



TRANSMITTED ELECTRONICALLY

March 24, 2022

Assemblymember Friedman
Chair, Assembly Transportation Committee
State Capitol
Sacramento, CA

**Re: AB 2237 (Freidman) Transportation Planning; regional transportation improvement plan; sustainable communities strategies: climate goals
(Oppose Unless Amended)**

Dear Assemblymember Friedman,

We regret to inform you that our initial position on AB 2237 is oppose unless amended. We are still forming what amendments we may seek, but wanted to signal a willingness to engage in meaningful discussions.

Here is our initial list of issues that would need to be addressed:

- ***Incongruity of Purpose Between Regional and State Plan.*** AB 2237 would require current funding regional funding programs to be consistent with the California Transportation Plan. Unfortunately, the CTP does not meet the definition of “reasonableness” in which regional plans must adhere. For example, we estimate that the pricing assumption in the plan is equal to a current-day gas tax increase of \$2.25 per gallon. Federal regulations prohibit regional entities from adopting plans that include such unlikely (under current conditions) scenarios. Given that the state plan does not have to adhere to regional plan standards, there is a significant risk that a project may be consistent with the vision in one plan but not the other. Transportation project delivery is difficult enough without introducing this new level of uncertainty. Before creating a universal consistency standard, more understanding is needed between the how an “aspirational” state plan can interact and support its more realistic regional counterparts.
- ***Analysis of “Additional State Actions” Omitted.*** The state must be more accountable for its own actions. ARB’s Scoping Plan states that the amount of GHG reductions from “SB 375-like” strategies should be 25 percent. Yet ARB’s could only set the SB 375



targets at a 19 percent average in acknowledgement of the limits of what MPOs could feasibility achieve. ARB stated that the 6% gap (25% - 19%) would be achieved by “additional state actions.” To date there has been no comprehensive plan to address this issue, or analysis to determine whether actions like CAPTI or SB 743 sufficiently bridge this gap. This kind of analysis is an essential first step in the process.

- ***Influence of State Action on SB 375 Implementation is Omitted.*** State policies have a tremendous influence on whether or not a region meets its goal. For example, many of the capacity increasing projects on the state system are sponsored by Caltrans. Another example that the state could employ to make regional plans perform better (achieve higher targets) would be to enact a 55 mph speed limit on state highways. We offer these only as an example to illustrate the point that state policy can have just as much or more influence on how much can be achieved through the SB 375 process. There are multiple approaches the state might take to achieve such outcomes. It would be helpful if AB 2237 could direct state agencies to look at this kind of supporting state actions more closely.
- ***Current Law Requires TIPs to Be Consistent RTPs.*** We are puzzled by Section 3 of the bill that requires a TIP to be consistent with an RTP. That is current law and federal regulation. After speaking with your staff, it appears to address an issue raised in the AB 285 Report that compared TIP expenditures categories against similar RTP classifications. The Report concluded that a disproportionate amount of transportation funds are being spent on road projects. The problem is that on this point **the analysis in the AB 285 Report is flawed**. The funding that is reported in a TIP is much more limited than what is included in an RTP. For example: transit operating costs are included in an RTP but are typically excluded in an RTP. That means in the SCAG region, the operating costs of LA Metro, OCTA, and other major providers are included in the TIP but not the RTP. A TIP is not a RTP performance indicator, it’s a tool aligned with the Clean Air Act. Because federal law already requires a TIP to be consistent with federal law, this section should be deleted.

Again, this is our initial list. We may identify other issues in the coming days as we complete our research. We would appreciate the opportunity to go over these issues with you in more detail. Please contact me (bhiggins@calcog.org or (916) 717-8324) if you have any questions or if I can be of any assistance. Sincerely,



Bill Higgins



CALCOG

Executive Director