

Date of Hearing: July 5, 2023

ASSEMBLY COMMITTEE ON TRANSPORTATION

Laura Friedman, Chair

SB 695 (Gonzalez) –Amended June 19, 2023

SENATE VOTE: 40-0

SUBJECT: Department of Transportation: state highway system: public data portal

SUMMARY: Requires the California Department of Transportation (Caltrans) to compile and publish data and information, including pending and planned projects, about activities on the state highway system for the last five years, by September 1, 2024, and annually moving forward. Specifically, **this bill:**

- 1) Requires the California Transportation Commission (CTC) to include the data and information collected pursuant to this bill in its annual report due to the Legislature by December 15, 2024, and every year thereafter.
- 2) Requires Caltrans to prepare and post on its internet website, no later than September 1, 2024, historical data and information, as specified, about activities on the state highway system on a fiscal year basis from July 1, 2018, to July 1, 2023. Also requires Caltrans, going forward, to make this data and information available on an annual basis by September 1st of each year.
- 3) Requires historical data and information including, but is not limited to, all of the following:
 - a) The number of total lane miles in the state highway system;
 - b) The number of new total lane miles added to the state highway system;
 - c) Of the lane miles added to the state highway system, a breakdown of the number of miles added by type, including, but not limited to, general purpose lanes, auxiliary lanes, high-occupancy vehicle lanes, managed lanes, and interchanges;
 - d) A project description of each project that added lane miles to the state highway system.
 - e) The number of miles of the state highway system that were relinquished;
 - f) The number of miles of the state highway system that were converted from a general purpose lane to a high-occupancy vehicle lane, and a high-occupancy vehicle lane to a managed lane;
 - g) The number of homes and businesses that were relocated due to the acquisition of rights-of-way for the new lane miles on the state highway system;
 - h) The number of new bike lane miles added to state highways, broken down by Class 1, Class 2, Class 3, and Class 4; and,
 - i) The number of new sidewalk miles added to state highways and the number of existing sidewalks that were reconstructed to improve accessibility and the safety of pedestrians.

- 4) Requires Caltrans to also prepare and make available data and information on planned, pending projects on the state highway system, including:
 - a) The description of the project, including the location. Location information shall allow the public to clearly understand where the project is being undertaken and may include, to the extent available, specific highway routes, project boundaries, and geolocation data
 - b) The date the project initiation document was completed;
 - c) The status of the project including the current phase of development, designated as environmental, design, right-of-way, or construction; and,
 - d) A determination of the primary purpose and need of the project, if available.
- 5) Requires Caltrans include additional data going forward, as specified, as part of the data and information due annually by September 1st, including:
 - a) A quantification of an increase or decrease in greenhouse gas (GHG) emissions associated with the lane miles added to the state highway system;
 - b) A quantification of an increase or decrease in vehicle miles traveled on the state highway system associated with the lane miles added to the state highway system;
 - c) A quantification of the mitigation required as part of the projects that resulted in additional lane miles on the state highway system; and,
 - d) The number of connections made with locally owned bike and walk facilities.

EXISTING LAW:

- 1) Establishes Caltrans and vests the department with full possession and control of all state highways and all property and rights in property acquired for state highway purposes. (Streets and Highways Code (SHC) 90)
- 2) Requires Caltrans to improve and maintain state highways. (SHC 91)
- 3) Requires the CTC to adopt and submit to the Legislature, by December 15 of each year, an annual report summarizing the CTC's prior-year decisions in allocating transportation capital outlay appropriations, and identifying timely and relevant transportation issues facing the State of California. (Government Code (GOV) Section 14536)

FISCAL EFFECT:

According to the Senate Appropriations Committee:

- 1) Staff estimates that Caltrans would incur significant one-time costs, potentially in the high hundreds of thousands of dollars in 2023-24, including potential contract costs, to research and compile five years of specified historical information and data regarding projects on the state highway system, and publish the data and information on a fiscal year basis on its website. (State Highway Account)
- 2) Staff estimates ongoing Caltrans costs, likely in the low hundreds of thousands of dollars annually beginning in 2024-25, to compile and publish the specified data and information on projects in the prior fiscal year, as well as specified information on planned and pending projects on the state highway system. (State Highway Account)

- 3) The CTC indicates that any costs to add the specified data and information to its annual report to the Legislature would be minor. (State Highway Account)

COMMENTS: California has a large network of highways and local streets and roads, consisting of almost 400,000 lane miles of pavement and over 25,000 bridges. The state highway system, owned and managed by Caltrans, is made up of roughly 50,000 lane miles and 13,000 bridges, including both federal and state highways. Over \$30 billion (federal, state, and local funds combined) is spent annually in California maintaining and expanding transportation infrastructure. These funds are allocated through various plans and projects that are implemented by federal, state, regional and local agencies. Decisions about how to spend billions in federal, state, and local transportation funds are critical to improving Californians' access to social and economic opportunities, as well as to helping the state meet its climate goals.

