



DATE: March 8, 2021

TO: Transportation Authority of Marin Funding, Programs & Legislation Executive Committee

FROM: Anne Richman, Executive Director *Anne Richman*
David Chan, Programming and Legislation Manager

SUBJECT: Adopt Positions on 2021 State Legislative Bills (Action), Agenda Item No. 6

RECOMMENDATION

Recommend the Funding, Programs & Legislation (FP&L) Executive Committee to review positions on 2021 State Legislative bills, shown in Attachment A, and refer it to the TAM Board for adoption.

BACKGROUND

In January 2021, TAM adopted a Legislative Platform in guiding policy decisions and communicating TAM's goals to the Legislature and other agencies such as the Metropolitan Transportation Commission (MTC) and the Self-Help Counties Coalition (SHCC). Staff and Khouri Consulting, TAM's Legislative Consultant, use the platform to determine pertinent legislative bills to bring forth to the TAM Board for review during the 2021 Legislative Session.

The deadline to introduce legislative bills for the 2021 State Legislative Session was February 19, 2021. September 10, 2021 is the last day for the Legislature to pass bills and October 10, 2021 is the last day for the Governor to sign or veto bills. Bills passed in 2021 take effect on January 1, 2022.

DISCUSSION

The 2021 Legislative Session is the first year of a two-year session. Bills introduced in the first year of a two-year session may be moved to the second year if these bills do not generate sufficient interest.

Attachment A contains the initial set of 19 state bills and one federal bill that are being monitored by staff and Mr. Khouri. Bills may be added to the chart in the coming months as they become relevant to TAM or Marin. Staff also adds bills that have been requested by TAM Commissioners for discussion or action. Positions of other agencies, such as MTC, League of California Cities, and California State Association of Counties (CSAC), will be added to the matrix as they become available.

TAM does not typically track federal bills but a proposed federal bill to create a tax credit for the purchase of electric bicycles (e-bikes) has generated extensive interest in the bicycle communities. This federal bill is also related to TAM's effort to study the impacts of e-bikes in Marin. This federal tax credit bill is awaiting introduction from the authors (Panetta and Blumenauer) but details on the bill have been made available. Staff is requesting to adopt a support position for this tax credit when the federal bill is introduced.

Of the 20 bills listed in Attachment A, staff is recommending the following positions as listed in the below table:

Position	# of Bills	Bills
Support	5	AB 43, AB 117, AB 361, SB 551, e-bike tax credit bill
Watch	13	AB 11, AB 34, AB 41, AB 51, AB 67, AB 72, AB 786, AB 1049, AB 1069, AB 1499, SB 261, SB 339, SB 643
Oppose	2	SB 542, SB 771
	20	Total

Letters of support or opposition may be developed at the appropriate time and TAM's Legislative Consultant, Mr. Khouri, may be requested to testify at Legislative hearings, if warranted, to convey TAM's positions on specific legislation.

Climate Action Plan for Transportation Infrastructure (CAPTI)

In October 2020, the Governor's Office of Planning and Research (OPR) and the California State Transportation Agency (CalSTA) introduced CAPTI as an intent for aligning State infrastructure investments with State climate, health, and social equity goals. CAPTI includes a suite of proposed changes to State transportation planning, project scoping and programming, and mitigation activities to align with the CAPTI framework. CAPTI hopes to leverage state transportation spending to help meet state climate goals by:

- aligning planning and programming with objectives of California Climate Change Scoping Plan;
- reducing vehicle miles traveled (VMT) by directing investments in a way that support infill development, especially housing near jobs;
- reducing congestion through innovative strategies that encourage people to shift from cars to other modes of travel;
- funding infrastructure that encourages transit use, walking, and biking; and
- mitigating for any increases in transportation costs incurred on lower income residents.

More specifically, CAPTI proposes a suite of changes to State transportation planning, project scoping and programming, and mitigation activities, including:

- building towards an integrated, statewide rail and transit network;
- investing in networks of safe and accessible bicycle and pedestrian infrastructure;
- including investments in light, medium, and heavy duty zero-emission vehicle (ZEV) infrastructure;
- reducing public health harms and maximizing benefits to disproportionately impacted disadvantaged communities;
- making safety improvements to reduce fatalities and severe injuries;
- assessing physical climate risk;
- promoting projects that do not increase passenger vehicle travel;
- promoting compact infill development;
- developing a zero-emission freight transportation system; and
- protecting natural and working lands.

The next steps for CAPTI include the following:

- Full Draft Plan Release & Start of Public Comment Period: 03/10/21
- Public Workshop: 03/18/21
- CTC Meeting Presentation on Draft Plan: 03/24/21
- CTC-CARB-HCD Joint Meeting Presentation on Draft Plan: 04/08/21
- Public Comment Period Closes: 04/16/21
- Final CAPTI Release: June 2021
- Submittal of Plan to Governor and Legislature by July 15, 2021

On its face, it is hard to argue against the principles set forth by CAPTI, but there are concerns with County Transportation Agencies (CTAs) on how the State will implement CAPTI and its impacts on future State funding. State funding that has been anticipated and planned for many years in coordination with local funding on state-local collaborative projects may be deemed to be inconsistent to the CAPTI framework and could be in jeopardy.

