

Date of Hearing: March 27, 2023

**ASSEMBLY COMMITTEE ON TRANSPORTATION**

Laura Friedman, Chair

AB 6 (Friedman) – As Amended March 16, 2023

**SUBJECT:** Transportation planning: regional transportation plans: Solutions for Congested Corridors Program: reduction of greenhouse gas emissions

**SUMMARY:** Requires the State Air Resources Board (CARB) to provide each region of the state with greenhouse gas (GHG) emission reduction targets for the automobile and light truck sector for 2035 and 2045, respectively, and makes various other changes to strengthen CARB's oversight of sustainable communities strategies (SCS). Specifically, **this bill:**

- 1) Requires CARB to provide regional GHG emission reduction targets after January 1, 2024 and no later than September 30, 2026.
- 2) Adds a 60 day timeline prior to starting the public participation process by which a Metropolitan Planning Organization (MPO) must submit to CARB a description of the technical methodology it intends to use to estimate the GHG emissions from its SCS.
- 3) Requires, rather than encourages, MPOs to work with CARB until it concludes that the technical methodology operates accurately and adds authority for CARB to approve its use.
- 4) Adds a deadline, of 120 business days after adoption, by which an MPO must submit an SCS to CARB for review and adds a requirement that CARB must approve an MPO's SCS.
- 5) Requires CARB's review of the SCS to include, but no longer be limited to, acceptance or rejection of the MPO's determination that the strategy submitted would, if implemented, achieve the GHG emission reduction targets established by CARB.
- 6) Extends the time that CARB has to complete its review of an SCS from 60 days to 180 days.
- 7) Requires project nominations for the Solutions for Congested Corridors Program to demonstrate how the project would contribute to achieving the state's GHG emissions reduction targets.

**EXISTING LAW:**

- 1) Requires each MPO to adopt a regional transportation plan (RTP) directed at achieving a coordinated and balanced regional transportation system, including, but not limited to, mass transportation, highway, railroad, maritime, bicycle, pedestrian, goods movement, and aviation facilities and services. (GOV 65080 (a))
- 2) 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.

- 3) Requires CARB to update the regional GHG emission reduction targets every eight years and authorizes CARB to revise the targets every four years.
- 4) Requires the RTP to include an SCS prepared by each MPO, as specified, containing land use, housing, and transportation strategies that, if implemented, would allow the region to meet CARB's regional GHG emission reduction targets.
- 5) Requires an MPO to prepare an Alternative Planning Scenario (APS) to the SCS, showing how GHG emission targets would be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies, if the SCS is unable to reduce GHG emissions to achieve the GHG emission reduction targets established by CARB. APS are generally bound by similar CARB review and approval processes as an SCS, as well as additional APS specific requirements.
- 6) Requires the SCS to do all of the following:
  - a) Identify the general location of uses, residential densities, and building intensities within the region;
  - b) Identify 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;
  - c) Identify areas within the region sufficient to house an eight-year projection of the regional housing need for the region pursuant to Section 65584;
  - d) Identify a transportation network to service the transportation needs of the region;
  - e) Gather and consider the best practically available scientific information regarding resource areas and farmland in the region;
  - f) Consider state housing goals, as specified;
  - g) Set 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, if there is a feasible way to do so, GHG reduction targets approved by CARB; and,
  - h) Allow the regional transportation plan to comply with Section 176 of the federal Clean Air Act (42 U.S.C. Sec. 7506).
- 7) Requires MPOs, before starting the public participation process, to submit a description to CARB of the technical methodology it intends to use to estimate the GHG emissions from its SCS.
- 8) 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. Encourages the MPO to work with CARB until CARB concludes that the technical methodology operates accurately.
- 9) Limits CARB's review of the SCS to acceptance or rejection of the MPO's determination that the strategy would, if implemented achieve the GHG emission reduction targets established by CARB.

- 10) Requires CARB to complete its review of the SCS within 60 days.
- 11) 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)

**FISCAL EFFECT:** Unknown

**COMMENTS:** 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 GHG emissions reduction targets mandated by law.

Nearly 40% of California's 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, 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 (VMT).

The Sustainable Communities and Climate Protection Act, SB 375 (Steinberg), Chapter 728, Statutes of 2008 adds a new element to regional planning and requires MPOs to develop 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.

Land use planning aims to promote an efficient use of land and other resources, as well as to achieve desirable outcomes such as the reduction of GHGs. More efficient land use presents the opportunity to help the state achieve its climate goals. How regions plan sustainable communities and promote improved transportation choices can reduce the increase in VMT in a region and ideally reduce VMT from today's levels. CARB's 2022 Scoping Plan scenario for achieving 85% GHG emission reductions by 2045 calls for a 25% reduction in VMT by 2030 and a 30% reduction in VMT by 2045. By contrast, CARB assumes continuing with current policies would lead to only a 4% reduction in VMT by 2045; well below what is necessary to achieve the state's climate goals.

