

STAFF REPORT



MEETING DATE: October 31, 2024
SUBJECT: Receive Correspondence—Information Item Only
AGENDA ITEM: 7-3
STAFF CONTACT: Amy Lindsey, Executive Assistant

RECOMMENDATION:

It is recommended that the board of directors receive correspondence determined to be of interest to the board of directors.

DISCUSSION:

Attached and summarized below is correspondence determined to be of interest to the board of directors. This item is for information only.

OUTGOING CORRESPONDENCE

9/27/24	California Air Resources Board, Chief Executive Officer, Dr. Steve Cliff	Letter of Request for a Collaborative Effort to Conduct a Holistic Review of the Senate Bill (SB) 375 Framework.
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INCOMING CORRESPONDENCE

9/17/24	California Association of Councils of Governments (CALCOG), Director of Government Affairs, Sabrina Bradbury	Letter to California Air Resources Board (CARB), Executive Officer, Honorable Steven S. Cliff, PhD. regarding updates to CARB's Sustainable Communities Strategy Evaluation Process.
9/18/24	Butte County Association of Governments, Programming Director, Evan Garcia	Letter to Review the Draft 2024 Regional Transportation Plan/Sustainable Communities Strategy & Supplemental Environmental Impact Report Available for Public Review.
10/10/24	State of California, Department of Transportation, Division of Financial Programming, Office of Federal Programming and Data Management, Chief, Kien Le	Letter of Distribution to 2025 FSTIP Stakeholders.

Sean Tiedgen, AICP, Executive Director

Attachment: SRTA Correspondence Letters



September 27, 2024

Dr. Steve Cliff
Chief Executive Officer
California Air Resources Board
Sacramento, CA 95814

Re: Pause Current SB375 Targets and SCS Guidelines to Allow a Holistic Review of SB 375 Framework

Dear Dr. Cliff:

The state's three smallest Metropolitan Planning Organizations (MPOs) request the opportunity to partner with the California Air Resources Board (CARB), California Transportation Commission (CTC), Caltrans, and the Department of Housing and Community Development (HCD), along with the other fifteen California MPOs, to holistically review the Senate Bill 375 (SB 375) Framework to improve how state and regional agencies collaborate to deliver multiple housing, climate, and transportation goals.

SB 375 PROVIDES A FOUNDATION FROM WHICH THE STATE CAN MOVE FORWARD

At the outset, we note that SB 375 has changed the collaborative regional transportation planning process for the better. With each iteration after our first Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) we have seen better integration of land use, housing, and transportation policies, supporting better transportation and quality of life outcomes for our residents. Importantly, the public has become more involved in the development of these plans, resulting in projects that are more responsive to our communities' needs. This progress can serve as a foundation for further improvements in the state and regional planning framework.

BUT THE TIME IS RIGHT TO REVISIT THE SB 375 PLANNING FRAMEWORK HOLISTICALLY

A lot has changed since SB 375's adoption in 2008. The state, through the adoption of various policies and programs, has accelerated transportation electrification such that almost one in four new cars sold would be zero emission when fully implemented. Under SB 743, vehicle miles traveled has replaced level-of-service as a critical evaluation metric for transportation projects large and small. The state has also adopted substantial legislative changes to address a state housing crisis. In addition, the global pandemic fundamentally altered travel patterns and land use preferences – creating headwinds that were unforeseen when the law was designed or when targets were last set by the CARB Board.

Thanks to state programs to support affordable housing and sustainable communities, active transportation, goods movement, maintaining facilities in a state of good repair, and transit improvements, as well as the Regional Early Action Planning (REAP) program, partial funding is

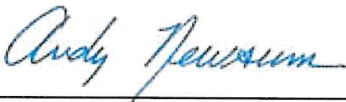
available to support critical housing and transportation needs needed to achieve ambitious state and regional goals. But as the SB 150 report acknowledged, funding and staffing for implementation remains far short of what is needed to fully implement these regional plans. A restructured planning process can shift the focus toward implementation and thereby deliver faster and more effective results.

