REPORT TO SHASTA COUNTY RTPA

SUBJECT		MEETING DATE	ITEM NUMBER
Shasta*FORWARD*>> Regional Blueprint: Project Update		6/24/08	8

RECOMMENDATION
It is recommended that the Board receive a Shasta*FORWARD*>> project update.

SUMMARY
Background information and a summary of recent public outreach activities for the Shasta*FORWARD*>> project are provided. A summary and cursory analysis of public input will be made available to planning commissions and planning agencies in July.

DISCUSSION

Project Background

The Shasta County RTPA was awarded a grant from the California Regional Blueprint Planning Program in 2006 ($375,000) and again in 2008 ($140,000). Blueprint grants are provided to help encourage collaboration and integrated planning within a region, so that the region may effectively accommodate population growth. Shasta County's regional blueprint effort, also known as Shasta*FORWARD*>>, is currently underway.

Central to Blueprint Planning is a public engagement process designed around growth modeling and visualization techniques. The intent is to create a more approachable, accessible, and engaging planning process for all citizens. In lieu of presenting technical and sometimes onerous reports, Shasta*FORWARD*>> utilizes maps, animations, and graphical performance measures to help 'tell the story' of Shasta County's future and better understand the long-term outcomes stemming from current trends, policies, and practices. This future is known as the 'Current Trend' scenario.

Based on community values and priorities, up to three alternative regional growth scenarios will be developed. The RTPA will aid in the exploration of each alternative and present such findings in comparison to the 'Current Trend' scenario. The public is then invited to select a 'Preferred Regional Growth Vision for 2050'.

Each city and the County will be involved throughout the visioning process. When completed, the Preferred Regional Growth Vision will be presented for consideration and possible incorporation into respective city/county plans and programs as each determines appropriate.

Project Update

Recent activities have focused almost entirely on the 'Community Values & Priorities Assessment' phase of the public engagement process. The following strategies have been employed:

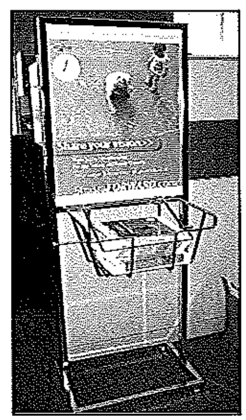
1. **Small group outreach sessions** – Twenty-five focus group sessions have been held in locations throughout the region. In all, a diverse group of about 250 citizens have directly participated. Each 60 to 90 minute session is documented via detailed notes and an electronically administered mini-survey. A list of all sessions may be found in Attachment A: ShastaFORWARD>> Public Engagement Calendar.

2. **Online Community Values & Priorities Survey** – An Internet-based survey is accessible at the www.shastaforward.com homepage. In order to attract visitors to the website and encourage completion of the survey, a multi-media advertising campaign was carried out and a 30-minute television program was broadcast ten times on KIXE Channel 9. As of the end of May, 593 online surveys have been submitted.

   The following summary highlights public interest in the website for January through May, 2008:

Website Activity www.shastaforward.com				
Month	**Unique Visitors**	**# of Visits**	**Pages**	**Hits**
Jan	316	611	5,466	17,665
Feb	286	627	4,981	11,574
Mar	527	913	6,308	22,812
Apr	794	1,474	10,970	39,366
May	988	1,999	13,516	39,082

3. **Mail-in Community Values & Priorities Survey** - Three thousand survey brochures were hand delivered to at least 10 locations throughout the County, including libraries in Anderson, Burney, Cottonwood, Fall River Mills, Redding, Shasta Lake, and Shingletown, Redding Municipal Airport, Shasta Lake City Hall, and Turtle Bay Exploration Park. A postage-paid return envelope is provided with each survey. As of the end of May, 121 mail-in surveys have been returned. Additional surveys returned before July will be included in the results.



Next Steps

In mid-May, all three city planning commissions in the region accepted a Shasta*FORWARD>>* presentation. Each commission agreed to assist the RTPA in translating public input into alternative growth scenarios and to help fine-tune each alternative according to local needs and realities.

RTPA staff has made numerous requests to present ShastaFORWARD>> to the Shasta County Planning Commission with no response. A May 14, 2008, RTPA letter to the County Department of Resource Management is also attached. This is in reply to an email provided by Board member Baugh at the last RTPA meeting. The letter encourages suggestions from the County on how ShastaFORWARD>> can better meet County needs. No response has been received to date; however, staff is confident that any County suggestions can be accommodated since we are still in the data-gathering mode for ShastaFORWARD's base case scenario.

Upon completion of the 'Community Values & Priorities Assessment' phase, the sum total of public input will be compiled and organized. A summary and preliminary findings will be provided to each planning commission and planning agency for consultation and direction later this summer.

OTHER AGENCY INVOLVEMENT

The Shasta*FORWARD*>> project study area includes the entire Shasta County region. The expanding number and diversity of public and private organizations participating in the process is documented in Attachment A: Shasta*FORWARD*>> Public Engagement Calendar.

FINANCING

All efforts referenced in this report are funded up to 80% through California Regional Blueprint Planning Program grants. In FY 06/07, $375,000 was awarded to the RTPA. An additional $140,000 was awarded in FY 07/08. The 20% required match funds are budgeted in the Overall Work Program. Grant funds expended to date for Shasta*FORWARD*>> equal approximately $200,000.

Daniel S. Little, AICP, Executive Director

DSL/DTW/jac

Attachments: May 14, 2008, Letter to Shasta County Department of Resource Management
SB 375 Current Status and Current Amended Version
AB 2870 Current Status and Current Amended Version
Draft CALCOG letter to Senator Steinberg re: SB 375

Shasta County
Regional Transportation Planning Agency

1855 Placer Street •Redding, CA 96001 •(530)225-5661 • FAX (530)225-5667
E-Mail scrtpa@snowcrest.net • HOME PAGE www.scrtpa.org

Daniel S. Little, AICP, Executive Officer

May 14, 2008 RSP 020023

Russ Mull, Director
Shasta County Department of Resource Management
1855 Placer Street, Suite 200
Redding, CA 96001

Subject: Shasta*FORWARD*>>

Dear Russ:

Supervisor Baugh provided a copy of your April 2 email. You indicated concerns about proposed legislation and how it may affect local land use decision-making given the RTPA's regional growth strategy – Shasta*FORWARD*>>. He asked that I respond and invite you to speak at our next RTPA Board meeting. I agree with your concerns. The state will become more involved in local land use. I disagree, however, that regional blueprints and the proposed legislation you mention are at the root of that threat. The stage has already been set over the past couple of years for the state to meddle in local land use. This is due to recently approved global warming legislation. Greenhouse gas (GHG) emission mandates will apply whether we do a blueprint or not. If you consider recent state developments, it should be clear that the reality you are concerned about is already upon us:

1. **Assembly Bill (AB) 32** (2006) and **Executive Order S-3-05** mandate aggressive GHG emission reductions for mobile and fixed sources. They require state and local plans (i.e., general plans, air quality plans) to result in reduced GHG emissions. Unlike other air quality laws, land use will be a primary target. Failure by a local agency to comply can result in fines, penalties, and the withholding of grants.

2. **Senate Bill (SB) 97** (2007) requires development of California Environmental Quality Act (CEQA) guidelines "for the mitigation of GHG emissions or the effects of GHG emissions." Many lead agencies have already begun to include GHG and climate change analysis in CEQA documents needed to approve local development projects and plans.

3. The **Governor** launched the California Strategic Growth Plan in 2006. It established a Strategic Growth Council to address sustainable land use.

4. The **California Air Resources Board** set up a Land Use Committee (known as LUSCAT) to examine local land use policies related to AB 32 requirements.

5. The **California Attorney General** and several environmental organizations have filed suit on local agency general plans and projects for failure to address GHG resulting from land use.
6. The **State Office of Planning and Research** is currently developing guidelines for local general plans, which will include ways to address climate change issues.
7. The **California Transportation Commission** has amended its guidelines to include GHG reduction strategies within Regional Transportation Plans.

Again, with or without blueprints, we will need to deal with these existing requirements locally as we approve plans, programs, and projects. Rather than singling out blueprints as the culprit for new state GHG emission requirements, we need to use blueprints to prepare for the current legislative reality and what will follow. If we do not pursue Shasta*FORWARD*>>, we would be the only urban area in the state to not take advantage of this opportunity to brace for these GHG mandates that will be in full force once regional emission targets are set.

You indicate that blueprints are a requirement of current and proposed legislation. This is not the case. Different plans are needed to meet GHG emission laws. What blueprints can do, however, is offer funding to do the prerequisite data-gathering, regional coordination, and public involvement needed for local agencies to approve projects or compete for state grants. If we forgo this blueprint opportunity, local agencies will need to find their own revenue source to do the same upfront work; there will be delays in meeting GHG emission mandates; and local agencies will have increased exposure to litigation for projects subject to CEQA.

With respect to the goals of Shasta*FORWARD*>>, it may allay your fears if we clarify RTPA intentions:

1. **Shasta*FORWARD*'s overarching principle is that it must meet the needs and concerns of all three cities and the county. It will not be driven by state needs.** The RTPA is the sum of its local agencies, not an arm of the state. We recognize that Shasta*FORWARD*>> would be of little use if it does not meet the needs of local agencies or its citizenry. In the extreme, our adopted blueprint growth strategy could run counter to state goals if, in fact, that is our local will. Without open and constructive participation from the county, we cannot tailor Shasta*FORWARD*>> to meet the county's needs, including the need to meet new GHG laws so local projects and plans can move forward without legal threats or actions.

2. **Shasta*FORWARD*>> intends to promote continued growth in all jurisdictions; not promote growth in one city or county to the detriment of another.** Growth is obviously desired and appropriate in all jurisdictions. Jurisdictions and citizens will have opinions about how their city or county grows and where it is most cost-effective. How much a city or county should grow is a different issue and not within the scope of Shasta*FORWARD*>>.

3. **Shasta*FORWARD*>> encourages participation from all citizens, interest groups, and agencies.** While no participation process can engage the unwilling, Shasta*FORWARD's* outreach program has been intensive and broad. I have attached information regarding Shasta*FORWARD's* committees, focus groups, and marketing. It should be clear that agencies and citizens have unprecedented opportunities to be involved in government decision-making. If you know of anyone else interested in participating, let us know and they will be invited.

