



November 14, 2022

California Department of Transportation  
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**RE: Draft Interim Caltrans System Investment Strategy**

Division Chief Flournoy,

Thank you for the opportunity to comment on the Draft Interim Caltrans System Investment Strategy (*Interim CSIS*). The metropolitan planning organizations, regional transportation planning agencies, and local transportation commissions that make up our membership appreciate our long-standing partnership in planning for, investing, and delivering safe, efficient, and effective mobility for Californians.

The *Interim CSIS* along with the *Climate Action Plan for Transportation Infrastructure (CAPTI)* will affect funding decisions and project nominations in every part of the state. We appreciate their intended role in achieving state climate, equity, and mobility goals. But the importance of these documents underscores the need to implement them in a way that involves robust public engagement. The *Interim CSIS* lacks the benefit of such a process.

We acknowledge the near-impossible position the Department was in: to deliver a comprehensive investment strategy based on quantitative data within a short time. Thus, developing an interim strategy made some sense. Nevertheless, it was a mistake to deploy the *Interim CSIS* as early as the Department seems to have. Based on various conversations with our members, it appears that that the *Interim CSIS* was completed and applied as early as late spring of 2022. It would have been better to have created a process similar to what the Department uses for other funding program guidelines to make key stakeholders aware and provide an opportunity for comment. At the very least, the presentation to the Commission should have been much sooner.

**A. OVERALL ISSUES, CONCERNS, & UNCERTAINTIES**

- ***No Process for Assuring Rubric Scoring is Consistently Applied Across State.*** The rubric process involves making qualitative judgments about whether a project meets a specific definition type. Then points are assigned for each type. For example, there is a one-point difference for SCCP mode shift if a project includes a road improvement that “intentionally closes a gap” instead of “promotes access” to rail, transit, or ATP modes. Who makes that call? If its district staff, how is the Department assuring that different staff score projects consistently across the state? What kind of checks are on the



system? Given that the result determines who may be eligible for particular state and federal funding programs, it's important to understand exactly how the Interim CSIS is being applied. This kind of assurance, oversight, and transparency is essential for stakeholders to have confidence in the process.

- **No Appeal Process.** Given the qualitative nature of the scoring, and the potential consequences of the result, there are likely to be valid and contradicting views about the role or type of a particular project. CSIS should include a process for applicants and partners to dispute results.
- **Creates Parallel Eligibility for SB 1 Programs.** CSIS basically creates new thresholds for important SB 1 programs that are not included in the grant program guidelines. By introducing new scoring rubrics (CSIS Appendix G), the Department complicates the project application process. The Interim CSIS may effectively determine eligibility for a project even before the program guidelines are applied. At best, this dual standard process is confusing. At worst, it's changing a statutory grant program without the benefit of a robust process.
- **Favors "Box Checking" Projects.** The *Interim CSIS* creates a one-size fits all ranking. Each category is equally weighted (eligible for five points). As a result, projects that can score the most points over many categories will be prioritized. But some projects that can move the needle on state goals may only do one thing well. For example, an EV Infrastructure investment project is not likely to score many points for mode shift, VMT reduction and even encouraging infill (given the rural emphasis for this category). But having a robust EV network is critical to meeting the state's clean vehicle goal. It would be disappointing to see an otherwise needed project not be prioritized because it can't check boxes it was not designed to achieve. We do not read CAPTI to require all projects to advance all state goals. The Interim CSIS should be rethought to consider advancing strategic projects that are particularly important to meeting particular state goals (without being contrary to other goals).
- **Uncertainties Around Rural Prioritization.** We appreciate that separate rubric standards were created for rural agencies in many capacities. We have questions; however, about how rural and urban scores interact. If, for example, it is substantially easier to score high for a non-urban project, the scoring may still make it difficult for rural agencies to compete. We recognize that the opposite may also be true. The Interim CSIS is silent as to how it will assure fairness when these separate categories are pooled in order to determine an overall set of prioritized projects. For example, will there be rural set aside?
- **Less-Resourced Regions Are Disadvantaged.** Almost all local and regional projects rely on a patchwork of funding. Critical to this is competitive grant funding. Without it projects cannot reach the finish line. This is true everywhere but is exacerbated in smaller, less resourced communities. Given that it will take time to go through an additional process to make their case for priority, the Interim CSIS framework is further disadvantaging these communities from competing for critical transportation funding.