We can't build our way out of congestion. For many decades the state relied on highway expansion to address both traffic congestion and the increased movement of people and goods on the state highway system. However, research has shown that adding highway capacity does not equate to long-term congestion relief. According to the University of California Institute of Transportation Studies (UC ITS), "studies consistently show that adding capacity to roadways fails to alleviate congestion for long because it actually increases vehicle miles travelled (VMT)." Further, "an increase in VMT attributable to increases in roadway capacity where congestion is present is called 'induced travel.' The basic economic principles of supply and demand explain this phenomenon: adding capacity decreases travel time, in effect lowering the 'price' of driving; and when prices go down, the quantity of driving goes up. Induced travel counteracts the effectiveness of capacity expansion as a strategy for alleviating traffic congestion and offsets in part or in whole reductions in GHG emissions that would result from reduced congestion."

AB 285 report finds transportation funding programs need better alignment with state climate goals. AB 285 (Friedman, Chapter 605, Statutes of 2019) required the Strategic Growth Council to examine and report on various aspects of state and regional transportation planning and funding. The California Transportation Assessment Report was developed through work of the University of California Institute for Transportation Studies (UCITS). The report includes findings and recommendations to help the state align transportation funding with state climate goals. Specifically, the report suggest this could be done through, "the reviewing and prioritizing various state goals within transportation funding program guidelines or statute. For example, the statute that governs SHOPP and State Transportation Improvement Program (STIP) funding has its goals based on rehabilitation and maintenance, safety, operations, and expansion, but no reference to climate or equity. This revisiting of goals could also involve ensuring that additional funds or future funds (including federal infrastructure funds) are spent in ways that align with priority goals."

Fix it first. In 2017, the Legislature passed and Governor Brown signed into law, SB 1 (Beall, Chapter 5, Statutes of 2017), which provides roughly \$5.2 billion annually for highways, local streets and roads, public transit, and bicycle and pedestrian facilities; recognized the need to prioritize maintenance and better utilize the system we have. "Fix it first" was the guiding principle of SB 1, or focusing the state's transportation spending to maintain a state of good repair of the existing system.

SB 1 included specific performance outcomes for Caltrans to meet for the state highway system by 2027, through investments in the State Highway Operations Protection Program (SHOPP) and maintenance programs, including not less than 98% of pavement on the state highway system in good or fair condition; not less than 90% level of service achieved for maintenance of potholes, spalls, and cracks; not less than 90% of culverts in good or fair condition; not less than 90% of the transportation management system units in good condition; and to fix not less than an additional 500 bridges.

CAPTI continues the evolution. On September 20, 2019, Governor Newsom issued Executive Order (EO) N-19-19, which called for actions from multiple state agencies to reduce GHG emissions and mitigate the impacts of climate change. The EO detailed the role the transportation sector must play in combating climate change. Specifically, the EO empowered the California State Transportation Agency (CalSTA) to leverage the more than \$5 billion in annual state transportation spending for construction, operations, and maintenance to help reverse the trend of increased fuel consumption and reduce GHG emissions associated with the transportation sector. The EO directed CalSTA to work to align transportation spending with the state's Climate Change Scoping Plan, where feasible; direct investments to strategically support smart growth to increase infill housing production; reduce congestion through strategies that encourage a reduction in driving and invest further in walking, biking, and transit; and ensure that overall transportation costs for low income Californians do not increase as a result of these policies.

To that end, CalSTA adopted the Climate Action Plan for Transportation Infrastructure (CAPTI) in July 2021. The CAPTI is the action plan to implement the EO. Specifically, the CAPTI is “a framework and statement of intent for aligning state transportation infrastructure investments with state climate, health, and social equity goals, built on the foundation of the ‘fix-it-first’ approach established in SB1.”

The CAPTI contains an overall transportation investment framework and specific strategies to implement the plan through state agency actions. CAPTI included a discussion of the state's approach to highway expansion projects, recognizing that one size does not fit all. The CAPTI included this guiding principle of, “promoting projects that do not significantly increase passenger vehicle travel, particularly in congested urbanized settings where other mobility options can be provided and where projects are shown to induce significant auto travel. These projects should generally aim to reduce VMT and not induce significant VMT growth. When addressing congestion, consider alternatives to highway capacity expansion, such as providing multimodal options in the corridor, employing pricing strategies, and using technology to optimize operations.”