At the end of the day, Shasta*FORWARD*>> will be an information tool; hopefully, an honest accounting of public and agency goals for long-term growth. City and county governing boards will then need to make decisions about the extent to which they will use that information to develop plans, programs and grants.

Meanwhile, we should remain vigilant about legislative attempts to limit local decision-making authority. The best way to do this is to make sure Shasta*FORWARD*>> accurately reflects the values of each of our communities. Though I am more concerned with existing law, you mention legislative proposals like SB 375 and AB 2870 which are meant to implement GHG law. Typical of the legislative process, these bills continue to be diluted thanks to the concerted efforts by associations of cities, counties, and regions. For example, the most current version of SB 375 deletes reference to blueprints altogether; local agencies were able to convince lawmakers that blueprints need to remain a pure, locally driven effort. AB 2870 – a spot bill - has already been revised to remove all authority from the proposed "Sustainable Communities Commission" making it strictly an advisory council with a local government majority.

Supervisor Baugh indicated you would be willing to speak at our June 24, 2008, RTPA Board meeting at 4 p.m. at the Redding City Council Chambers. In advance of that meeting, your written comments are requested. **What would you like Shasta*FORWARD*>> to do differently to address your concerns or to support your department's goals?** Be assured, we will do all we can to address your concerns.

In developing a long-range, multi-jurisdictional growth strategy, we knew there would be no shortage of potential pitfalls and people willing to point them out. The true pitfalls lie not in Shasta*FORWARD*>>, but in the state GHG mandates on local government. As a region, we should rally around a common cause to keep our projects and plans moving forward despite this new set of legislative hurdles. To the extent our region can do a better job of coordinating our interests compared to the rest of the state, we will have a distinct economic advantage to approve developments and obtain funds.

I will contact you soon to discuss this further and hope to see you involved in Shasta*FORWARD*>>.

Sincerely,

Daniel S. Little, AICP, Executive Director
Shasta County Regional Transportation
Planning Agency (MPO)

DSL/jac

Attachments

cc: RTPA Board Members

Les Baugh

From: Russ Mull
Sent: Wednesday, April 02, 2008 3:43 PM
To: Larry Lees
Cc: Glenn Hawes; Linda Hartman; Les Baugh; David Kehoe; Mark Cibula; Angela Richardson
Subject: Blueprint legislation

Follow Up Flag: Follow up
Flag Status: Red

Larry, I received an e-mail from CSAC asking for comments on AB 2870. This is another piece of legislation dealing with regional blueprints. AB 2870 would establish a statewide commission to facilitate implementation of the blueprint projects. As you might expect there is no information in the bill that hints as to how this will be accomplished. In addition it is important to realize that SB375 has established a much higher profile since its author is now the majority leader. This bill as you recall would make compliance with the blueprint mandatory for the receipt of transportation dollars. The Board of Supervisors should realize that this legislation and the blueprint plan will have significant ramifications regarding the long term financial viability of County governments such as ours. In addition the Boards ability to make future land use decisions likely will be significantly curtailed if State legislation goes in the direction it appears to be. The County's representatives on RTPA will be the only County votes in that process. The jurisdictions (Cities/Counties) are I believe under no obligation to adopt the final blueprint although I'm fairly certain that won't make much difference if it's adopted by RTPA. It's a little hard to tell exactly where the blueprint process is however it does not seem to include much input from constituencies' such as timber, agriculture, mining, small communities , large land owners, or citizens from the outlining areas. I would encourage your office and the Board especially the RTPA members to take a very close look at this issue before making decisions and find out the source of information and recommendations as well as what impact they will have on the County. Let me know if you have any question. Russ

ShastaFORWARD >>

Community Engagement Calendar

Last Updated: June 2, 2008

Apr 07			**Location**	**Time**
4	**Intermodal Planning Group meeting**	Informational presentation	Caltrans District 2	
16	**Habitat for Humanity & Citizens for Smart Growth**	Project overview and discussion of growth issues	Redding	
18	**Public Health and community partners**	Project overview and discussion of growth issues	Redding	
May 07			**Location**	**Time**
22	**Emily Young - Record Searchlight Columnist**	Project overview and discussion of growth issues	Redding	
Jun 07			**Location**	**Time**
28/29	**Planning & Environmental Linkages Workshop**	Environmental coordination between local, state, and federal agencies	Turtle Bay	
Jul 07			**Location**	**Time**
12	**Anderson Partnership for Healthy Children**	Project overview and discussion of growth issues		
Aug 07	**Event**	**Description**	**Location**	**Time**
2	**Turtle Bay**	Discussion with Mike Warren	Redding	
7	**Planning Directors Meeting (cities and county)**	Project overview, discuss TAC participation, establish communication	Redding	
15	**TAC**	Technical Advisory Committee meeting	Redding	
8	**Superior CA Economic Development**	Project overview and discussion of growth Isses with Bob Nash	Redding	
Sept 07	**Event**	**Description**	**Location**	**Time**
4	**Anderson Partnership for Healthy Children**	Discuss South County outreach strategies	Redding	
5	**Shasta Lake Planning**	Project discussion with Planning Director, City Manager, and key staff	City of Shasta Lake	
6	**Shasta County Citizens for Smart Growth**	Informational presentation	Redding	
Oct 07	**Event**	**Description**	**Location**	**Time**
3	**Lumis Associates**	Discuss coordination with other North State Blueprint efforts w/ Jeff Schwein	Redding	
5	**TAC**	Technical Advisory Committee meeting	Redding	
15	**Caltrans District 2 Mgmt Meeting**	Informational presentation	Redding	
23	**RTPA Board Meeting**	Project update	City of Shasta Lake	
26	**Habitat for Humanity**	Discussion with Jim Koenigsacker re: development of regional housing data	Redding	
22	**Inaugural Meeting**	Kick-off presentation with guest speakers	Riverview Country Club, Redding	
30	**Association of General Contractors**	Project overveiw and discussion of growth issues with Ty Hixon	Redding	
29	**Realtor**	Discuss regional housing needs with local realtor	Redding	
29	**Superior CA Economic Development**	Discuss regional economic development data needs	Redding	
Nov 07	**Event**	**Description**	**Location**	**Time**
1	**Shasta Builders' Exchange**	Project overview and discussion of growth issues with Kent Dagg	Redding	
27	**League of Women Voters**	Informational presentation	Redding	
16	**Dick Dickerson**	Public outreach strategy session	Redding	
14	**GIS Day**	Informational presentation	Redding	
Dec 07	**Event**	**Description**	**Location**	**Time**
11	**Unofficial Steering Committee Meeting**	Public outreach strategy session	McConnell Foundation, Redding	
20	**Dave Rutledge**	Meeting to discuss FY 07/08 grant application and project in general	Redding	
18	**RTPA meeting**	Project update	Anderson	
Jan 08	**Event**	**Description**	**Location**	**Time**
9	**TAC**	Finalize Current Trend modeling output	Redding	
10	**Leadership Redding**	Informational presentation	Redding	
11	**Unofficial Steering Committee Meeting**	Public outreach strategy session, formation of proposed steering committee	McConnell Foundation, Redding	
14	**Redding Economic Development**	Discussion with Jim Zauher re: econ development performance measure	Redding	
14	**Humboldt Blueprint Teleconf**	Advisory discussion	Teleconf	
15	**City of Redding**	Informational presentation	Redding	
24	**Redding Searchlight**	Met to discuss potential news media coverage		
31	**South County Visioning**	Guest speaker	Cottonwood	
Feb 08	**Event**	**Description**	**Location**	**Time**
11	**Staff level discussion**	Project discussion with Carol Martin and Carla Thompson	City of Shasta Lake	
11	**TAC meeting**	Performance measures development	Redding	
26	**RTPA Board Meeting**	Informational presentation and formation of SF>> Steering Committee	Redding	
?	**KIXE-TV**	Television commercial begins to air	Regional	
	McConnell Foundation Newsletter	Project overview and invitation to participate		

ShastaFORWARD>> Public Outreach Calendar Continued...

