

Date of Hearing: March 13, 2023

ASSEMBLY COMMITTEE ON TRANSPORTATION  
Laura Friedman, Chair  
AB 350 (Aguiar-Curry) – As Introduced January 31, 2023

**SUBJECT:** Regional transportation plans: Sacramento Area Council of Governments

**SUMMARY:** Provides a two year extension for the Sacramento Area Council of Governments (SACOG) to adopt and submit its regional transportation plan (RTP), sustainable communities strategy (SCS), and environmental impact report. Specifically, **this bill:**

- 1) Requires SACOG to adopt and submit its update to the 2020 RTP adopted on November 18, 2019, to the California Transportation Commission (CTC) and the Department of Transportation (Caltrans) on or before December 31, 2025.
- 2) Requires SACOG to submit its SCS, after adoption, to the State Air Resources Board (CARB).
- 3) After the extension, resets the time period for SACOG's updates to its RTP and requires updates to be adopted and submitted every four years.
- 4) States that the update to SACOG's RTP that SACOG will prepare and submit to federal agencies for purposes of federal compliance shall not be considered an RTP under California law and shall not constitute a project for purposes of the California Environmental Quality Act (CEQA).
- 5) Prohibits CARB from updating the greenhouse gas (GHG) emission reduction targets for the SACOG region before SACOG adopts the update to its RTP.
- 6) Makes other technical non-substantive changes.

**EXISTING LAW:**

- 1) Requires each regional transportation planning agency (RTPA) to prepare and adopt an RTP directed at achieving a coordinated and balanced regional transportation system. (Government Code Section 65080)
- 2) Except as otherwise provided, requires a transportation planning agency to adopt and submit, every four years, an updated RTP to the CTC and Caltrans.
- 3) Requires CARB, no later than September 30, 2010, to provide each affected region with GHG emission reduction targets for the automobile and light truck sector for 2020 and 2035, respectively.
- 4) Requires CARB to update the regional GHG emission reduction targets every eight years and authorizes CARB to revise the targets every four years.
- 5) Requires the RTP to include an SCS prepared by each metropolitan planning organization (MPO), as specified, containing land use, housing, and transportation strategies that, if implemented, would allow the region to meet CARB's targets.

- 6) Requires an MPO, after adoption, to submit an SCS to CARB for review, including the quantification of the GHG emission reductions the strategy would achieve and a description of the technical methodology used to obtain that result.
- 7) Creates the Solutions for Congested Corridors Program to fund projects that make specific performance improvements and are part of a comprehensive corridor plan designed to reduce congestion in highly traveled corridors. (Streets and Highways Code (SHC) 2390)
- 8) Creates the Transit and Intercity Rail Capital Program to fund transformative capital improvements that will significantly reduce vehicle miles traveled. (Public Resources Code (PRC) 75220)
- 9) Creates the Low Carbon Transit Operations Program to provide operating and capital assistance for transit agencies to reduce the emissions of greenhouse gases and improve mobility, with a priority on serving disadvantaged communities. (PRC 75230)
- 10) Establishes the Active Transportation Program within Caltrans for the purpose of encouraging increased use of active modes of transportation, such as biking and walking. (SHC 2380)

*Federal Law:*

- 1) Requires the designation of an MPO for each urbanized area with a population of more than 50,000 individuals in order to carry out the transportation planning processes required by federal law. (Title 23 United States Code Section 134)
- 2) Requires each MPO to prepare and update a transportation plan, as specified, for its area at least every four years.

**FISCAL EFFECT:** Unknown

**COMMENTS:** In California, regional planning is primarily conducted by 18 Metropolitan MPOs in urban areas and 26 RTPAs in rural areas. One of the key planning documents that both MPOs and RTPAs must prepare is the RTP. The RTP has a long-term horizon of at least 20 years and identifies existing and future transportation needs in the region. It includes rough cost estimates for transportation projects and is fiscally constrained (i.e., the total anticipated cost of the proposals is limited to the total reasonably anticipated revenues for the term of the plan), however, specific fund sources are usually not identified for the individual transportation proposals. The RTP must also conform with federal air quality requirements in nonattainment or maintenance areas. Federal law requires MPOs/ RTPAs submit an RTP at least every four years.