Staff comments. Several requests for data similar to what is required in this bill have been made to both Caltrans and CalSTA from a wide variety of stakeholders, including Transportation California, the sponsors of SB 695, and a coalition of environmental advocates. Additionally, the Chair of the Assembly Transportation Committee, Assembly Member Laura Friedman, sent a letter to Caltrans in August of 2022 requesting project description information for the state highway system and how the projects fit into regional transportation plans/sustainable communities strategies. Specifically, this letter asks Caltrans to provide project specific information for:

- a) Location and extent of new mainline lane-miles by length and type (auxiliary lane, general purpose lane, managed lane [specify lane-management strategy]);
- b) Location of any new or expanded interchanges and extent of any new through lanes (including those on non-SHS roadway in the project);
- c) Extent of facilities for exclusive use by freight, walking, biking and transit, as well as new or expanded transit service included in the project;
- d) Indication if right-of-way must be added, and if so, how many homes and businesses will be dislocated;
- e) Extent of any features to manage speeds and reduce fatal crashes, such as roadway narrowings or roundabouts;
- f) Whether any part of the project will be located in a disadvantaged community as described by the most current version of CalEnviroscreen;
- g) Types and extent of any environmental- and equity-related mitigations, including those for VMT, severe injury and fatal crashes, emissions, and noise;
- h) Project capital cost and anticipated source of fund;
- i) Source of funds for ongoing operations and maintenance costs;
- j) Projected project opening year; and,
- k) Current project phase (initiation, environmental, design, construction).

The letter also requested information on whether the project is included in the area's Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and requests a citation with web link to the relevant description in the SCS.

To date, Assembly Member Friedman and staff have had various conversations regarding the list of projects with the administration, however the specific data requested has not been provided. CalSTA is working to analyze the effects of CAPTI by measuring outcomes of projects funded through state programs. However, the data will likely be high level, measuring things such as overall VMT change, GHG emissions, job creation, and equity.

SB 695 brings transparency. SB 695 will provide an initial and ongoing set of data and detailed information on state highways system investments to allow the public to better understand the pattern and types of projects moving through the state development pipeline. This new transparency will provide lawmakers, stakeholders, and the public with critical information needed to make fact-based decisions about state and local transportation policy and funding priorities. Examples of the data sought include new lane miles added to the system by type; such as general purpose lanes, auxiliary lanes, high-occupancy vehicle lanes, managed lanes, and interchanges; descriptions of individual projects; lane miles converted to special lanes (HOV or HOT); and miles of complete streets.

According to the author, "The development of California's highways has disproportionately impacted communities of color, separating neighborhoods and increasing exposure to air pollution from cars and trucks, roadway noise, and safety concerns. California leads the nation as we work to better align our transportation planning and project decisions with our climate and equity goals, while increasing safety and mobility. However, a full range of transportation data is currently unavailable to lawmakers, researchers, and communities. In order to balance our transportation planning with our climate goals, we need full transparency on what is currently in the pipeline. SB 695 will provide that transparency and detailed data on recent projects that have added capacity to the SHS and what planned capacity projects are in pipeline. Access to this data

would ensure that our transportation and climate goals align and provide transparency on where projects are so we prevent any increased emission burdens on communities of color.”

In support, Transportation California writes, “SB 695 takes an important step in providing greater transparency and understanding of our SHS. This bill will provide the data that lawmakers, stakeholders, researchers, and communities need to make important decisions to meet California’s transportation and related goals.”

Previous legislation. AB 285 (Friedman), Chapter 605, Statutes of 2019, updates requirements of the California Transportation Plan (CTP) to reflect the state’s recent environmental legislation and requires a review of the implementation of the CTP.

SB 1 (Beall), Chapter 5, Statutes of 2017, increases several taxes and fees to raise the equivalent of roughly \$52.4 billion over ten years in new transportation revenues and makes adjustments for inflation every year; directs the funding to be used towards deferred maintenance on the state highways and local streets and roads, and to improve the state’s trade corridors, transit, and active transportation facilities.

SB 150 (Allen), Chapter 646, Statutes of 2017, establishes new requirements for setting regional GHG emission reduction targets and requires the state Air Resources Board (ARB) to monitor regions’ progress in attaining these targets.

REGISTERED SUPPORT / OPPOSITION:

Support

Active San Gabriel Valley
American Council of Engineering Companies
Associated General Contractors of California
California Alliance for Jobs
California Asphalt Pavement Association
California Association of Councils of Governments
California Bicycle Coalition
California Construction & Industrial Materials Association
California State Council of Laborers
City of Rancho Cucamonga
Climate Resolve
Costa Mesa Alliance for Better Streets
Culver City Democratic Club
Happy City Coalition
International Union of Operating Engineers
Marin County Bicycle Coalition
Move Santa Barbara County
Natural Resources Defense Council
Northern California Association of Commuter Transportation
Norwalk Unides
Rebuild SoCal Partnership
San Diego County Bicycle Coalition
Santa Ana Active Streets

Southern California Contractors Association
Stop4aidan
Streets are For Everyone
Streets for All
Telegraph for People
Transportation California
United Contractors

Opposition

None on file

Analysis Prepared by: Julia Kingsley / TRANS. / (916) 319-2093