Mar 08	Event	Description	Location	Time
3	**Channel 7 News**	Interview, informational segment	Regional	
4	**Shasta County Board of Supervisors**	Informational presentation	Redding	
4	**Shasta Lake City Council**	Informational presentation	Shasta Lake	
10	**KCHO Radio**	I-5 Live - Visionary Planning (60min)	Regional	
11	**Redding West Rotary Presentation**	Informational presentation/invitation to participate	Redding	
17	**Parkview Neighborhood Assoc Newsletter Article**	Project overview and invitation to participate	Email	
19	**Parkview Neighborhood Assoc**	Small group outreach session	Redding	
?	**KIXE-TV**	Program I premiere	Regional	
23	**Record Searchlight**	Front page article	Regional	
Apr 08	**Event**	**Description**	**Location**	**Time**
1	**Western Shasta Resource Conservation District TAC**	Small group outreach session	Anderson	
2	**ShastaFORWARD>> Steering Committee Meeting**	Public outreach update	McConnell Foundation, Redding	
15	**KCRC-TV News Channel 7**	Segment and promo for KIXE-TV program	KCRC-TV Channel 7	
17	**Premiere of ShastaFORWARD>>: Finding the Path**	30 minute KIXE-TV program	KIXE-TV Channel 9	
19	**Encore KIXE-TV presentation**	Program I	KIXE-TV Channel 9	
24	**Fall River Mills Community**	Small group outreach session	Fall River Mills	
25	**Palo Cedro Community Forum**	Survey Brochures made available	Palo Cedro	
26	**Earth Day**	Survey Brochures made available	Redding	
28	**Turtle Bay Empoyees**	Small group outreach session	Redding	
28	**Turtle Bay Empoyees**	Small group outreach session	Redding	
29	**Shasta West Watershed Landowners**	Small group outreach session	Redding	
30	**Far North Regional GIS Council**	Discussion of UPlan modeling application in Shasta County	Redding	
May 08	**Event**	**Description**	**Location**	**Time**
2	**Encore KIXE-TV presentation**	Program I	KIXE-TV Channel 9	
2	**Public Health**	Small group outreach session	Public Health Conference Rm	2-3:30pm
6	**Shasta County Association of Realtors**	Small group outreach session	Redding	2-3:30pm
6	**Record Searchlight**	General invitation to participate in small group outreach session	Record Searchlight	
6	**Viva Downtown & Shasta Citizens for Smart Growth**	Small group outreach session	Need 2 Speed (1501 Market St)	5:30-7pm
8	**Palo Cedro Community Action Team**	Abbreviated small group outreach session	Millville Grange Hall	6pm
12	**Anderson Planning Commission**	Presentation - invitation to participate in scenario building	City of Anderson	7pm
12	**Terrain' Newsletter**	Shasta Land Trust newsletter invites participation in ShastaFORWARD>>		
13	**Shasta Land Trust**	Small group outreach session	DPW	6-7:30pm
13	**Happy Valley Farmers**	Small group outreach session	Happy Valley residence	7:30-900pm
13	**Redding Planning commission**	Presentation - invitation to participate in scenario building	City of Redding	4pm
14	**Encore KIXE-TV presentation**	Program I	KIXE-TV Channel 9	
14	**Injury Prevention Council**	Small group outreach session	US Bank Conf Rm (2nd Flr)	11:30am-12:30pm
15	**Caltrans (Caterpillar facility)**	Small group outreach session	Caterpillar Facility	11:30am-12:30pm
15	**Shasta Voices and Shasta Builders' Exchange**	Small group outreach session	City of Redding Community Room	3-4:30pm
15	**Sikh Community**	Small group outreach session	Sikh Temple	5:30pm-7:00pm
15	**Shasta Lake Planning Commission**	Presentation - invitation to participate in scenario building	Shasta Lake	7:00pm
16	**Rural Blueprint Program**	Presentation to current/prospective rural blueprint grant recipients	Sacramento	
19	**Caltrans (D2 executive/management)**	Small group outreach session	District 2	9-10:30am
19	**Caltrans (D2 employees)**	Small group outreach session	District 2	11:30am-12:30pm
20	**First Responders Emergency Personnel**	Small group outreach session	Public Health Conference Rm	9:30-11am
20	**Active Aging Community Taskforce**	Small group outreach session	Redding Pilgrim House	12-1pm
21	**Leadership Redding**	Group discussion	Redding	
25	**Encore KIXE-TV presentation**	Program I	KIXE-TV Channel 9	
26	**Encore KIXE-TV presentation**	Program I	KIXE-TV Channel 9	
Jun 08	**Event**	**Description**	**Location**	**Time**
5	**Ken Murray in the Morning**	News talk radio	KQMS Radio 1400 AM	8-9am
5	**Bear Creek Watershed**	Small group outreach session	Shingletown	6:30 - 8pm
9	**Gold Hills Neighborhood Association**	Small group outreach session	Redding	5:30-7pm
10	**Shasta Superintendents**	Small group outreach session	Cattlemans Restaurant	2:30-3:30pm
24	**Burney Community**	Small group outreach session	Burney - Gepetto's	11am
25	**Shasta Economic Development Corporation**	Small group outreach session	Best Western Hilltop	12-1pm
25	**Shasta Lake Parks & Recreation Commission**	Presentation and discussion	Shasta Lake	6-7pm

Shasta*FORWARD*>>		
Activity	**Date**	**Status**
Telephone survey:		
Instrument design	9/28/2007	Complete
Administration	10/08/2007 - 10/12/2007	Complete
Analysis	Nov-07	Complete
Hispanic/Mein survey	2/19/2008	Complete
Media kit folder	10/20/2007	Complete
Brochure	10/18/2007	Complete
Giveaways (pens/notepads)	9/18/2007	Complete
Fact sheet	1/30/2008	In review
Inaugural Event:		
Invitations	9/28/2007	Complete
Guest speaker securement	10/19/2007	Complete
PowerPoint template	9/10/2007	Complete
Agenda	10/17/2007	Complete
Comment cards	10/12/2007	Complete
Presentation boards	10/19/2007	Complete
Media release	10/26/2007	Complete
General awareness:		
Shelter posters:	Jan-08	Complete
Hwy 273 @ Walmart Center	Jan-08	Complete
South Market @ RABA Facility	Jan-08	Complete
Cypress NL 150' e/o Pine Street (@ Safeway store)	Jan-08	Complete
South Market WL n/o Grange	Jan-08	Complete
East St. EL @ Redding Medical	Jan-08	Complete
North Market Street WL 150' n/o Quartz Hill	Jan-08	Complete
Dana Drive SL 100' e/o Bradford	Jan-08	Complete
Hilltop WL @ Industrial	Jan-08	Complete
Churn Creek WL 200' n/o Cypress	Jan-08	Complete
Churn Creek WL 300' n/o Shirley Avenue	Jan-08	Complete
Print ads:		
Redding Record Searchlight	Jan-08	On-hold
Anderson Valley Post	Jan-08	On-hold
Shasta Lake Bulletin	Jan-08	On-hold
Radio spot (KQMS)	Jan-08	On-hold
Direct mail	n/a	On-hold
Focus groups:		
Facilitator e-mail invitation	2/6/2008	Complete
KIXE program promotion:		
Print ads:		
Redding Record Searchlight	04/12/2008 - 04/13/2008	Complete

Anderson Valley Post	4/16/2008	Complete
Shasta Lake Bulletin	4/16/2008	Complete
Media release	4/15/2008	Complete
E-mail blast	4/15/2008	Complete
PSA	4/11/2008	Complete
Displays:		
BRM survey booklets	4/15/2008	Complete
Display holder poster	4/15/2008	Complete
Website	10/26/2007	Ongoing

Shasta*FORWARD* >> Steering Committee

	Name	Organization
1	Allyn Clark	Turtle Bay
2	Andrew Deckert	Shasta County Health & Human Services Agency
3	Barbara Jackson	Anderson Partnership for Healthy Children
4	Barbara Murphy	Redding Rancheria Tribal Govt.
5	Bill Ulch	Parkview Neighborhood Assoc
6	Christine Haggard	City of Anderson Planning Commission
7	David Rutledge	Shasta County Planning Commission
8	Dick Dickerson	City of Redding
9	Donnell Ewert	Shasta County Public Health
10	Emily Young	Citizen
11	Gary Lewis	Shasta College
12	Gracious Palmer	City of Shasta Lake
13	James Theimer	Trilogy Architecture
14	Jason Waybright	LPL Financial Services
15	Jerry Wagar	Shasta Builders' Exchange/Ochoa & Shehan Inc.
16	Jim Hamilton	City of Redding
17	John Mancasola	McConnell Foundation
18	John R. Mathena	Citizen
19	Kurt Starman	City of Redding
20	Matt Davison	KIXE-TV
21	Michael Warren	Turtle Bay
22	Minnie Sagar	Shasta County Public Health
23	Roger Janis	Redding Chamber of Commerce
24	Ron Reece	Citizens for Smart Growth
25	Tom Armelino	Shasta County Office of Education
26	Willie Preston	Office of Assemblyman Doug LaMalfa
27	Carla Thompson	City of Shasta Lake
28	Lee Salter	McConnell Foundation
29	Melinda Brown	People for Progress
30	Phil Geist	Local 1599 Carpenter Union
31	Lori Chapman-Sifers	Shasta Lake Fire District Board, Parks & Rec Cmtee
32	Amy K. Mickelson	Shasta LAFCO
33	Carol Martin	City of Shasta Lake

The following attended prior ShastaFORWARD>> meetings or were invited by the Steering Committee to become members:

Keith Webster	City of Anderson
Valerie Washburn	Redding Chamber
Bill Cox	Cox Real Estate Consultants
Brian Crane	Caltrans
Bruce Farrell	Citizen
Charlie Menoher	Citizen
Dale Webb	Anderson Police Chief
Debbie Meisner-Israel	Shasta Lake planner
Doni Greenberg	Citizen
Doug Bennet	Citizens for Responsible Government
Steven Craig	Citizens for Responsible Government
Dugan Barr	Citizen
Mary Machado	Shasta Voices
Eric Poole	Retired, Cow Creek Watershed Committee
Jean/Bob Blankenship	n/a
Jim Koenigsaecker	Building Innovations/Habitat for Humanity
Jim Zauher	City of Redding Economic Director
John Ryan	Commercial Appraisals
John Stokes	City of Anderson
John Truitt	Viva Downtown
Judy Price	Citizen
Judy Salter	Shasta Library Foundation
Keith Webster	Anderson City Council
Larry Lees	Shasta County CAO
Mary O'Keeffe	Cottonwood Park Board
Mary Stegall	City of Redding
Mike Evans	Faithworks
Monica Alexander	Student leader, CVHS
Neva Wacker	Shasta Lake Gateway Library
Russ Mull	Shasta County Dept. of Resource Mgt
Scott Morgan	City of Anderson
Terry Hansen	City of Redding
Tim Reilly	North State Resources
Tom Bosenko	Shasta County Sherriff
Virginia Webster	Shasta Senior Nutrition Program
Ray John	n/a
Rick Barnett	n/a

Shasta*FORWARD*>>

SF>> Technical Advisory Committee Invitation List

	City of Shasta Lake	
	Carla Thompson	Development Services Director
	Jim Grabow	Public Works Director
	Debbie Isreal Messe	Senior Planner
	Redding	
	Jim Hamilton	Planning Director
	Jim Coats	GIS Manager
	Kent Manual	Senior Planner
	Barry Tippen	City Engineer
	Gary Otremba	Transportation Project Coordinator
	Doug Demallie	Planning Manager
	Linda Buckley	Housing Manager
	Jim Zauher	Economic Development Director
	Terry Hansen	Copmmunty Project Manager
	Anderson	
	John Stokes	Planning Director
	Monta Duweling	Planner
	Shasta County	
	Russ Mull	Director of Resource Mgmt
	Rick Simon	Asst Director Resource Mgmt
	Vestra	
	Jennifer Pollom	GIS Analyst
	Art Stackhouse	President
	SCRTPA	
	Dan Little	Executive Director
	Dan Wayne	Senior Planner
	John Strahan	Senior Planner
	Thomas Hayes	Senior Planner
	Janie Coffman	Administrative Secretary
	Caltrans	
	Debbie Ginn	District Liason
	Scott White	System Planning
	Michelle Millette	Office of Community & Regional Planning
	Sandra Rivera	Tribal Liason
	Other	
	Brian Sindt	McConnell Foundation
	Devon Hedemark	ENPlan
	Audrey Taylor	Shasta EDC
	Minnie Sagar	Shasta Public Health
	Jeff Schwein	Lumos Associates
	Amy K. Mickelson	LAFCO
	Dan Scollon	Shasta College
	Emily Young	Redding Searchlight
	James Hotchkiss	Dept of Fish & Game
	Susie Rodriguez	Bureau of Land Management
	Doti Watkins	Tehama County
	Margaret Svec	Shasta Association of Realtors
	Tim Dedrick	USDA Forest Service
	Francis Duchi	Shasta Land Trust
	Jennifer Powell	Shasta Land Trust
	Eric Haney	CA Dept of Fish and Game
	Matthew Kelley	US Army Corps of Engineers
	Lori Martin	CA State Parks
	Carolyn Mulvihill	US EPA
	Glen Pearson	CA Dept Water Res
	Wayne Pero	Whiskeytown NRA
	Scott Zaitz	CA Water Boards
	Bruce Ross	Redding Searchlight
	Rob Keenan	Program Mgr, KIXE
	Len Lenstrand	Shasta Farm Bureau
	Bob Nash	Superior CA Economic Development
	Rod Evans	Churn Creek Bottom Prop Owners Assoc
	Mike Warren/	Turtle Bay
	Kim Neimer	Community Services Director
	Barbara Jackson	Anderson Partnership for Healthy Children
	Andrew Suppiger	Bureau of Land Management
	Mary O'Keefe	Cottonwood Park Board

