



## Caltrans Sustainable Transportation Planning Grant Draft Guidelines FY 2023-24

*The following comments were submitted on November 1, 2022, electronically using the Smartsheet Comment Form required by Caltrans.*

Per Senate Bill (SB) 375, MPOs are required to develop a Sustainable Communities Strategy (SCS) that achieves a greenhouse gas emissions reductions target set by the California Air Resources Board, if feasible. This is because SB 375 anticipates that in some instances, it may be “infeasible” for a fiscally constrained Regional Transportation Plan (that includes an SCS) to achieve the ARB assigned target. If the greenhouse gas reduction target cannot be feasibly achieved with the SCS, then the MPO shall submit to ARB an Alternative Planning Strategy (APS) that does. ARB also retains authority to approve the APS.

ARB’s role of approving either an SCS or, if necessary, an APS is significant. The primary incentive benefit included in SB 375 is CEQA streamlining for residential or mixed-use projects consistent with the SCS or APS. Importantly, this benefit can be accessed by a project with **whether the MPO has an approved SCS or APS**. In other words, the law treats an approved SCS or APS equally and gives the incentives to the plan that meets the target (SCS or APS). Caltrans Sustainable Transportation Planning Grant program should do the same.

This outcome makes sense. If financial resources is a major factor in whether the greenhouse gas reduction goal can be achieved, then withholding access to planning funds would further disadvantage region’s with an APS, essentially making it impossible for them to achieve the target through an SCS. This is true for any region without the resources needed to meet the ARB assigned target. But most likely, penalizing regions with an APS would result in denying needed resources to the less-resourced regions. Because SB 375 requires an SCS if it is feasible to do so, the need to create an APS is an indicator of lack of resources, not malfeasance.

Treating an approved SCS or APS equally makes even more sense when the ability to achieve the target is influenced by numerous exogenous factors like economic productivity, the cost of operating a vehicle, and the transition to electric vehicles (which makes getting per capita reductions out of the remaining fleet more difficult).

We recognize that the language in the draft guidelines mirrors statutory language related to the TCEP and SCCP funds. That language, that was introduced late in the session, is also contrary to the baseline intent of SB 375 and should be amended. We note that the Legislature seems to already be moving in this direction. Assembly Transportation Committee Chair Laura Friedman, authored legislation (e.g., AB 2237) that treated an approved SCS or APS equally, like the original language of SB 375. Admittedly, this language has not made it yet to the Governor’s desk. (And in the interest of full disclosure, CALCOG had an oppose unless amended position related to other language in the bill).





We also note that the state's California Transportation Plan 2050 is built on a number of assumptions that are more aspirational than feasible (e.g., assumed rises in cost of operating a vehicle, full build out of the state rail plan). These are worthy goals and should not be penalized because they do not seem feasible. The same is true for an ARB-approved APS.

Accordingly, Caltrans Sustainable Transportation Planning Grant Program should reflect this intentional legislative flexibility. When an APS is applicable, the APS should be the plan that the grant program is seeking consistency with. In these instances, it is the APS that achieves the greenhouse gas reduction target.

For this reason, in the draft guidelines, all references to "Sustainable Communities Strategy" and "SCS" should be edited to add reference to the potential for an "Alternative Planning Strategy" or "APS". Specifically, the text throughout the document should read, "SCS (or applicable APS)". Additionally, the text on pages 55 and 66 that discusses "SB 375" should be revised to explain that, if an SCS does not achieve the greenhouse gas emissions reductions target, MPO's are required to create an APS that does achieve the target.