The Legislature has set a number of goals to reduce GHG emissions and address climate change. The Global Warming Solutions Act of 2006. AB 32 (Nunez), Chapter 488, Statutes of 2006 and subsequent companion legislation SB 32 (Pavley), Chapter 249, Statutes of 2016 requires California to reduce statewide GHG emissions to 40% below the 1990 level by 2030. AB 1279 (Muratsuchi), Chapter 337, Statutes of 2022 establishes the policy of the state to achieve carbon neutrality as soon as possible, but no later than 2045. CARB is responsible for developing a Scoping Plan to detail how the state will achieve its mandated GHG emissions reduction targets across sectors.

Nearly 40% of California's greenhouse gas (GHG) emissions are generated by the transportation sector, which includes both the light-duty (passenger) and medium- and heavy-duty fleets. Heavy-duty diesel trucks also contribute to unhealthy levels of ozone, inhalable particulate matter, carbon monoxide, oxides of nitrogen (NOx), and sulfur dioxide, affecting local air quality. In the transportation sector, measures to reduce GHG emissions include requiring the use of low carbon fuels, cleaner vehicles, and strategies to promote sustainable communities and improved transportation choices that reduce growth in number of vehicle miles traveled.

The Sustainable Communities and Climate Protection Act, SB 375 (Steinberg), Chapter 728, Statutes of 2008 added a new element to regional planning and requires MPOs to develop Sustainable Communities Strategies (SCS), or long-range plans, which align transportation, housing, and land use decisions toward achieving GHG emissions reduction targets set by CARB. As part of the SB 375 process, CARB establishes regional GHG emissions reduction targets for each jurisdiction. MPOs must produce a SCS that (i) identifies the general location of uses, residential densities, and building intensities within the region; (ii) identifies areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the RTP taking into account net migration into the region, population growth, household formation and employment growth; (iii) identifies areas within the region sufficient to house an eight-year projection of the regional housing need for the region; (iv) identifies a transportation network to service the transportation needs of the region; (v) gathers and considers the best practically available scientific information regarding resource areas and farmland in the region; (vi) considers the state housing goals, as specified; (vii) sets forth a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportation measures and policies, will reduce GHG emissions from automobiles and light trucks to achieve the GHG emission reduction targets approved by CARB.

In 2018, CARB adopted more aggressive SB 375 targets to support progress towards achieving the 2017 Scoping Plan goals. These targets aim to get SCSs to achieve, in aggregate, a 19% reduction in statewide per capita GHG emissions reductions relative to 2005 by 2035 from passenger vehicles. The figure below shows the updated targets for the “Northern California Megaregion” which includes SACOG, Metropolitan Planning Commission (MTC), and the San Joaquin Council of Governments (SJCOG).

**SB 375 Regional Plan Climate Targets, 2018**

MPO	Targets through September 30, 2018		Targets Beginning October 1, 2018	
	2020	2035	2020	2035
MTC	-7%	-15%	-10%	-19%
SACOG	-7%	-16%	-7%	-19%
SJCOG	-5%	-10%	-12%	-16%

According to SACOG, the bill’s sponsor, this bill is necessary to more closely align its RTP submission date with the RTP due dates of the other members of the Northern California Megaregion whose goals are to advance interregional projects impacting the quality of life, transportation, and commerce throughout Northern California.

**Current and Proposed Due Dates for RTP/SCS of the Megaregion MPOs**

<b>Region (MPO)</b>	<b>Current due date</b>	<b>Due date under this bill</b>
SACOG	November 2023	December 31, 2025
MTC	October 2025	October 2025
SJCOG	August 2026	August 2026

According to SACOG, this bill would provide additional time to incorporate results from newly funded initiatives, including community-based engagement and planning, in the next RTP. Specifically, SACOG intends to work more with underrepresented communities within the communities it serves. In addition, SACOG received a planning grant in August 2022 through the federal Rebuilding American Infrastructure with Sustainability and Equity (RAISE) program to establish a model for equity-centered, community co-created infrastructure project development that attempts to reinvent how regional transportation projects are prioritized for state and federal investment.

This bill would maintain compliance with the federal requirement of submission of the RTP every four years by having SACOG update its 2019 RTP with minor modifications for its 2023 submission. To avoid unnecessary process and procedural complications, this bill specifies that this 2023 RTP update will be done exclusively to meet federal requirements and would not be an "RTP" for purposes of the state requirements.