CURRENT BILL STATUS

MEASURE : S.B. No. 375
AUTHOR(S) : Steinberg (Coauthors: Assembly Members Jones and DeSaulnier).
TOPIC : Transportation planning: travel demand models: sustainable communities strategy: environmental review.
HOUSE LOCATION : ASM
+LAST AMENDED DATE : 03/24/2008

TYPE OF BILL :

Active
Non-Urgency
Non-Appropriations
Majority Vote Required
State-Mandated Local Program
Fiscal
Non-Tax Levy

LAST HIST. ACT. DATE: 03/24/2008
LAST HIST. ACTION : From committee with author's amendments. Read second time. Amended. Re-referred to Com. on APPR.
COMM. LOCATION : ASM APPROPRIATIONS

TITLE : An act to amend Sections 14527, 65080, and 65584.01 of, and to add Sections 14522.1, 14522.2, and 65080.01 to, the Government Code, and to amend Sections 21061.3 and 21094 of, and to add Chapter 4.2 (commencing with Section 21155) to Division 13 of, the Public Resources Code, relating to environmental quality.

AMENDED IN ASSEMBLY MARCH 24, 2008

AMENDED IN ASSEMBLY JANUARY 28, 2008

AMENDED IN ASSEMBLY SEPTEMBER 12, 2007

AMENDED IN ASSEMBLY JULY 17, 2007

AMENDED IN ASSEMBLY JUNE 27, 2007

AMENDED IN SENATE JUNE 4, 2007

AMENDED IN SENATE MAY 2, 2007

AMENDED IN SENATE APRIL 17, 2007

SENATE BILL No. 375

Introduced by Senator Steinberg
(Coauthors: Assembly Members Jones and DeSaulnier)

February 21, 2007

An act to amend Sections 14527, 65080, and 65584.01 of, and to add Sections 14522.1, 14522.2, and 65080.01 to, the Government Code, and to amend Sections 21061.3 and 21094 of, and to add Chapter 4.2 (commencing with Section 21155) to Division 13 of, the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

SB 375, as amended, Steinberg. Transportation planning: travel demand models: sustainable communities strategy: environmental review.

(1) Existing law requires certain transportation planning activities by the Department of Transportation and by designated regional transportation planning agencies, including development of a regional

transportation plan. Existing law authorizes the California Transportation Commission, in cooperation with the regional agencies, to prescribe study areas for analysis and evaluation.

This bill would require the commission, by July 1, 2009, to adopt guidelines for travel demand models used in the development of regional transportation plans by certain transportation planning entities. The bill would require the Department of Transportation to assist the commission, on request, in this regard, and would impose other related requirements.

This bill would also require the regional transportation plan for specified regions to include a sustainable communities strategy, as specified, designed to achieve certain goals for the reduction of greenhouse gas emissions from automobiles and light trucks in a region. The bill would require the State Air Resources Board, working in consultation with the affected transportation agencies, to provide each affected region with greenhouse gas emission reduction targets from the automobile and light truck sector for 2020 and 2035 by January 1, 2010, and to update the regional targets, as specified, until 2050. The bill would require certain transportation planning and programming activities by affected regional agencies to be consistent with the sustainable communities strategy contained in the regional transportation plan, but would state that certain transportation projects programmed for funding on or before December 31, 2011, are not required to be consistent with the sustainable communities strategy. To the extent the sustainable communities strategy is unable to achieve the greenhouse gas emissions reduction targets, the bill would require affected regional agencies to prepare a supplement to the sustainable communities strategy that would achieve the targets through alternative development patterns or additional transportation measures. The bill would also require an affected regional agency to submit a statement to the California Transportation Commission describing the relationship of each project in the regional transportation improvement program to the regional transportation plan and supplement adopted by the regional agency. The bill would enact other related provisions.

Because the bill would impose additional duties on local agencies, it would impose a state-mandated local program.

(2) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect

on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

This bill would require the environmental document prepared pursuant to CEQA to only examine the significant or potentially significant project specific impacts of a project located in a local jurisdiction that has amended its general plan so that the land use, housing, and open-space elements of the general plan are consistent with the sustainable communities strategy most recently adopted by the transportation planning agency, pursuant to the requirements specified in the bill, if the project meets certain requirements.

The bill would provide that no additional review is required pursuant to CEQA for a project if the legislative body of a local jurisdiction that has amended its general plan, as provided above, finds, after conducting a public hearing, that the project meets certain criteria and is declared to be a sustainable communities project.

The bill would also authorize the legislative body of a local jurisdiction to adopt traffic mitigation measures for future residential projects that meet specified criteria. The bill would exempt such a residential project seeking a land use approval from compliance with additional measures for traffic impacts, if the local jurisdiction has adopted those traffic mitigation measures.

~~(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that the Legislature finds there is no mandate contained in the bill that will result in costs incurred by a local agency or school district for a new program or higher level of service which *require reimbursement pursuant to these constitutional and statutory provisions.*

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) The transportation sector contributes over 40 percent of the greenhouse gas emissions in the State of California; automobiles and light trucks alone contribute almost 30 percent. The transportation sector is the single largest contributor of greenhouse gases of any sector.

(b) In 2006, the Legislature passed and the Governor signed Assembly Bill 32 (Chapter 488 of the Statutes of 2006; hereafter AB 32), which requires the State of California to reduce its greenhouse gas emissions to 1990 levels no later than 2020. In 1990, greenhouse gas emissions from automobiles and light trucks were approximately 73 million metric tons, but by 2006 these emissions had increased to approximately 100 million metric tons.

(c) Greenhouse gas emissions from automobiles and light trucks can be substantially reduced by new vehicle technology and by the increased use of low carbon fuel. However, even taking these measures into account, it will be necessary to achieve significant additional greenhouse gas reductions from changed land use patterns and improved transportation. Without significant changes in land use and transportation policy, California will not be able to achieve the goals of AB 32.

(d) In addition, automobiles and light trucks account for 50 percent of air pollution in California and 70 percent of its consumption of petroleum. Changes in land use and transportation policy will provide significant assistance to California's goals to implement the federal and state Clean Air Acts and to reduce its dependence on petroleum.

(e) Current federal law requires regional transportation planning agencies to include a land use allocation in the regional transportation plan. Some regions have engaged in a regional "blueprint" process to prepare the land use allocation. This process has been open and transparent. The Legislature intends, by this act, to build upon that successful process and to take an evolutionary step forward.

(f) The California Environmental Quality Act (CEQA) is California's premier environmental statute. New provisions of CEQA should be enacted so that the statute encourages local governments to make land use decisions that will help the state achieve its climate goals under AB 32, assist in the achievement of state and federal air quality standards, and increase petroleum conservation.

(g) Current planning models and analytical techniques used for making transportation infrastructure decisions and for air quality planning should be able to assess the effects of policy choices, such as residential development patterns, expanded transit service and accessibility, the walkability of communities, and the use of economic incentives and disincentives.

SEC. 2. Section 14522.1 is added to the Government Code, to read:

14522.1. (a) (1) The commission, in consultation with the State Air Resources Board, shall adopt guidelines for travel demand models used in the development of regional transportation plans by (A) federally designated metropolitan planning organizations, (B) county transportation agencies or commissions in areas that have been designated as nonattainment areas under the federal Clean Air Act, and (C) in the Counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura, the agency described in Section 130004 of the Public Utilities Code.

(2) The preparation of the guidelines shall include the formation of an advisory committee that shall include representatives of the regional transportation planning agencies, the department, organizations knowledgeable in the creation and use of travel demand models, local governments, and organizations concerned with the impacts of transportation investments on communities and the environment. The commission shall hold two workshops on the guidelines, one in northern California and one in southern California. The workshops shall be incorporated into regular commission meetings.

(b) The department shall assist the commission in the preparation of the guidelines, if requested to do so by the commission.

(c) The guidelines shall, at a minimum and to the extent practicable, account for all of the following:

(1) The relationship between land use density and household vehicle ownership and vehicle miles traveled in a way that is consistent with statistical research.

(2) The impact of enhanced transit service levels on household vehicle ownership and vehicle miles traveled.

(3) Induced travel and induced land development resulting from highway or passenger rail expansion.

(4) Mode splitting that allocates trips between automobile, transit, carpool, and bicycle and pedestrian trips. If a travel demand model is unable to forecast bicycle and pedestrian trips, another means may be used to estimate those trips.

(d) The guidelines shall be adopted on or before July 1, 2009.

SEC. 3. Section 14522.2 is added to the Government Code, to read:

14522.2. (a) A regional transportation planning agency shall disseminate the methodology, results, and key assumptions of whichever travel demand model it uses in a way that would be useable and understandable to the public.

(b) Transportation planning agencies other than those identified in paragraph (1) of subdivision (a) of Section 14522.1, cities, counties, and congestion management agencies within multicounty regions are encouraged, but not required, to utilize the guidelines.

SEC. 4. Section 14527 of the Government Code is amended to read:

14527. (a) After consulting with the department, the regional transportation planning agencies and county transportation commissions shall adopt and submit to the commission and the department, not later than December 15, 2001, and December 15 of each odd-numbered year thereafter, a five-year regional transportation improvement program in conformance with Section 65082. In counties where a county transportation commission has been created pursuant to Chapter 2 (commencing with Section 130050) of Division 12 of the Public Utilities Code, that commission shall adopt and submit the county transportation improvement program, in conformance with Sections 130303 and 130304 of that code, to the multicounty-designated transportation planning agency. For each project included in the program, a statement shall be submitted to the commission describing the relationship of the project to the regional transportation plan and supplement, if any, prepared pursuant to Section 65080. Other information, including a program for expenditure of local or federal funds, may be submitted for information purposes with the program, but only at the discretion of the transportation planning agencies or the county transportation commissions. As used in this section, "county transportation commission" includes a transportation authority created pursuant to Chapter 2 (commencing with Section 130050) of Division 12 of the Public Utilities Code.

