

TO: Transportation Policy Workshop (TPW)
FROM: Rachel Moriconi, Senior Transportation Planner
REGARDING: Senate Bill 375 Land Use and Transportation Coordination

RECOMMENDATION

Staff recommends that the Regional Transportation Commission:

1. Adopt an “Oppose Unless Amended” position on SB375 (Steinberg), which would require Regional Transportation Plans (RTP) to address the reduction of greenhouse gases and require transportation funding to be allocated according to those plans; and
 2. Direct staff to work with local and regional partners to identify potential local measures to reduce greenhouse gas emissions in Santa Cruz County.
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BACKGROUND

The transportation sector is the single largest source of greenhouse gas (GHG) emissions in California (approximately 40% statewide according to the California Air Resources Board). As discussed at prior Regional Transportation Commission meetings, there are a great number of legislative, policy, and planning efforts underway at the local, state, and federal levels to address global warming.

The California Global Warming Solutions Act of 2006 (AB 32) requires the state to reduce carbon emissions to 1990 levels by the year 2020, a reduction of approximately 25%. The California Air Resources Board (ARB) is developing regulations and compliance mechanisms to address this mandate. Additionally, several bills related to implementing AB32 are under debate. Some of these proposals would significantly expand the scope of Regional Transportation Plans. The next Regional Transportation Plan for our region is scheduled for adoption in the spring of 2010.

DISCUSSION:

SB 375 (Steinberg)

SB375, introduced last year by Senator Steinberg, focuses on implementing AB32 and addressing GHG emissions through expanded land use-transportation coordination. This bill generally requires regional transportation planning agencies to develop more sophisticated transportation planning models and to use them for the purpose of creating a “Sustainable Communities Strategy” aimed at reducing the number of vehicle miles traveled. The bill also provides for various forms of California Environmental Quality Act (CEQA) relief in communities that modify their general plans to conform to the sustainable community strategy. A summary of the major provisions of the bill is attached (Attachment 1). The full text of the bill is available online at: <http://www.leginfo.ca.gov/bilinfo.html>.

Under the current version of the bill (dated March 24, 2008), the Association of Monterey Bay Area Governments (AMBAG), as the federally-designated Metropolitan Planning Organization (MPO) for the Monterey, Santa Cruz, and San Benito region, would be required to include the “sustainable communities strategy” in its regional transportation plan, which combines the plans developed by the three counties. The bill may be amended to allow cities and counties within multicounty regions to propose the sustainable communities strategy for that county. AMBAG has received a state Blueprint Planning grant to host “visioning” workshops. These workshops will analyze how alternative growth scenarios for the region could impact the number of vehicle miles traveled. AMBAG is meeting with planning agencies in Santa Cruz County later this month.

The intent behind SB 375 is consistent with several goals and policies identified in the RTC’s Regional Transportation Plan (RTP) focused on coordinating land use and transportation decisions. Overall, staff supports the concept of addressing the linkages between land uses, transportation and greenhouse gases; however there are several issues with the bill which the RTC may wish to relay to the author.

At its May 15, 2008 meeting, several RTC Commissioners voiced concerns about the bill, especially the state’s top-down approach to linking land use and transportation planning given the unique nature of each community. **Given the RTC’s stated concerns about the bill, staff recommends that the RTC adopt a position of “oppose unless amended” to address the concerns outlined below.** Attachment 2 includes additional concerns identified by various entities throughout the state.

Sustainable Communities Strategy/Preferred Growth Scenarios

As previously discussed, SB 375 would require the regional transportation plan to include a Sustainable Communities Strategy (SCS) aimed at reducing the number of vehicle miles traveled and require local general plans to be consistent with the regional SCS in order for projects to be eligible for state and federal transportation funds. **Staff recommends the RTC request that the bill be amended to address the following:**

- Make the SCS a voluntary element of the RTP, subject to approval by all of the local jurisdictions and planning agencies in a region.
- Allow a county (and the cities within the county) to adopt the SCS for that county – in regions with a multicounty MPO.
- Address inconsistencies with the Regional Housing Needs Allocation (RHNA) process.
- Ensure that the bill does not diminish the authority of local government over land use.
- Do not make receipt of transportation funding conditioned on implementation of SCS.