WE REQUEST A COLLABORATIVE EFFORT TO CONDUCT A HOLISTIC REVIEW OF THE SB 375 FRAMEWORK

We request that CARB, CTC, Caltrans, and HCD work with the MPOs to comprehensively evaluate the SB 375 framework. This effort will require us to engage in a deep and effective dialogue about the best way to achieve the suite of state and regional housing, climate, and transportation-related objectives, including reducing greenhouse gas (GHG) emissions, that is context appropriate for the state and each region. As part of this request, we ask that CARB pause the current SCS guidelines and SB 375 targets process to allow for a robust and collaborative conversation about the best path forward in the coming months.

To demonstrate our commitment to this concept, this letter represents the collective submission of comments by the undersigned MPOs for both the proposed amendments to the SCS guidelines (comments requested by CARB by August 30th) and the request for information related to the target setting (preliminary data questionnaire requested by CARB by October 30th). The time is right to develop more robust implementation solutions that will fit state, regional, and local objectives. Thank you for your consideration.

Sincerely,



Andy Newsum
Executive Director
Butte County Association of Governments



Sean Tiedgen
Executive Director
Shasta Regional Transportation Agency



Nick Haven
MPO Director
Tahoe Regional Planning Agency

Cc: Tomiquia Moss, Secretary, California Business, Housing and Consumer Services
Toks Omishakin, Secretary, California State Transportation Agency
Sam Assefa, Director, Office of Planning and Research
Tony Tavares, Director, California Department of Transportation
Tanisha Taylor, Executive Director, California Transportation Commission
Gustavo Velasquez, Director, California Department of Housing & Community Development



September 17, 2024

Honorable Steven S. Cliff, PhD.
Executive Officer
California Air Resources Board
Sacramento, California

Re: [Updates to CARB's Sustainable Communities Strategy Evaluation Process](#)

Dear Dr. Cliff:

Thank you for the opportunity to provide comments on CARB's proposed amendments to its Sustainable Communities Strategy (SCS) evaluation process. The membership of the California Association of Councils of Governments (CALCOG) includes all 18 Metropolitan Planning Organizations (MPOs) that are required to submit a SCS as part of the regional transportation plan (RTP).

At the outset, we acknowledge that a strong state and regional partnership is necessary for the success of SB 375. During the 15 years it has been in effect, MPOs and CARB have shared successes and acknowledged areas that can be improved. The structure of SB 375 demands a continued working partnership between us.

We are therefore disappointed in the proposed amendments to the SCS Guidelines, which focus only on what CARB needs from MPOs. We share these comments in this letter with a hope that we can improve on the collaboration between CARB and MPOs, which we believe will result in better outcomes both for our regions and the state.

I. Request for a "Roll-Up-Our-Sleeves" Problem Solving Dialogue

We understand the logic behind several of the proposed amendments to the Guidelines. But they fail to address changes that would also support MPOs in the implementation of SB 375. Accordingly, we seek that CARB convene a working group of MPO and CARB technical staff to engage in an open, two-way government-to-government discussion to discuss how the process can work best for CARB and MPOs. The agenda should be jointly developed and focus on effective ways to share information to achieve multiple state and regional goals.¹

¹ CARB staff scheduled a virtual meeting with MPO planning directors in May. The main portion of the meeting was a scripted PowerPoint presentation that outlined the concepts for the proposed changes to the guidelines. Specific language was not shared. Many MPO attendees were hearing these concepts for the first time. CARB did not provide an advance means of allowing MPO staff to include items on the agenda.



We suggest a “roll-up-our-sleeves” dialogue because the Guideline amendments concern how MPO and CARB staff share information (and focus less on policy change). Obviously, all ideas must be vetted through a public comment period. But improvements in CARB-to-MPO coordination that could emerge from this process would yield better outcomes.

II. Special Issues Related to Submitting the Technical Methodology

The SCS Guidelines (original and proposed) do not address a structural shortcoming in the language of SB 375.² Specifically, what does it mean to submit a full technical methodology (TM) prior to commencing public participation?