(b) The regional transportation improvement program shall include all projects to be funded with the county share under paragraph (2) of subdivision (a) of Section 164 of the Streets and Highways Code. The regional programs shall be limited to projects to be funded in whole or in part with the county share that shall include all projects to receive allocations by the commission during the following five fiscal years. For each project, the total expenditure for each project component and the total amount of commission allocation and the year of allocation shall be stated. The total cost of projects to be funded with the county share shall not exceed the amount specified in the fund estimate made by the commission pursuant to Section 14525.

(c) The regional transportation planning agencies and county transportation commissions may recommend projects to improve state highways with the interregional share pursuant to subdivision (b) of Section 164 of the Streets and Highways Code. The recommendations shall be separate and distinct from the regional transportation improvement program. A project recommended for funding pursuant to this subdivision shall constitute a usable segment and shall not be a condition for inclusion of other projects in the regional transportation improvement program.

(d) The department may nominate or recommend the inclusion of projects in the regional transportation improvement program to improve state highways with the county share pursuant to paragraph (2) of subdivision (a) and subdivision (e) of Section 164 of the Streets and Highways Code. A regional transportation planning agency and a county transportation commission shall have sole authority for determining whether any of the project nominations or recommendations are accepted and included in the regional transportation improvement program adopted and submitted pursuant to this section. This authority provided to a regional transportation planning agency or to a county transportation commission extends only to a project located within its jurisdiction.

(e) Major projects shall include current costs updated as of November 1 of the year of submittal and escalated to the appropriate year, and shall be consistent with, and provide the information required in, subdivision (b) of Section 14529.

(f) The regional transportation improvement program may not change the project delivery milestone date of any project as shown in the prior adopted state transportation improvement program without the consent of the department or other agency responsible for the project's delivery.

(g) Projects may not be included in the regional transportation improvement program without a complete project study report or, for a project that is not on a state highway, a project study report equivalent or major investment study.

(h) Each transportation planning agency and county transportation commission may request and receive an amount not to exceed 5 percent of its county share for the purposes of project planning, programming, and monitoring.

SEC. 5. Section 65080 of the Government Code is amended to read:

65080. (a) Each transportation planning agency designated under Section 29532 or 29532.1 shall prepare and adopt a regional transportation plan 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. The plan shall be action-oriented and pragmatic, considering both the short-term and long-term future, and shall present clear, concise policy guidance to local and state officials. The regional transportation plan shall consider factors specified in Section 134 of Title 23 of the United States Code. Each transportation planning agency shall consider and incorporate, as appropriate, the transportation plans of cities, counties, districts, private organizations, and state and federal agencies.

(b) The regional transportation plan shall include all of the following:

(1) A policy element that describes the transportation issues in the region, identifies and quantifies regional needs, and describes the desired short-range and long-range transportation goals, and

pragmatic objective and policy statements. The objective and policy statements shall be consistent with the funding estimates of the financial element. The policy element of transportation planning agencies with populations that exceed 200,000 persons may quantify a set of indicators including, but not limited to, all of the following:

(A) Measures of mobility and traffic congestion, including, but not limited to, vehicle hours of delay per capita and vehicle miles traveled per capita.

(B) Measures of road and bridge maintenance and rehabilitation needs, including, but not limited to, roadway pavement and bridge conditions.

(C) Measures of means of travel, including, but not limited to, percentage share of all trips (work and nonwork) made by all of the following:

(i) Single occupant vehicle.

(ii) Multiple occupant vehicle or carpool.

(iii) Public transit including commuter rail and intercity rail.

(iv) Walking.

(v) Bicycling.

(D) Measures of safety and security, including, but not limited to, total injuries and fatalities assigned to each of the modes set forth in subparagraph (C).

(E) Measures of equity and accessibility, including, but not limited to, percentage of the population served by frequent and reliable public transit, with a breakdown by income bracket, and percentage of all jobs accessible by frequent and reliable public transit service, with a breakdown by income bracket.

(F) The requirements of this section may be met utilizing existing sources of information. No additional traffic counts, household surveys, or other sources of data shall be required.

(2) A sustainable communities strategy prepared as follows:

(A) Within the region under the jurisdiction of each of the agencies described in paragraph (1) of subdivision (a) of Section 14522.1, no later than January 1, 2010, the State Air Resources Board, working in consultation with the affected transportation planning agencies and after at least one public workshop, shall provide each affected region with greenhouse gas emission reduction targets from the automobile and light truck sector for 2020 and 2035, respectively.

(i) The state board shall update the regional targets consistent with each agency's timeframe for updating its regional transportation plan under federal law until 2050.

(ii) In making these determinations, the state board shall consider greenhouse gas emission reductions that will be achieved by improved vehicle emission standards, changes in fuel consumption, and other measures it has approved that will reduce greenhouse gas emissions in the affected regions, and prospective measures the state board plans to adopt to reduce greenhouse gas emissions from other sources.

(B) Each agency described in paragraph (1) of subdivision (a) of Section 14522.1 shall prepare a sustainable communities strategy, consistent with the requirements of Part 450 of Title 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations, that (i) 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 taking into account net migration into the region, population growth, household formation and employment growth; (ii) identifies a transportation network to service the transportation needs of the region; (iii) using the best practically available scientific information, identifies significant resource areas and significant farmland; (iv) sets forth a development pattern for the region, a transportation network, and other transportation measures that will reduce the greenhouse gas emissions from automobiles and light trucks to achieve, if there is a feasible way to do so, the targets developed by the board; and (v) will allow the regional transportation plan to comply with Section 176 of the federal Clean Air Act (42 U.S.C. Sec. 7506).

(C) In the multicounty transportation planning agency described in Section 130004 of the Public Utilities Code, a county and the cities within that county may propose the sustainable communities strategy for that county. That sustainable communities strategy may be approved as part of the sustainable communities strategy for the region provided that the strategy for the region complies with the requirements of this section.

(D) A sustainable communities strategy shall be consistent with the state planning priorities specified pursuant to Section 65041.1.

(E) In preparing a sustainable communities strategy, the transportation planning agency shall consider spheres of influence that have been adopted within its region.

(F) Each agency described in paragraph (1) of subdivision (a) of Section 14522.1 and, within the jurisdiction of the Metropolitan Transportation Commission, the Association of Bay Area Governments shall identify the lands for growth in housing and employment in the sustainable communities strategy in accordance with the following priorities:

(i) Infill and redevelopment in existing urbanized areas, and any lands within spheres of influence as of July 1, 2007.

(ii) Vacant lands or substantially undeveloped lands other than those identified in clause (i) that are adjacent to an existing or reasonably foreseeable planned development area and do not include a significant resource area or significant farmlands.

(iii) If it is not feasible to identify lands for all of the projected growth in jobs and housing on lands in clauses (i) and (ii), then it may identify future development on vacant lands or substantially undeveloped lands adjacent to an existing or reasonably foreseeable planned development or within a city sphere of influence that contain significant resource areas as defined in paragraphs (4), (5), (6), or (7) of subdivision (a) of Section 65080.01 or significant farmland to the extent consistent with other provisions of local, state, or federal law.

(iv) If it is not feasible to identify lands for all of the projected growth in jobs and housing on lands in clauses (i), (ii), and (iii), then it may identify future development on vacant lands or substantially undeveloped lands adjacent to an existing or reasonably foreseeable planned development or within a city sphere of influence that contain significant resource areas as defined in paragraph (3) of subdivision (a) of Section 65080.01 to the extent consistent with other provisions of local, state, or federal law.

(v) If it is not feasible to identify lands for all of the projected growth in jobs and housing on lands in clauses (i), (ii), (iii), and (iv), then it may identify future development on other lands, to the extent consistent with other provisions of local, state, or federal law, but not on significant resource areas defined in paragraph (1) or (2) of subdivision (a) of Section 65080.01.

(vi) If the sustainable communities strategy identifies development on lands in clauses (iii), (iv), or (v) it shall describe feasible measures to mitigate the impact of projected development on those lands.

(G) Prior to adopting a sustainable communities strategy, the regional transportation planning agency and, within the jurisdiction of the Metropolitan Transportation Commission, the Association of Bay Area Governments shall either (i) find that zoning has been enacted within the region for a five-year supply of the housing need identified in the sustainable communities strategy, or (ii) state with specificity why the development pattern set forth in the sustainable communities strategy is the development pattern that is most likely to occur.

(H) If the sustainable communities strategy, prepared in compliance with subparagraph (B), is unable to reduce greenhouse gas emissions to achieve the targets established by the board, the regional transportation planning agency shall prepare a supplement to the sustainable communities strategy that would achieve those greenhouse gas emission targets through alternative development patterns or additional transportation measures. The supplement shall be a separate document and shall not be part of the regional transportation plan.

(I) A sustainable communities strategy does not regulate the use of land, nor shall it be subject to any stateapproval. Nothing in a sustainable communities strategy shall be interpreted as superseding or interfering with the exercise of the land use authority of cities and counties within the region. Nothing in this section requires an agency to approve a sustainable communities strategy that would be inconsistent with Part 450 of Title 23 of, or Part 93 of Title 40 of, the Code of Federal Regulations and any administrative guidance under those regulations. Nothing in this section relieves a public or private entity or any person from compliance with any other local, state, or federal law.

(J) Projects programmed for funding on or before December 31, 2011, are not required to be consistent with the sustainable communities strategy if they (i) are contained in the 2007 or 2009 Federal Statewide Transportation Improvement Program, (ii) are funded pursuant to Chapter 12.49 (commencing with Section 8879.20) of Division 1 of Title 2, or (iii) were specifically listed in a ballot measure prior to December 31, 2006, approving a sales tax increase for transportation projects.

(3) An action element that describes the programs and actions necessary to implement the plan and assigns implementation responsibilities. The action element may describe all transportation

projects proposed for development during the 20-year or greater life of the plan. The action element shall be consistent with the sustainable communities strategy, except as provided in subparagraph (J) of paragraph (2).

The action element shall consider congestion management programming activities carried out within the region.