Current law requires CARB to update regional GHG emissions targets every eight years, but allows CARB to update regional targets every four years. CARB’s last regional GHG target update was 2018, meaning CARB could update targets anytime between now and 2026. This bill prohibits CARB from updating GHG emissions reduction targets for the region within the SACOG jurisdiction until SACOG adopts the updated RTP. This could delay CARB setting targets for the region. Of potentially greater significance, this provision has impacts beyond the SACOG region. Prior to updating targets, CARB must exchange technical information with Caltrans, MPOs, local governments, and effected air districts, and engage in a consultative process with public and private stakeholders. This process happens concurrently with all regions. Limiting CARB’s ability to set a target for the SACOG region could effectively disrupt the entire process for all regions.

In 2019, with the enactment of AB 1730 (Gonzalez), Chapter 634, Statutes of 2019, SANDAG received, an extension of the due date of their RTP/SCS to allow for “additional time to plan and be ambitious in reducing greenhouse gas emissions, in order to ensure the region is doing the most it can in the best way possible.” By this reasoning, every region would benefit from having more time for planning. This raises the question for the Legislature of should it require a higher standard and a demonstrated urgent need for it to grant MPOs extensions? Extensions come at the potential cost of nearer term goals not being established and met.

AB 1730, as a condition of granting the above mentioned extension, imposed specific requirements of SANDAG during the time period in which its RTP/SCS was delayed. AB 1730 required SANDAG to only nominate projects for funding through the Solutions for Congested Corridors Program that reduce vehicle miles traveled. AB 1730 also required SANDAG to develop an implementation report of its SCS.

The Legislature should consider requiring SACOG to follow the same standards as SANDAG when considering an extension and include the following language. *“In addition to meeting the other requirements to nominate a project for funding through the Solutions for Congested Corridors Program, SACOG, until December 31, 2025, shall only nominate projects for funding through the Solutions for Congested Corridors Program that are consistent with the eligibility requirements for projects under any of the following programs: (i) The Transit and Intercity Rail Capital Program; (ii) The Low Carbon Transit Operations Program; and (iii) The Active Transportation Program.”*

Similarly, the Legislature should also consider requiring SACOG, commencing January 1, 2024, and every two years thereafter, to begin developing an implementation report that tracks the implementation of its most recently adopted SCS.

According to the author, “SACOG, MTC, and SJCOG comprise the Northern California Megaregion, which includes 16 counties, 136 and a population of nearly 11 million. Each of these entities is required to develop an SCS but each entity has different deadlines. This bill will facilitate greater interregional collaboration and the development of shared transportation priorities throughout the Megaregion by better aligning SACOG’s next SCS update with those of MTC and SJCOG. It will also enhance public outreach in the regional planning process by allowing SACOG’s RAISE planning grant work to inform the SCS update.”

In support Sacramento Regional Transit writes, “As a leading voice for transit agencies in the Northern California Megaregion, we support efforts like [this bill], which ensure effective interregional planning that supports our increasingly interconnected economy.”

*Double referral:* This bill is double referred and will be sent to the Assembly Committee on Natural Resources should it pass out of this committee.

*Related legislation:* AB 1730 (Gonzalez), Chapter 634, Statutes of 2019 amends the timing and process for delivery of SANDAG’s next RTP/SCS.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Sacramento Area Council of Governments (sponsor)

City of Galt

City of Galt, Councilmember Rich Lozano

City of Roseville

City of Sacramento

City of West Sacramento

City of Woodland

CivicWell

County of Sacramento

County of Yuba

Environmental Council of Sacramento

Greater Sacramento Economic Council

Placer County Board of Supervisors

Placer County Transportation Planning Agency

Sacramento Asian Pacific Chamber of Commerce  
Sacramento Clean Cities Coalition  
Sacramento Metropolitan Chamber of Commerce  
Sacramento Regional Transit District  
Sacramento Transportation Authority  
San Francisco Bay Area Planning and Urban Research Association  
San Joaquin Council of Governments  
San Joaquin Joint Powers Authority  
San Joaquin Regional Rail Commission  
Valley Vision

**Opposition**

None on file

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