Robust public engagement yields important feedback and new ideas. It also creates equity through the inclusion of often overlooked voices and ideas. Almost by definition, an RTP/SCS will look different at the end of a public engagement process than it did in the beginning. But SB 375 oddly requires the entire TM at the beginning, prior to the start of public engagement. Of course, SB 375 was written by people who never had to submit a TM for an SCS. Thus, we should not be surprised that the language falls short of what we might draft with the benefit of three rounds of RTP/SCS development.

This problem has grown with each SCS submittal as CARB seeks more and more detail earlier in the process. We understand why CARB would want as much information as possible so early in the process. But a completed TM prior to public participation is a high bar. Unfortunately, CARB’s proposed amendments to the SCS Guidelines go a step further, asking for data six months before the start of public participation. More concerning, the amendments advise MPOs not to share preliminary figures—even with elected official board members—until they have been reviewed by CARB. This is not a way to run an MPO that is accountable to locally elected officials and engaged stakeholders.

These amendments also undermine public engagement. Taken literally, MPOs would be unable to seek public input on critical early topics like goal-setting or visioning – even those unrelated to greenhouse gas quantification. Development of potential SCS strategies would have to be conducted as an internal planning process with after-the-fact input from stakeholders. This conflicts with federal planning requirements to have an open public process. Prohibiting early engagement would also perpetuate institutional barriers that have historically prevented minority and low-English-proficiency persons from effectively participating in the decision-making process, in conflict with federal Title VI requirements.

Also disappointing, the proposed revisions suggest that the SCS process is a staff-to-staff technocratic exercise focused on a single policy goal (achieving a GHG emission reduction target). These revisions would narrow or eliminate the ability for MPOs to conduct early

² Despite our call for a roll-up-our-sleeves, problem solving conversation, we proceed with specific comments because the formal nature of the comment process dictates that we get these comments on the record.



scenario planning & strategy exploration to consider the impacts of policy decisions on a suite of other important policy goals and limit them from bringing timely updates to their boards on draft iterations of the SCS.

These provisions should not be added to the Guidelines. They interfere with an MPO's ability to successfully implement SB 375 as the Legislature envisioned and the state's residents expect. The dialogue we recommend in section one might cover subjects like: What information does CARB really need 24 to 48 months prior to the adoption of the plan? What can MPOs reasonably produce? How do MPOs conduct robust public engagement that builds trust? And generally, how can the process be improved to get needed information to CARB in a way that is not too onerous in terms of time and model runs for MPOs?

These are conversations worth having. We appreciate the note at the end of Appendix A of the SCS Guidelines that provides a starting point for the discussion: "... RTP/SCS scenarios are developed through a robust public process. Upon submission of the *Technical Methodology*, CARB will receive the level of detail available at the time of submission with more detail forthcoming." Being clear about what is needed at the beginning and greater acknowledgment that the plans are subject to change based on feedback from the public and MPO policy makers is a good place to start those conversations.

III. The SCS Guidelines Do Not Create Needed Accountability

The revisions omit needed accountability measures to ensure CARB does not create unwarranted delays. Here is the crux from the MPO perspective: CARB is taking too long (in months) to finalize its determinations. The statute states that CARB has 60 days to complete its review. Based on information posted on CARB's website and collected from an inquiry to our members, the shortest review time by CARB in the last round of SCS submittals was 11 months. Some reviews have been pending for more than two years! A summary table of review times by MPO is provided in Exhibit A.

In the current round of SCS review, none of the 18 MPOs have received a notice of acceptance/rejection of their SCS within the 60-day period. Now that an "approved SCS" is required for certain funding sources, the lack of an approved SCS can stand in the way of vital projects that could be helping to advance the state's greenhouse gas reduction goals. Unfortunately, there is nothing in the proposed guidelines to speed up the CARB review timeline (though the next Section includes a possible fix).

IV. Three Amendments to Improve Process Certainty

While we continue to believe that this process include a *Role-Up-Our-Sleeves Problem Solving Dialogue* requested in Section 1, we provide three language changes that would restore more trust and accountability to the process from the MPO perspective.