(4) (A) A financial element that summarizes the cost of plan implementation constrained by a realistic projection of available revenues. The financial element shall also contain recommendations for allocation of funds. A county transportation commission created pursuant to Section 130000 of the Public Utilities Code shall be responsible for recommending projects to be funded with regional improvement funds, if the project is consistent with the regional transportation plan. The first five years of the financial element shall be based on the five-year estimate of funds developed pursuant to Section 14524. The financial element may recommend the development of specified new sources of revenue, consistent with the policy element and action element.

(B) The financial element of transportation planning agencies with populations that exceed 200,000 persons may include a project cost breakdown for all projects proposed for development during the 20-year life of the plan that includes total expenditures and related percentages of total expenditures for all of the following:

(i) State highway expansion.

(ii) State highway rehabilitation, maintenance, and operations.

(iii) Local road and street expansion.

(iv) Local road and street rehabilitation, maintenance, and operation.

(v) Mass transit, commuter rail, and intercity rail expansion.

(vi) Mass transit, commuter rail, and intercity rail rehabilitation, maintenance, and operations.

(vii) Pedestrian and bicycle facilities.

(viii) Environmental enhancements and mitigation.

(ix) Research and planning.

(x) Other categories.

(c) Each transportation planning agency may also include other factors of local significance as an element of the regional transportation plan, including, but not limited to, issues of mobility for specific sectors of the community, including, but not limited to, senior citizens.

(d) Except as otherwise provided in this subdivision, each transportation planning agency shall adopt and submit, every four years, an updated regional transportation plan to the California Transportation Commission and the Department of Transportation. A transportation planning agency located in a federally designated air quality attainment area or that does not contain an urbanized area may at its option adopt and submit a regional transportation plan every five years. When applicable, the plan shall be consistent with federal planning and programming requirements and shall conform to the regional transportation plan guidelines adopted by the California Transportation Commission. Prior to adoption of the regional transportation plan, a public hearing shall be held after the giving of notice of the hearing by publication in the affected county or counties pursuant to Section 6061.

SEC. 6. Section 65080.01 is added to the Government Code, to read:

65080.01. The following definitions apply to terms used in Section 65080:

(a) "Significant resource areas" include (1) all publicly owned parks and open space; (2) open space or habitat areas protected by natural community conservation plans, habitat conservation plans, and other adopted natural resource protection plans; (3) habitat for species identified as candidate, fully protected, sensitive, or species of special status by local, state, or federal agencies or protected by the federal Endangered Species Act of 1973, the California Endangered Species Act, or the Native Plan Protection Act; (4) lands subject to conservation or agricultural easements for conservation or agricultural purposes by local governments, special districts, or nonprofit 501(c)(3) organizations, and lands under Williamson Act contracts; (5) areas designated for open-space uses in adopted open-space elements of the local general plan or by local ordinance; (6) habitat blocks, linkages, or watershed units that protect regional populations of native species, including sensitive, endemic, keystone, and umbrella species, and the ecological processes that maintain them; and (7) an area subject to flooding where a development project would not, at the time of development in the judgment of the agency, meet the requirements of the National Flood Insurance Program or where the area is subject to more protective provisions of state law or local ordinance.

(b) "Significant farmland" means farmland that is classified as prime or unique farmland, or farmland of statewide importance and is outside all existing city spheres of influence or city limits as of January 1, 2007.

(c) "Consistent with the sustainable communities strategy" means that the capacity of the transportation projects or improvements does not exceed that which is necessary to provide reasonable service levels for the existing population and the planned growth of the region as set forth in the sustainable communities strategy.

(d) "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

SEC. 7. Section 65584.01 of the Government Code is amended to read:

65584.01. (a) For the fourth and subsequent revision of the housing element pursuant to Section 65588, the department, in consultation with each council of governments, where applicable, shall determine the existing and projected need for housing for each region in the following manner:

(b) The department's determination shall be based upon population projections produced by the Department of Finance and regional population forecasts used in preparing regional transportation plans, in consultation with each council of governments. If the total regional population forecast for the planning period, developed by the council of governments and used for the preparation of the regional transportation plan, is within a range of 3 percent of the total regional population forecast for the planning period over the same time period by the Department of Finance, then the population forecast developed by the council of governments shall be the basis from which the department determines the existing and projected need for housing in the region. If the difference between the total population growth projected by the council of governments and the total population growth projected for the region by the Department of Finance is greater than 3 percent, then the department and the council of governments shall meet to discuss variances in methodology used for population projections and seek agreement on a population projection for the region to be used as a basis for determining the existing and projected housing need for the region. If no agreement is reached, then the population projection for the region shall be the population projection for the region prepared by the Department of Finance as may be modified by the department as a result of discussions with the council of governments.

(c) (1) At least 26 months prior to the scheduled revision pursuant to Section 65588 and prior to developing the existing and projected housing need for a region, the department shall meet and consult with the council of governments regarding the assumptions and methodology to be used by the department to determine the region's housing needs. The council of governments shall provide data assumptions from the council's projections, including, if available, the following data for the region:

(A) Anticipated household growth associated with projected population increases.

(B) Household size data and trends in household size.

(C) The rate of household formation, or headship rates, based on age, gender, ethnicity, or other established demographic measures.

(D) The vacancy rates in existing housing stock, and the vacancy rates for healthy housing market functioning and regional mobility, as well as housing replacement needs.

(E) Other characteristics of the composition of the projected population.

(2) The department may accept or reject the information provided by the council of governments or modify its own assumptions or methodology based on this information. After consultation with the council of governments, the department shall make determinations in writing on the assumptions for each of the factors listed in subparagraphs (A) to (E), inclusive, of paragraph (1) and the methodology it shall use and shall provide these determinations to the council of governments.

(d) (1) After consultation with the council of governments, the department shall make a determination of the region's existing and projected housing need based upon the assumptions and methodology determined pursuant to subdivision (c). The region's existing and projected housing need shall reflect the achievement of a feasible balance between jobs and housing within the region using the regional employment projections in the applicable regional transportation plan. Within 30 days following notice of the determination from the department, the council of governments may file an objection to the department's determination of the region's existing and projected housing need with the department.

(2) The objection shall be based on and substantiate either of the following:

(A) The department failed to base its determination on the population projection for the region established pursuant to subdivision (b), and shall identify the population projection which the council of governments believes should instead be used for the determination and explain the basis for its rationale.

(B) The regional housing need determined by the department is not a reasonable application of the methodology and assumptions determined pursuant to subdivision (c). The objection shall include a proposed alternative determination of its regional housing need based upon the determinations made in subdivision (c), including analysis of why the proposed alternative would be a more reasonable application of the methodology and assumptions determined pursuant to subdivision (c).

(3) If a council of governments files an objection pursuant to this subdivision and includes with the objection a proposed alternative determination of its regional housing need, it shall also include documentation of its basis for the alternative determination. Within 45 days of receiving an objection filed pursuant to this section, the department shall consider the objection and make a final written determination of the region's existing and projected housing need that includes an explanation of the information upon which the determination was made.

SEC. 8. Section 21061.3 of the Public Resources Code is amended to read:

21061.3. "Infill site" means a site in an urbanized area that meets either of the following criteria:

(a) The site has not been previously developed for urban uses and both of the following apply:

(1) The site is immediately adjacent to parcels that are developed with qualified urban uses, or at least 75 percent of the perimeter of the site adjoins parcels that are developed with qualified urban uses, and the remaining 25 percent of the site adjoins parcels that have previously been developed for qualified urban uses.

(2) No parcel within the site has been created within the past 10 years unless the parcel was created as a result of the plan of a redevelopment agency.

(b) The site has been previously developed for qualified urban uses.

SEC. 9. Section 21094 of the Public Resources Code is amended to read:

21094. (a) Where a prior environmental impact report has been prepared and certified for a program, plan, policy, or ordinance, the lead agency for a later project that meets the requirements of this section shall examine significant effects of the later project upon the environment by using a tiered environmental impact report, except that the report on the later project need not examine those effects which the lead agency determines were either (1) mitigated or avoided pursuant to paragraph (1) of subdivision (a) of Section 21081 as a result of the prior environmental impact report, or (2) examined at a sufficient level of detail in the prior environmental impact report to enable those effects to be mitigated or avoided by site specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project.

(b) This section applies only to a later project which the lead agency determines (1) is consistent with the program, plan, policy, or ordinance for which an environmental impact report has been prepared and certified, (2) is consistent with applicable local land use plans and zoning of the city, county, or city and county in which the later project would be located, and (3) is not subject to Section 21166.

(c) For purposes of compliance with this section, an initial study shall be prepared to assist the lead agency in making the determinations required by this section. The initial study shall analyze whether the later project may cause significant effects on the environment that were not examined in the prior environmental impact report.

(d) All public agencies which propose to carry out or approve the later project may utilize the prior environmental impact report and the environmental impact report on the later project to fulfill the requirements of Section 21081.

(e) When tiering is used pursuant to this section, an environmental impact report prepared for a later project shall refer to the prior environmental impact report and state where a copy of the prior environmental impact report may be examined.

(f) If a residential, commercial, or retail project is consistent with a sustainable communities strategy, as modified by a supplement, if any, adopted pursuant to Section 65080 of the Government Code, the environmental analysis of that project may tier the analysis of the climate impacts of greenhouse gas emissions from automobiles and light trucks associated with the project from the environmental impact report prepared for the regional transportation plan. For purposes of this section, "consistent with a sustainable communities strategy" means that the use, density, and intensity of the project are consistent with the use, density, and intensity identified for the project area in the sustainable communities strategy, as modified by a supplement, if any, and any mitigation measures adopted in the environmental impact report on the regional transportation plan have been or will be incorporated into the project. Nothing in this subdivision restricts the use of a tiered environmental impact report as otherwise provided in this division.

SEC. 10. Chapter 4.2 (commencing with Section 21155) is added to Division 13 of the Public Resources Code, to read:

Chapter 4.2. Implementation of the Sustainable Communities Strategy

21155. (a) This chapter applies only within a local jurisdiction that has amended its general plan so that the land use, housing, and open-space elements of the general plan are substantially consistent with the sustainable communities strategy, as modified by a supplement, if any, most recently adopted by the transportation planning agency pursuant to Section 65080 of the Government Code for the region in which the local government is located.

