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To: CSAC Housing, Land Use and Transportation Policy Committee
CSAC Climate Change Task Force
Legislative Coordinators

From: DeAnn Baker, Senior Legislative Representative

RE: SB 375 Implementation: Linking Transportation, Land Use & Housing

Implementation of SB 375 (Chapter 728, Statutes of 2008) continues at a rapid pace. This bill provides statutory requirements for the 18 Metropolitan Planning Organizations (MPOs) in order to achieve greenhouse gas (GHG) emissions reductions goals from the transportation sector (a brief summary of the bill is attached).

CSAC is participating in three simultaneous efforts underway with the goal of forwarding counties' interests consistent with the amendments and language we were successful in negotiating at the time of passage of SB 375. We remain steadfast in retaining regional flexibility to ensure that elected officials from member counties and cities set the path for how to grow more strategically in an effort to achieve the GHG emissions reductions targets that will be set in September 2010.

Regional Targets Advisory Committee (RTAC)—Setting the Targets

The first effort was just completed, which involved rigorous meetings throughout 2009 by the Regional Targets Advisory Committee (RTAC) charged with developing factors and methodologies to advise the California Air Resources Board (CARB) on how to set the regional GHG emissions reductions targets for the 18 Metropolitan Planning Organizations (MPOs). RTAC completed their initial mission by developing a report that may be found at the following link <http://www.arb.ca.gov/cc/sb375/rtac/report/092909/finalreport.pdf>. The next step in setting the targets will involve significant collaboration between the MPOs and CARB to determine draft targets for the 18 MPOs by June 2010 and final targets by September 2010.

CTC Guidelines for Developing Regional Transportation Plans Pursuant to SB 375

The second effort underway is an update of the California Transportation Commission (CTC) guidelines for the development of long range Regional Transportation Plans (RTPs). The revisions currently under debate are necessary to include the provisions of SB 375, and in particular the new requirements for a sustainable communities strategy (SCS) required upon the next scheduled update of the RTPs. This effort is necessary to provide future guidance to regions for full implementation of SB 375. For the first time a plethora of stakeholders are involved in drafting these guidelines amendments, which at times has led to significant debate over interpretation of SB 375 and development of subsequent language. CSAC, joined by the League of California Cities (League) and California Chapter of the American Planning Association (APA), has been involved in numerous subcommittee meetings in an attempt to limit any new language in the guidelines to actual statutory requirements. This discipline is particularly important as the CTC has the authority to determine whether the RTPs are not only consistent with statute, but the guidelines as well. It is the intent of both the CTC and Caltrans staff involved in drafting the guidelines to complete the revisions by February 1 with formal action by the CTC at their February and April 2010 meetings.

CSAC has worked to include language consistent with goals set forth during the SB 375 negotiations, which includes consistency between the SCS and the Regional Housing Needs Allocation (RHNA) to ensure that the obligation to zone for housing is consistent with where the regions target transportation resources. Further, CSAC has worked to ensure the inclusion of

the requirement that all regions consider financial incentives for jurisdictions that preserve agricultural and resource lands, as well as incentives for counties that implement policies for growth to occur within their cities. Lastly, we have included specific recognition of the local system, which we find still needs to be elevated throughout the document. Throughout these efforts it has been CSAC's goal to retain regional discretion over state discretion, and to avoid prescriptive language that allows regional discretion over cities and counties and their role over local land use authority.

While the timelines have been very brief between meetings, we would welcome your review and comment on the current draft attached. Please note that the most significant changes are found at the end of Chapter 6 from 6.22 thru 6.27. CSAC, the League and APA are currently in negotiations with the State Department of Housing and Community Development (HCD) over the language entitled Current Planning Assumptions found in Section 6.23.

Strategic Growth Council Guidelines for Allocating \$65 Million in Planning Grants

Lastly, the Strategic Growth Council (SGC) created by SB 732 (Chapter 729, Statutes of 2008) has issued draft guidelines for the allocation of approximately \$65 million in planning grants from Proposition 84 passed by the voters in 2006. The SGC held a workshop in Sacramento earlier this week and plans a second one in Burbank, CA on Monday, December 7 for public input and testimony. SGC is accepting written comments by December 10 with the goal of adopting the final guidelines by February 9. The draft may be found at http://www.sgc.ca.gov/docs/funding/2009_11_18_Planning_DRAFT.doc

CSAC is seeking your input on the SGC guidelines by December 9 to inform written comments due December 10. A few pertinent questions to consider are as follows:

- Should the SGC determine appropriate use of the funds, which would result in competition at the State level between the 18 MPOs, 26 Regional Transportation Planning Agencies (RTPAs), 480 cities and 58 counties?
- As an alternative, should regional agencies working with their member cities and counties develop a plan for use of the funds resulting in competition within regions?
- Should the criteria be narrowed to core planning functions? Currently the guidelines make "implementation" of plans eligible, which is a very broad category.
- Should the purposes or issues be limited to SB 375, climate change, etc. (currently a variety of purposes are outlined—not necessarily tied to these issues)?
- Should there be a specific split between monies allocated for regional planning versus local planning? Or should that be left to each region to decide?
- Should there be a rural set-aside for the 21 regions outside of the 18 MPOs based on Blueprint Planning since those areas are not required to prepare an SCS as required by SB 375?

These are just a few of the most evident questions that arise upon review of the draft, but further and more specific comments are welcome. There is nothing in statute that specifically limits these planning grants to SB 375 and climate change, however, a representative for Senator Steinberg that authored both bills, has indicated that it is their intent to limit the goals to climate change related purposes.

Thank you in advance for your attention to these requests.

Cc: CEAC Transportation Policy Committee
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