1. Assuring Timely Responses from CARB to Submitted TMs.

We appreciate that CARB has replaced the phrase “timely manner” in providing written comments about the TM to a more certain “within 45 days.” But as Exhibit A highlights, a general time limit is not enough. Given that MPOs have a deadline for updating their RTPs under federal law (reinforced under state housing law), the window for CARB to provide comments must be more certain. We would propose the following concept:

CARB will respond to the MPO in writing within 45 calendar days. The response shall either deem the Technical Methodology submitted by the MPO as either sufficient or insufficient. If deemed insufficient, CARB shall specifically describe the additional information that should be added to the Technical Methodology as well as remedies needed to quantify acceptable estimates of GHG emission consistent with the Technical Submission Template and Guidance. CARB shall not request information that is not included in the version of the Technical Methodology Submission Template and Guidance in effect six months prior to the start of the MPO’s public participation process. If CARB fails to provide a response within 45 calendar days, the MPO’s TM shall be deemed sufficient. CARB must provide a similar notice for subsequent submittals of the technical methodology that are in response to earlier submittals deemed insufficient by CARB.

2. Assuring Timely Reviews of an SCS

The following concept language would help address the current weakness of the system that leads to delays in certifying whether an SCS would achieve the target:

Upon submission of the final SCS, CARB shall review the submittal for completeness and identify what, if any, additional information is needed to make a final determination on the SCS within 15 business days. An MPO need only submit information that is reasonably required to meet the requirements listed in the versions of *Appendix A: Technical Methodology Submission Template and Guidance* (if it has not been deemed sufficient), *Appendix B: Additional Details for Model Sensitivity Tests*, and *Appendix D: Guidance of Technical Issues* that are in effect six months prior to the start of the public participation process.

If an MPO that has already submitted a “sufficient” Technical Methodology does not receive a timely determination on the completeness of the SCS submission, the submission will be deemed complete, and CARB must accept the MPO’s conclusions included in the submitted SCS. Once a SCS submittal is deemed complete, CARB staff will finalize its determination of whether the SCS would achieve the GHG emission reduction target if implemented within 45 business days. This period can be extended for 30 business days if CARB provides written notification to the MPO in advance of the 45-day deadline.



3. Certainty for Participation Related to Other State Programs

The proposed amendments advise MPOs to plan for other state programs and refers to eligibility for the Solutions for Congested Corridors program. This language does not address a scenario where a grant application is due and CARB has missed the 60-day limit to certify that the SCS. Accordingly, we recommend the following:³

While state law does not specify when a submittal to CARB staff occurs, MPOs are advised to plan for timelines regarding State programs requiring CARB's acceptance of an SCS for funding eligibility. If CARB has not made a determination of whether the SCS will achieve the GHG emission reduction target within 45 business days of a submission being deemed complete, CARB shall issue a temporary determination with three days of receiving a written request from an MPO upon a showing that such a finding is necessary to be eligible for a funding program or similar dependency on having a SCS that has been certified by CARB. The temporary determination shall state that the SCS achieves the GHG gas emission targets for purposes of funding program eligibility or similar dependency identified by the MPO. The temporary determination shall be in effect for 180 days. If CARB still has not made a determination at the end of a temporary determination, CARB shall issue new temporary determinations until a final determination has been made.

IV. Conclusion

We share ARB's interest in improving implementation of SB 375. While we have offered some specific suggestions to improve the guidelines, the state's MPOs request that CARB engage in mutual and open government-to-government dialogue.

Thank you for the time and consideration. Please don't hesitate to reach out to me if you have any questions [sabrina@calcog.org] | (530) 864-8544].

Sincerely,

Sabrina Bradbury
Director of Government Affairs

³ The way these amendments work together is that CARB has 15 days to determine whether the SCS submission is complete and then 45 business days to make the determination. This language would require CARB to issue a temporary determination during the 30-business day extension. This is intentional because CARB's option to extend its review should not affect MPO eligibility for other programs.