The most recent SCS progress report, required under SB 150 (Allen), Chapter 646, Statutes of 2017, demonstrates the urgent need for land use planning improvements. "Unfortunately, since the first report, most trends demonstrate limited progress in meeting the [GHG emission reduction] targets through 2019. While some limited progress on VMT reduction has been observed within the largest MPO regions where most Californians live, it has not been enough. There is an urgent need to build on the good work that has produced some positive change in these regions in light of the overall trajectory. Many trends moved in the wrong direction, away from advancing climate goals and showing worsening inequality."

Current law requires CARB to update regional GHG emissions targets every eight years, but allows CARB to update regional targets every four years. CARB last updated the GHG regional targets in 2018, adopting 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. This bill requires CARB to update regional GHG emission reduction targets no later than September 30, 2026, which will allow CARB to consider its recently adopted 2022 Scoping Plan. The Scoping Plan has new goals for VMT reduction, in order to achieve the state's climate goals, and this may require CARB to set more aggressive regional GHG emission reduction targets.

Current law 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. This bill extends the timeline that CARB must set regional GHG emission reduction targets for the automobile and light truck sector to 2030 and 2045, respectively. This farther outlook aligns with recently passed climate goals that aim to achieve carbon neutrality by 2045.

This bill adds concrete timelines for MPOs to submit technical methodology, and the SCS itself after adoption, to CARB. This bill also requires, rather than encourages, MPOs to work with CARB as CARB reviews and approves the technical methodology. The technical methodology underpins the estimate of GHG emissions resulting from an MPO's SCS, so it is critically important that CARB and MPOs work together to validate the calculations and assumptions that go into this document. This bill also adds authority for CARB to approve the technical methodology and SCS.

According to the author, “California can no longer wait to take bold action to reduce GHG’s from the single largest sector of emissions, cars and light trucks. With emissions from the transportation sector continuing to rise despite increases in fuel efficiency and decreases in the carbon content of fuel, California will not achieve the necessary GHG emissions reductions without significant changes to how communities and transportation systems are planned, funded and built. [This bill] makes technical good governance changes in the SB 375 process to help our regions and the state meet GHG reduction targets.”

*Double referral:* This bill is double referred to the Assembly Natural Resources Committee and will be heard by that Committee as it relates to issues under its jurisdiction.

*Related and previous legislation:* AB 350 (Aguiar-Curry) of this session provides a two year extension for the Sacramento Area Council of Governments (SACOG) to adopt and submit its RTP/SCS and environmental impact report. This bill also prohibits CARB from updating GHG emissions reduction targets for the region within the SACOG jurisdiction until SACOG adopts the updated RTP. This bill passed out of this committee and is currently in the Natural Resources Committee.

AB 2438 (Friedman) of the 2021-22 Session would have required 1) specified state transportation programs to incorporate strategies from the Climate Action Plan for Transportation Infrastructure (CAPTI) into program guidelines, as provided, and 2) various state transportation entities to establish new transparency and accountability guidelines for certain transportation funding programs, as specified. This bill was vetoed by the Governor, with the following message:

While I share the goal of addressing the impacts of the transportation sector on climate change, this bill is unnecessary. Work is well under way at the California State Transportation Agency (CalSTA), the California Department of Transportation (Caltrans) and the California Transportation Commission to align funding programs in the bill with CAPTI, with several actions already completed.

AB 2237 (Friedman of the 2021-22 Session) would have conditioned state and local transportation funding on a project's consistency with the applicable SCS and state climate goals, as defined. This bill was held in the Senate Transportation Committee.

AB 1147 (Friedman of the 2021-22 Session) would have made numerous substantive changes to the required elements of MPOs’ RTPs to ensure effective implementation of SCS and APS, as specified. This bill was vetoed by the Governor, with the following message:

*“While I share the author's goal to align policies and promote the use of active transportation modes such as walking and biking, the bill is not necessary because state agencies are already collaborating on these policies and updating local requirements”.*

AB 285 (Friedman), Chapter 605, Statutes of 2019, updates requirements of CTP to reflect the state's recent environmental legislation and requires SGC to review implementation of CTP.

SB 743 (Steinberg), Chapter 386, Statutes of 2013, requires the Office of Planning and Research (OPR) to develop revisions to CEQA guidelines establishing criteria for determining the significance of transportation impacts of projects within transit priority areas. In developing the criteria, requires OPR to recommend potential metrics to measure transportation impacts including, but not limited to, VMT.

SB 375 (Steinberg), Chapter 728, Statutes of 2008, requires MPOs to include SCSs, as defined, in their RTPs for the purpose of reducing GHG emissions, aligns planning for transportation and housing, and creates specified incentives for the implementation of the strategies.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

California Environmental Voters  
Citizens Climate Lobby San Fernando Valley  
Civicwell  
Streets for All

**Opposition**

None on file

**Analysis Prepared by:** Christine Casey / TRANS. / (916) 319-2093