(b) For purposes of this section, the land use, housing, and open-space elements of the general plan are substantially consistent with the sustainable communities strategy, as modified by a supplement, if any, if the land use and housing elements designate housing, retail, commercial, office, and industrial uses at levels of density and intensity that are substantially consistent with the uses, density, and intensity identified in the sustainable communities strategy, as modified by a supplement, if any, for those locations and if the open space element designates uses for significant farmlands or significant resource areas that are consistent with the protection of all of the resources of those lands or areas.

(c) Notwithstanding subdivision (a), the provisions of Sections 21155.1, 21155.2, and 21155.3 may be utilized for projects within a local jurisdiction if the project is shown only in the supplement to the sustainable communities strategy.

(d) Notwithstanding subdivision (a) or (c), the provisions of Sections 21155.1, 21155.2, and 21155.3 may not be utilized for projects identified for development on lands referenced in clause (v) of subparagraph (F) of paragraph (2) of subdivision (b) of Section 65080.

21155.1. If the legislative body finds, after conducting a public hearing, that a project meets all of the requirements of subdivisions (a) and (b) and one of the requirements of subdivision (c), the project is declared to be a sustainable communities project and shall not be subject to any other provisions of this division.

(a) The project complies with all of the following environmental criteria:

(1) The project and other projects approved prior to the approval of the project but not yet built can be adequately served by existing utilities, and the project applicant has paid, or has committed to pay, all applicable in-lieu or development fees.

(2) (A) The site of the project does not contain wetlands or riparian areas and does not have significant value as a wildlife habitat, and the project does not harm any species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code), or the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), and the project does not cause the destruction or removal of any species protected by a local ordinance in effect at the time the application for the project was deemed complete.

(B) For the purposes of this paragraph, "wetlands" has the same meaning as in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

(C) For the purposes of this paragraph:

(i) "Riparian areas" means those areas transitional between terrestrial and aquatic ecosystems and that are distinguished by gradients in biophysical conditions, ecological processes, and biota. A riparian area is an area through which surface and subsurface hydrology connect waterbodies with their adjacent uplands. A riparian area includes those portions of terrestrial ecosystems that significantly influence exchanges of energy and matter with aquatic ecosystems. A riparian area is adjacent to perennial, intermittent, and ephemeral streams, lakes, and estuarine-marine shorelines.

(ii) "Wildlife habitat" means the ecological communities upon which wild animals, birds, plants, fish, amphibians, and invertebrates depend for their conservation and protection.

(iii) Habitat of "significant value" includes wildlife habitat of national, statewide, regional, or local importance; habitat for species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531, et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code); habitat identified as candidate, fully protected, sensitive, or species of special status by local, state, or federal agencies; or habitat essential to the movement of resident or migratory wildlife.

(3) The site of the project is not included on any list of facilities and sites compiled pursuant to Section 65962.5 of the Government Code.

(4) The site of the project is subject to a preliminary endangerment assessment prepared by a registered environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.

(A) If a release of a hazardous substance is found to exist on the site, the release shall be removed or any significant effects of the release shall be mitigated to a level of insignificance in compliance with state and federal requirements.

(B) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with state and federal requirements.

(5) The project does not have a significant effect on historical resources pursuant to Section 21084.1.

(6) The project site is not subject to any of the following:

(A) A wildland fire hazard, as determined by the Department of Forestry and Fire Protection, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a wildland fire hazard.

(B) An unusually high risk of fire or explosion from materials stored or used on nearby properties.

(C) Risk of a public health exposure at a level that would exceed the standards established by any state or federal agency.

(D) Seismic risk as a result of being within a delineated earthquake fault zone, as determined pursuant to Section 2622, or a seismic hazard zone, as determined pursuant to Section 2696, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of an earthquake fault or seismic hazard zone.

(E) Landslide hazard, flood plain, flood way, or restriction zone, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a landslide or flood.

(7) The project site is not located on developed open space.

(A) For the purposes of this paragraph, "developed open space" means land that meets all of the following criteria:

(i) Is publicly owned, or financed in whole or in part by public funds.

(ii) Is generally open to, and available for use by, the public.

(iii) Is predominantly lacking in structural development other than structures associated with open spaces, including, but not limited to, playgrounds, swimming pools, ballfields, enclosed child play areas, and picnic facilities.

(B) For the purposes of this paragraph, "developed open space" includes land that has been designated for acquisition by a public agency for developed open space, but does not include lands acquired with public funds dedicated to the acquisition of land for housing purposes.

(8) The buildings in the project will comply with all green building standards required by the local jurisdiction.

(b) The project meets all of the following land use criteria:

(1) The project is located on an infill site.

(2) The project is a residential project or a residential or mixed use project consisting of residential uses and primarily

neighborhood-serving goods, services, or retail uses that do not exceed 25 percent of the total floor area of the project.

(3) The site of the project is not more than eight acres in total area.

(4) The project does not contain more than 200 residential units.

(5) The project density is at least equal to the applicable density level provided in subparagraph (B) of paragraph (3) of subdivision (c) of Section 65583.2 of the Government Code.

(6) The project does not result in any net loss in the number of affordable housing units within the project area.

(7) The project does not include any single level building that exceeds 75,000 square feet.

(8) The project is consistent with the general plan.

(9) Any applicable mitigation measures approved in the final environmental impact reports on the regional transportation plan or the local general plan amendment have been or will be incorporated into the project.

(10) The project is determined not to conflict with nearby operating industrial uses.

(c) The project meets at least one of the following four criteria:

(1) The project meets both of the following:

(A) At least 20 percent of the housing will be sold to families of moderate income, or not less than 10 percent of the housing will be rented to families of low income, or not less than 5 percent of the housing is rented to families of very low income.

(B) The project developer provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of the housing units for very low, low-, and moderate-income households at monthly housing costs determined pursuant to paragraph (3) of subdivision (h) of Section 65589.5 of the Government Code. Rental units shall be affordable for at least 55 years. Ownership units shall be subject to resale restrictions or equity sharing requirements for at least 30 years.

(2) The project developer has paid or will pay in-lieu fees pursuant to a local ordinance in an amount sufficient to result in the development of an equivalent number of units that would otherwise be required pursuant to paragraph (1).

(3) The project is located within one-quarter mile of a major transit stop.

(4) The project provides public open space equal to or greater than five acres per 1,000 residents of the project.

21155.2. (a) A project that meets the following requirements shall be eligible for either the provisions of subdivision (b) or (c):

(1) Environmental impact reports have been certified on the regional transportation plan containing the sustainable communities strategy and on the applicable general plan provisions.

(2) Any applicable mitigation measures or performance standards or criteria set forth in the prior environmental impact reports, and adopted in findings, have been or will be incorporated into the project.

(3) The project density is at least 10 residential units per net acre.

(4) At least 75 percent of the total building square footage of the project consists of residential buildings.

(b) A project that satisfies the requirements of subdivision (a) may be reviewed through a sustainable communities environmental assessment as follows:

(1) An initial study shall be prepared to identify all significant or potentially significant project-specific impacts of the project. The initial study does not need to evaluate any significant cumulative or growth-inducing effects on the environment that were identified and discussed in the environmental impact reports certified for the regional transportation plan and the general plan.

(2) The sustainable communities environmental assessment shall contain measures that substantially lessen to a level of insignificance or avoid all project-specific impacts of the project.

(3) A draft of the sustainable communities environmental assessment shall be circulated for public comment for a period of not less than 30 days. Notice shall be provided in the same manner as required for an environmental impact report pursuant to Section 21092.

(4) Prior to acting on the sustainable communities environmental assessment, the lead agency shall consider all comments received.

(5) A sustainable communities environmental assessment may be approved by the lead agency after conducting a public hearing, reviewing the comments received, and finding that:

(A) All potentially significant or significant project-specific impacts have been identified and analyzed.

(B) With respect to each significant project-specific impact on the environment, either of the following apply:

(i) Changes or alterations have been required in or incorporated into the project that avoid or substantially lessen the significant effects to a level of insignificance.

(ii) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

(6) The legislative body of the lead agency shall conduct the public hearing or a planning commission may conduct the public hearing if local ordinances allow a direct appeal of approval of a document prepared pursuant to this division to the legislative body subject to a fee not to exceed five hundred dollars ($500).

(7) The lead agency's approval of a sustainable communities environmental assessment shall be reviewed under the substantial evidence standard.

(c) A project that satisfies the requirements of subdivision (a) may be reviewed by an environmental impact report that complies with all of the following:

(1) An initial study shall be prepared to identify all the project-specific impacts of the project that may have a significant effect on the environment based upon substantial evidence in light of the whole record. The initial study does not need to evaluate any significant cumulative or growth-inducing effects on the environment that were identified and discussed in the environmental impact reports certified for the regional transportation plan and the general plan.

(2) An environmental impact report prepared pursuant to this subdivision need only address the significant or potentially significant impacts on the environment identified pursuant to paragraph (1). It is not required to analyze off-site alternatives to the project. It shall otherwise comply with the requirements of this division.

21155.3. (a) The legislative body of a local jurisdiction may adopt traffic mitigation measures that would apply to future projects described in subdivision (b). These measures shall be adopted or amended after a public hearing and may include requirements for the installation of traffic control improvements, street or road improvements, and contributions to road improvement or transit funds, transit passes for future residents, or other measures that will avoid or substantially lessen the traffic impacts of those future projects.

(b) The traffic mitigation measures adopted pursuant to this section shall apply to projects where the residential density is at least 10 units per net acre and where at least 75 percent of the total building square footage of the project consists of residential buildings.

(c) (1) A project described in subdivision (b) that is seeking a discretionary approval is not required to comply with any additional mitigation measures required by paragraph (1) or (2) of subdivision (a) of Section 21081, for the traffic impacts of that project on intersections, streets, highways, freeways, or mass transit, if the local jurisdiction issuing that discretionary approval has adopted traffic mitigation measures in accordance with this section.

(2) Paragraph (1) does not restrict the authority of a local jurisdiction to adopt feasible mitigation measures with respect to the impacts of a project on public health or on pedestrian or bicycle safety.

(d) The legislative body shall review its traffic mitigation measures and update them as needed at least every five years.