**Exhibit A**

MPO	SCS Submittal	Final Determination	Review Time
Association of Monterey Bay Area Governments	Jul-2022	Pending	25+ Months
Fresno Council of Governments	Oct-2022	Pending	22+ Months
Kern Council of Governments	Nov-2022	Pending	21+ Months
Kings County Association of Governments	Dec 2022	Pending	20+ Months
Merced County Association of Governments	Apr-2023	Pending	16+ Months
Metropolitan Transportation Commission	Nov-2021	Nov-2022	12 Months
Sacramento Area Council of Governments	Nov-2019	Oct-2020	11 Months
San Diego Association of Governments	Oct-2023	Pending	10+ Months
San Joaquin Council of Governments	Nov 2022	Pending*	22+ Months
San Luis Obispo Council of Governments	Aug-2023	Pending	12+ Months
Santa Barbara County Association of Governments	Oct-2021	Jan-2023	15 Months
Southern California Association of Governments	Jul-2024	Pending	2+ Months
Stanislaus Council of Governments	Dec-2022	Pending*	21+ Months
Tulare County Association of Governments	Nov 2022	Pending	22+ Months
Tahoe Regional Planning Agency	Jul-2021	May-2023	22 Months

* San Joaquin Council of Governments reports hearing a “verbal approval” from CARB staff but still has not received anything in writing. Stanislaus Council of Governments reports an “email approval” but has not received any of the formal documents that usually come with a final determination.

Note. This chart accounts for fifteen of the eighteen MPOs. Three of the smallest MPOs—Shasta Regional Transportation Planning Agency, Butte County Association of Governments, and Madera County Transportation Commission—have not provided full submissions due to internal (staff capacity; resources) and external (in the case of Butte, the Camp Fire) reasons.



326 HUSS DRIVE, SUITE 150
CHICO, CALIFORNIA 95928
(530) 809-1616 FAX: (530) 879-2444
www.bcag.org

September 18, 2024

Sean Tiedgen, Executive Director
Shasta Regional Transportation Planning Agency
1255 East St STE 202
Redding, CA 96001

Subject: Draft 2024 Regional Transportation Plan / Sustainable Communities Strategy &
Supplemental Environmental Impact Report Available for Public Review

Mr. Tiedgen,

The purpose of this correspondence is to inform your agency that the Butte County Association of Governments (BCAG) has completed the draft 2024 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and Supplemental Environmental Impact Report (SEIR). These documents are available for public review and comment through November 12, 2024. All material has been posted online at: <https://www.bcag.org/PlansProgramsModel/RTP--SCS/2024-RTPSCS-Update/index.html>.

In addition, BCAG has scheduled a virtual zoom workshop for Tuesday, October 15, 2024, at 4 p.m. The zoom link is: bit.ly/BCAG_Zoom_RTPSCSEIR. Comments can be directed to Mr. Chris Devine, Planning Director for BCAG at cdevine@bcag.org.

Sincerely,

Ivan Garcia
Programming Director

DEPARTMENT OF TRANSPORTATION

DIVISION OF FINANCIAL PROGRAMMING

1120 N STREET, MS-82

SACRAMENTO, CA 95814-5680

PHONE (916) 654-4013

TTY 711

www.dot.ca.gov

*Making Conservation
a California Way of Life.*

October 10, 2024

Dear Transportation Stakeholder:

The Draft 2025 Federal Statewide Transportation Improvement Program (FSTIP) is available for public review at the following website:

<https://dot.ca.gov/programs/financial-programming/office-of-federal-programming-data-management-ofpdm>

The California Department of Transportation (Caltrans) prepares the FSTIP every two years in cooperation with the Metropolitan Planning Organizations (MPOs) and the Regional Transportation Planning Agencies (RTPAs) in California. The FSTIP is a federally mandated document that includes phases of capital and non-capital transportation projects prioritized to receive federal funding under Titles 23 and 49 of the United States Code during federal fiscal years 2025 through 2028. It also includes regionally significant projects regardless of the funding source.