- **Implied Rubric Application to ITIP.** Appendix G includes scoring rubrics for ATP, SCCP, TCEP, and Non-SHOPP PID projects. But CSIS also discusses the ITIP and grant support letters in a much broader context. It's unclear how the proposed scoring rubrics are being used to inform either of these. We would want to comment on that before it was applied.
- **Process for Developing A Final CSIS Not Outlined.** Page 13 of the *Interim CSIS* states that the interim draft will be applied until “a data driven approach can be developed” that is consistent with the *CAPTI*. We have not seen anything to date about how the Department will proceed to achieve that goal. There are many issues—including what kind of data would be best to use—that remain unanswered. Identifying potential paths to a final CSIS would help assure that the final document is produced with more robust engagement. Here, we are mindful of CAPTI states successful implementation requires “strong coordination between state, regional, and local agencies (CAPTI, S6, first paragraph).

## B. COMMENTS ABOUT SPECIFIC CRITERIA

- **Two Programs, Same Rubric.** G.2 SB 1 SCCP & TCEP Scoring Rubric, page 58-76. This rubric combines project nominations and scoring for the Congested Corridors Program and the Trade Corridor Enhancement Program. These are two separate and distinct grants and should be treated as such. By combining them, the scoring rubric is not adequately assessing projects for the unique purpose of each program.
- **VMT Thresholds.** G.2 SB 1 SCCP & TCEP Scoring Rubric and G.3 State-Sponsored Non-SHOPP PID Scoring Rubric, pages 58-90. Both rubrics include a qualitative metric for impact on vehicle miles traveled (VMT). By awarding zero points for any highway capacity increasing project, Caltrans is creating a no new capacity or VMT increasing policy. We all share the same goal of reducing overall VMT. But eliminating projects with VMT impacts is not consistent with CAPTI (where a guiding principle is to “promote project that do not significantly increase passenger VMT”) or Senate Bill 743 (which calls for mitigating VMT impacts). It is also not going to have a significant impact on VMT reduction overall. We already know that pricing and land use strategies have a far greater impact on reducing VMT than transportation investments alone.
- **Quantifying Disadvantage Community Outcomes.** G.2 SB 1 SCCP & TCEP Scoring Rubric and G.3 State-Sponsored Non-SHOPP PID Scoring Rubric, pages 58-90. Both rubrics include a qualitative metric for whether or not a project benefits “disadvantaged communities.” We agree it is critical to understand how a project impacts a community, but this is very difficult to quantify, and the scoring rubrics fall short on this. That said, we appreciate that the rubric includes projects that serve disadvantaged populations (but may not be located within the geographic areas of an otherwise qualifying community). This accounts for projects that benefit such communities but may not be actually located within that area.
- **Natural Resources and Enhancing Biodiversity.** G.2 SB 1 SCCP & TCEP Scoring Rubric and G.3 State-Sponsored Non-SHOPP PID Scoring Rubric, pages 58-90. Both rubrics

include a qualitative metric for whether a project minimizes its impact on natural resources. Again, we don't disagree with the concept. But the five-point maximum can only be achieved if a project has "a primary objective of enhancing biodiversity...or enhances natural or working lands...". Outside of a project that solely included a wildlife crossing, we can't think of any projects on the highway system where this is the primary objective. But such a project is not likely to score well on other parts of the rubric. Ultimately this is an example of how the scoring and weighting within these rubrics is problematic.

- **Use of OPR Infill Tool Does Not Account for Strategic Growth in RTPs.** G.2 SB 1 SCCP & TCEP Scoring Rubric and G.3 State-Sponsored Non-SHOPP PID Scoring Rubric, pages 58-90. Both rubrics include a qualitative metric for whether a project promotes infill. The scoring relies in part on whether the project is located within a "dark purple area of the Heatmap layer in OPR's Site Check tool." Although the scoring rubric doesn't explain this, we know that OPR's "dark purple Heatmap" are areas where there is a concentration of potential CEQA exemptions for certain types of land use projects, located in infill areas. This is good for that narrow purpose. It is not an accurate map or definition of infill areas. And it is limited to existing data; it does not consider where future infill development and/or future transit and multimodal centers are planned in a region's Regional Transportation Plan and/or Sustainable Communities Strategy.

### C. CONCLUSION

Thank you again for the opportunity to submit "robust" comments. It is our goal to be good partners with the state in implementing CAPTI. Please contact me if you have any additional questions.

Best Regards,



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Executive Director

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