as part of the Statewide Plan and STIP process where program distributions are identified to ensure fiscal constraint. This process will be conducted in coordination with our planning partners as required under MAP-21.

FURTHER BE IT RESOLVED that this resolution supersedes Resolution TC-1832, approved on February 18, 2010.