Each of the state's eighteen MPOs prepares a Federal Transportation Improvement Program (FTIP), which includes state, local, and transit projects within its boundary. These FTIPs are included in the FSTIP by reference. The attached table provides website links to MPOs' FTIPs. Projects that are not located within an MPO boundary are directly listed in the FSTIP.

The 21-day public comment period for the Draft 2025 FSTIP begins on October 10, 2024 and concludes on October 31, 2024. During this time, we are providing the Draft 2025 FSTIP to our stakeholders for review. Please submit your comments to Vaik Renga by email at <Vaikunthan.Renganathan@dot.ca.gov>.

Sincerely,

A handwritten signature in black ink, appearing to read "Kien Le".

KIEN LE, Chief

Office of Federal Programming and Data Management

Attachment

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Attachment

MPO FTIPs For FFY Period 2025 to 2028		
Link to MPO FTIP	Counties Represented	Board Adoption
Association of Monterey Bay Area Governments (AMBAG) https://ambag.org/program/metropolitan-transportation-improvement-program-mtip	Monterey, Santa Cruz, San Benito	September 11, 2024
Butte County Association of Governments (BCAG) https://www.bcag.org/PlansProgramsModel/FTIP/index.html	Butte	September 26, 2024
Fresno Council of Governments (FCOG) * https://www.fresnocog.org/project/federal-transportation-improvement-program-ftip/	Fresno	September 30, 2024
Kern Council of Governments (KCOG) https://www.kerncog.org/category/docs/ftip/	Kern	July 18, 2024
Kings County Association of Governments (KCAG) https://www.kingscog.org/2025_ftip	Kings	August 28, 2024
Madera County Transportation Commission (MCTC) https://www.maderactc.org/programming/page/federal-transportation-improvement-program-ftip-and-air-quality-planning	Madera	July 17, 2024
Merced County Association of Governments (MCAG) https://www.mcagov.org/215/Federal-Transportation-Improvement-Progr	Merced	August 15, 2024

Metropolitan Transportation Commission (MTC) https://mtc.ca.gov/funding/transportation-improvement-program-tip	Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, Sonoma	September 25, 2024
Sacramento Area Council of Governments (SACOG) https://www.sacog.org/funding/metropolitan-transportation-improvement-program-mtip/draft-2025-mtip	El Dorado, Placer, Sacramento, Sutter, Yolo, Yuba	September 19, 2024
San Diego Association of Governments (SANDAG) https://www.sandag.org/funding/funding-and-programming/regional-transportation-improvement-program	San Diego	September 27, 2024
San Joaquin Council of Governments (SJCOG) https://www.sicog.org/110/Federal-Transportation-Improvement-Progr	San Joaquin	August 22, 2024
San Luis Obispo Council of Governments (SLOCOG) https://www.slocog.org/programs/funding-programming/federal-transportation-improvement-program-ftip	San Luis Obispo	August 14, 2024
Santa Barbara County Association of Governments (SBCAG) https://www.sbcag.org/planning-programming/federal-funding/	Santa Barbara	September 19, 2024
Shasta Regional Transportation Agency (SRTA) https://www.srta.ca.gov/156/Federal-Transportation-Improvement-Progr	Shasta	September 26, 2024
Southern California Association of Governments (SCAG) * https://scag.ca.gov/2025-ftip	Imperial, Los Angeles, Orange, Riverside, San Bernardino, Ventura	September 05, 2024

Stanislaus Council of Governments (StanCOG) https://www.stancog.org/173/Federal-Transportation-Improvement-Progr	Stanislaus	September 18, 2024
Tulare County Association of Governments (TCAG) https://tularecog.org/tcag/programs-funding/federal-transportation-improvement-program-ftip/	Tulare	September 16, 2024
Tahoe Metropolitan Planning Organization (TMPO) https://www.trpa.gov/transportation/funding/	Portions of El Dorado and Placer	September 25, 2024

*2025 FTIP Includes Amendment 1