Modeling Requirements

The bill mandates use of new models. The California Transportation Commission’s (CTC) recently adopted amendments to the RTP Guidelines provide a variety of options depending on the region’s size and model abilities. **Staff recommends the RTC request the bill be amended to recognize the provisions for models outlined in the RTP Guidelines and reinforce that the guideline are advisory only.**

ARB “Targets” and Litigation Risks

The bill would define specific requirements of the “sustainable communities strategy” (SCS). The Self Help Counties Coalition has suggested revisions to avoid potential litigation over whether or not the ARB targets are a mandate or a goal, and whether the adopted SCS is subject to one overarching objective: achieving the maximum feasible greenhouse gas emissions reductions. **Staff recommends that the RTC support the Self Help Counties request that the bill be amended to clarify that the SCS is *intended* to reduce GHG, *with the goal* of achieving the advisory targets developed by ARB, while also taking into consideration economic vitality, mobility, equity and other environmental and socioeconomic objectives.**

Protecting Local Sales Tax Programs

The Self Help Counties Coalition has suggested that the bill should be amended to protect the integrity of local, voter-approved sales tax programs approved prior to the scheduled 2012 adoption by the ARB of formal rules and regulations relative to AB 32. **Staff recommends the RTC support the Self Help Counties request to include the following language in the bill:** *“Nothing in this [bill] shall prevent sales tax authorities from complying with the will of the voters by applying the funds determined to be necessary to accomplish either specific projects listed, or to address expenditures for various transportation purposes by category, as approved by the voters in a sales tax measure adopted prior to December 31, 2012.”*

Regardless of the future of SB375, the California Transportation Commission has amended the Regional Transportation Plans (RTP) Guidelines to require regions to more closely analyze the connection between land use and transportation planning. Additionally, the Air Resources Board will be releasing new GHG regulations impacting transportation planning.

SB 303 (Ducheny)

On June 9, 2008, SB 303 was gutted and amended to provide an alternative to SB 375. The amended SB 303 was written by representatives of the building industry. This bill is considered a "fall back" in the event that meetings between building industry representatives, Senator Steinberg, and local governments do not result in amendments to SB 375 that are satisfactory to builders and local governments.

In general, SB 303 would require each transportation agency with a population that exceeds 200,000 to prepare one initial and one alternative planning scenario as part of its Regional Transportation Plan (RTP). At least 90 days prior to circulation of the draft regional transportation plan, the initial planning scenario and the alternative planning scenario must be submitted to the State Air Resources Board. The State Air Resources Board would be required to hold a public hearing and issue a written report determining whether either the initial planning scenario or the alternative planning scenario will inhibit the state from achieving its goals under the California Global Warming Solutions Act of 2006. The bill also requires the regional housing needs allocation to be distributed prior to the completion of the update of the applicable regional transportation plan.

Reducing Greenhouse Gas Emissions Locally

SB375 may not be the most appropriate means for reducing GHG emissions locally; however, given the RTC's recognition of the need to reduce greenhouse gas emissions (GHG) from the transportation sector and support for more efficient growth and effective infrastructure investments, **staff recommends that the RTC direct staff to work with local and regional partners to identify potential local measures to reduce greenhouse gas emissions from transportation.**

SUMMARY:

Several efforts are underway to address land-use/transportation coordination. SB 375 may require regions to develop preferred growth scenarios in an effort to reduce vehicle miles traveled and greenhouse gas emissions. Staff recommends that the RTC oppose this bill unless amended to address primary concerns of the RTC.

Attachments:

1. Provisions of SB375
2. Potential Issues Regarding SB375

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