~~SEC. 11. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.~~

SEC. 11. The Legislature finds that there is no mandate contained in this act that will result in costs incurred by a local agency or school district for a new program or higher level of service which require reimbursement pursuant to Section 6 of Article XIII B of the California Constitution and Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

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CURRENT BILL STATUS

MEASURE : A.B. No. 2870
AUTHOR(S) : DeSaulnier.
TOPIC : Land use: environmental quality.
HOUSE LOCATION : SEN
+LAST AMENDED DATE : 05/23/2008

TYPE OF BILL :
Active
Non-Urgency
Non-Appropriations
Majority Vote Required
Non-State-Mandated Local Program
Fiscal
Non-Tax Levy

LAST HIST. ACT. DATE: 06/12/2008
LAST HIST. ACTION : Referred to Coms. on L.GOV. and T. & H.
COMM. LOCATION : SEN LOCAL GOVERNMENT
HEARING DATE : 06/18/2008

TITLE : An act to add and repeal Sections 65050 and 65083 of the Government Code, and to add and repeal Section 9250.6 of the Vehicle Code, relating to land use.

AMENDED IN ASSEMBLY MAY 23, 2008

AMENDED IN ASSEMBLY APRIL 10, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL No. 2870

Introduced by Assembly Member DeSaulnier

February 22, 2008

An act to add and repeal Sections 65050 and 65083 of the Government Code, and to add and repeal Section 9250.6 of the Vehicle Code, relating to land use.

LEGISLATIVE COUNSEL'S DIGEST

AB 2870, as amended, DeSaulnier. Land use: environmental quality.

Existing law, the Planning and Zoning Law, requires that a State Environmental Goals and Policy report be prepared and regularly reviewed and revised. Under existing law, the report's purpose is to record approved goals, policies, and decisions of state government related to statewide growth and development and the preservation of environmental quality. Existing law authorizes the Department of Motor Vehicles to collect a surcharge imposed on vehicle registration fees by ordinance or resolution of a local entity.

This bill would create the California Blueprint Implementation Council, consisting of designated members, that would, in part, facilitate implementation of regional blueprint projects. The bill would also require the council to report to the Legislature on state planning matters and specified regional performance measures. The bill would authorize a municipal planning organization or council of governments to adopt a resolution to impose a $1 motor vehicle registration surcharge on vehicles registered in the entity's jurisdiction that would be collected by the Department of Motor Vehicles and, after deducting its administrative costs, would be transmitted to the entity imposing the surcharge. The bill would require that the surcharge revenue be expended to develop and implement a regional blueprint plan and would specify that 5% of the surcharge revenue be transmitted to the council for performance of its functions. *The bill would not require the council to perform these functions until the council received sufficient revenue from this source.*

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares the following:

(1) Uncoordinated and unplanned growth together with a lack of common goals to effect the public's interest in the conservation and wise use of our lands, pose a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of this state.

(2) Therefore, it is in the public interest that state residents, communities, local governments, and the private sector cooperate and coordinate with one another in comprehensive, sustainable land use planning.

(b) It is the intent of the Legislature to create the California Blueprint Implementation Council to assist in the state's land use planning processes by providing funding to support the development and implementation for regional blueprints and related planning and to work with state agencies providing funding for resource protection and local infrastructure to facilitate coordination between state planning and funding decisions and regional blueprints.

SEC. 2. Section 65050 is added to the Government Code, to read:

65050. (a) The California Blueprint Implementation Council is hereby created.

(b) (1) The council shall consist of 11 members.

(2) Six of the council's members shall be appointed by the Governor, subject to confirmation by majority vote of the

membership of the Senate, with one member appointed from the governing body for each of the following entities:

(A) The Southern California Association of Governments.

(B) The Metropolitan Transportation Commission or the Association of Bay Area Governments. The person appointed to the council pursuant to this subparagraph shall be a member of the governing body for both the Metropolitan Transportation Commission and the Association of Bay Area Governments.

(C) The San Diego Association of Governments.

(D) The Sacramento Area Council of Governments.

(E) The San Joaquin Valley Regional Policy Council.

(F) Any municipal planning organization or council of governments that is not identified in subparagraphs (A) to (E), inclusive.

(3) The remaining five members of the council shall consist of the following:

(A) One representative from the California Air Resources Board.

(B) One representative from the State Energy Resource Conservation and Development Commission.

(C) One representative from the California Transportation Commission.

(D) One member appointed by the Speaker of the Assembly.

(E) One member appointed by the President pro Tempore of the Senate.

(c) Each member of the council shall serve a term of three years.

(d) The council shall act in an advisory capacity for state regional agencies and for local agencies and shall also perform the following functions:

(1) Work with regional agencies, such as municipal planning organizations or councils of governments, to facilitate the implementation of regional blueprint projects, including providing grants and other support for local government planning agencies to assist in implementing the blueprints.

(2) Develop recommendations to facilitate the coordination between regional blueprint plans and state growth and infrastructure funding plans.

(3) Receive reports, including, but not limited to, a copy of the five-year infrastructure plan described in Section 13102.

(4) Report to the Legislature prior to ____ on the manner in which state agencies are implementing the requirements of Chapter 1016 of the Statutes of 2002.

(5) Report to the Legislature prior to ____ on regional performance measures evaluating the progress of each region of the state in improving results for its residents in employment, environmental protection, education, housing, mobility, and other criteria as determined by the council. The council shall provide the Legislature with updates to the report periodically, as the council determines is required.

(e) The council shall begin to perform the functions and other duties required by this section when sufficient funding, as determined by the council, exists from the revenue transmitted to it by the metropolitan planning organization or council of governments pursuant to subdivision (b) of Section 65083.

~~(e)~~

(f) This section shall remain in effect only until January 1, 2019, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2019, deletes or extends that date.

SEC. 3. Section 65083 is added to the Government Code, to read:

65083. (a) A metropolitan planning organization, as defined in Section 134 of Title 23 of the United States Code, or a council of governments, as defined in Section 65582, may impose a surcharge of one dollar ($1.00) pursuant to Section 9250.6 of the Vehicle Code, on a motor vehicle registered to an owner with an address in its jurisdiction. The surcharge may be imposed only if the metropolitan planning organization or the council of governments adopts a resolution authorizing the surcharge. A resolution by the Metropolitan Transportation Commission or the Association of Bay Area Governments to impose the surcharge shall be jointly adopted by resolution of both of those entities, and the revenue from the surcharge shall be divided in accordance with an agreement between these two entities.

(b) All revenue received pursuant to this section shall be used by the metropolitan planning organization or by the council of governments solely to develop and implement a regional blueprint plan to identify land use strategies to reduce the use of motor vehicles in its jurisdiction and thereby reduce emissions into the environment from motor vehicles. The metropolitan planning organization or the council of governments shall transmit 5 percent of all surcharge revenue it receives pursuant to Section 9250.6 of the Vehicle Code to the California Blueprint Implementation Council created pursuant to Section 65050.

(c) This section shall remain in effect only until January 1, 2019, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2019, deletes or extends that date.

SEC. 4. Section 9250.6 is added to the Vehicle Code, to read:

9250.6. (a) (1) In addition to any other fees specified in this code, the Health and Safety Code, and the Revenue and Taxation Code, a surcharge of one dollar ($1) may be imposed by a metropolitan planning organization or by a council of governments and shall be paid to the department as follows:

(A) Upon initial registration on or after the date the department begins collecting the fee of a motor vehicle not previously registered in this state that is registered to an owner with an address in the jurisdiction of the metropolitan planning organization or council of governments requesting imposition of the surcharge.

(B) Upon renewal of registration of a motor vehicle to an owner with an address in the jurisdiction of the metropolitan planning organization or council of governments requesting imposition of the surcharge for which the registration period expires after the date the department begins collecting the fee.

(2) This subdivision applies to a motor vehicle subject to Part 5 (commencing with Section 43000) of Division 26 of the Health and Safety Code, except a vehicle that is expressly exempted under this code from the payment of registration fees. The department shall begin collecting the fee on January 1 of the year immediately following the date the department receives the request to do so from the metropolitan planning organization or council of governments.

(b) Prior to the adoption of a surcharge pursuant to this section, the metropolitan planning organization or council of governments shall approve the imposition of the surcharge through the adoption of a resolution, as specified in Section 65083 of the Government Code.

(c) The metropolitan planning organization or council of governments shall pay for the costs identified by the department to administer the surcharge. After deducting those costs, the department shall transmit the surcharge revenue quarterly to the metropolitan planning organization or council of governments.

(d) This section shall remain in effect only until January 1, 2019, and as of that date is repealed, unless a later enacted statute, ~~this~~ *that* is enacted before January 1, 2019, deletes or extends that date.

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DRAFT

June xx 2008

Senator Darrell Steinberg
State Capitol Building, Room 4035
Sacramento, CA 95814

Re: SB 375 - Oppose Unless Amended

Dear Senator Steinberg,

The California Association of Councils of Governments (CALCOG) is opposed to your SB 375 unless amended.

The primary amendment we seek is to ensure that the changes needed to regional transportation plans do not impair the ability to fund projects or categories or ratios of projects set forth in local sales tax measures either already enacted by voters or which could be enacted before the applicable regional transportation plan is updated to include the SB 375 requirements. Following is the language that is considered necessary to address this concern:

Nothing in this section shall prevent sales tax authorities from complying with the terms of a voter approved measure, including but not limited to, the implementation of specific listed projects or allocations of expenditures for specific types of transportation purposes as expressly approved by the voters in a sales tax measure adopted by the governing board of a county transportation commission and submitted to the voters by 2010 or prior to the adoption of an applicable regional transportation plan which includes a sustainable communities strategy in accordance with the requirements of this section.

Additionally, it is essential that the legislation does not interfere with the autonomy of local land use decisions and that this is sufficiently clear to cities and counties that the overwhelming majorities of them continue to support the regional blueprint process in the way that they have.

These regional blueprints began as local voluntary efforts. It was the voluntary nature of them, in the complete absence of any state control, that allowed local government to participate actively and support these efforts.

In general, the bill is already consistent with these objectives. However, there are a number of provisions in the bill that are susceptible to multiple interpretations.

This could be clarified by adding the following:

No land shall be designated in a sustainable communities strategy for a use, intensity of use, or restriction that is not reflected in the current general plan for the area if the city, county or city and county with jurisdiction over the land use of that location has notified the regional planning agency that it is officially opposed to such a proposed use, intensity of use, or restriction and such official position of that local agency shall represent a conclusive determination for all purposes of this act that such a use or restriction is not feasible.

We believe that these concerns can be addressed and resolved satisfactorily with you in a manner that does not take away from the objectives of the legislation. In that spirit, I hope that you, the sponsors and other individuals will continue the cooperative working relationship with us and other local government organizations.

Sincerely,

Rusty Selix
Executive Director