Concerns have also arisen regarding the SB1 Program approved by voters that provided funds to annual local street and road maintenance projects to every county or the State Highway Operation and Protection Program (SHOPP) that Caltrans uses on critical maintenance projects statewide. CTAs have voiced concerns at various workshops that funding for these programs could be diverted for other purposes deemed consistent to CAPTI.

Furthermore, many CTAs have expressed that California is a diverse state with dense urban cities to rural agricultural communities that cannot be shoehorned into a one size fits all model. CTAs have voiced these and other concerns to the Governor's office. Staff will continue to monitor developments and participate in workshops on CAPTI before its adoption.

Mr. Khouri will be participating at the March 8, 2021 FP&L Executive Committee meeting to discuss the bills and proposed positions. In addition, Mr. Khouri will have a further discussion on CAPTI. Mr. Khouri's report for March is enclosed as Attachment C.

FISCAL IMPACTS

There are no immediate fiscal impacts to TAM by taking positions on these bills or by commenting on the draft CAPTI framework.

NEXT STEPS

Continue to review proposed bills relevant to TAM and convey TAM's positions to our partner agencies and pertinent Legislators when warranted. Consider whether TAM would submit comments, or support comments of other affiliate groups such as SHCC, on the draft CAPTI framework once the comment period is open.

ATTACHMENT

Attachment A – TAM Bill Matrix – March 2021
Attachment B – Draft CAPTI Plan
Attachment C – Khouri State Legislative Update – March 2021

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TAM Bill Matrix – March 2021

Measure	Status	Bill Summary	Recommended Position
AB 11 (Ward) Climate Change: Regional Climate Change Authorities	1/25/21 Assembly Natural Resources	This bill would require the Strategic Growth Council to establish up to 12 regional climate change authorities to coordinate climate adaptation and mitigation activities in their regions, and coordinate with other regional climate adaptation authorities, state agencies, and other relevant stakeholders.	Watch MTC: None CSAC: None League: None
AB 34 (Murasutchi) Communications: Broadband for All Act of 2022	12/7/20 Introduced	This is a spot bill for the Broadband for All Act of 2022, to place a ballot measure on the November 8, 2022 statewide general election, to authorize the issuance of state general obligation bonds to fund increased access to broadband services to rural, urban, suburban, and tribal unserved and underserved communities.	Watch MTC: None CSAC: None League: None
AB 41 (Wood) Communications: Broadband Infrastructure	12/7/20 Introduced	This bill would improve California's "Dig Once" policy and expedite the deployment of broadband infrastructure in communities that are currently unserved and underserved.	Watch MTC: None CSAC: None League: None
AB 43 (Friedman) Traffic Safety: Vision Zero	1/11/21 Assembly Transportation	This bill would require Caltrans to convene a committee of external design experts to advise on revisions to the Highway Design Manual to balance integrated mass transportation, highway, aviation, maritime, railroad, and other transportation facilities and services in support of statewide and regional goals. The bill would require the California Traffic Safety Program to include a traffic safety monitoring program that identifies and addresses locations with pedestrian- and bicyclist-related crashes. The bill would allow for the recalibration of speed limits of order to eliminate fatalities for motorists, bicyclists, and pedestrians.	SUPPORT MTC: None CSAC: None League: None

TAM Bill Matrix – March 2021

Measure	Status	Bill Summary	Recommended Position
AB 51 (Quirk) Climate Change: Regional Climate Adaptation Planning Groups and Plans	1/11/21 Assembly Natural Resources	Existing law establishes the Integrated Climate Adaptation and Resiliency Program, administered by the Office of Planning and Research, to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change. This bill would require the Strategic Growth Council to establish guidelines for the formation of regional climate adaptation planning groups. The bill would require the council to develop criteria for regional climate adaptation plans.	Watch MTC: None CSAC: None League: None
AB 67 (Petrie-Norris) Climate Change: Sea-Level Rise Working Group	1/11/2021 Assembly Natural Resources	This bill would require a state agency to consider the current and future impacts of sea level rise when planning, designing, building, operating, maintaining, and investing in infrastructure located in the coastal zone or otherwise vulnerable to flooding from sea level rise or storm surges, or when otherwise approving the allocation of state funds for those purposes. The bill would require the Ocean Protection Council to establish a multiagency working group to provide recommended policies, resolutions, projects, and other actions to address sea level rise, the breadth of its impact, and the severity of its anticipated harm. The bill would require the council to develop a standardized methodology and template for conducting economic analyses of risks and adaptation strategies associated with sea level rise.	Watch MTC: None CSAC: None League: None
AB 72 (Petrie-Norris) Natural Resources Agency: Coastal Adaptation Projects: Sea Level Rise: Regulatory Review and Permitting: Report	1/11/2021 Assembly Natural Resources	This bill would enact the Coastal Adaptation Permitting Act of 2021. The bill would require the Natural Resources Agency to explore and authorize the implementation of options within the agency's jurisdiction to establish a more coordinated and efficient regulatory review and permitting process for coastal adaptation projects. The bill would require the agency to submit a report to the Legislature with recommendations for improving and expediting the regulatory review and permitting process for coastal adaptation projects.	Watch MTC: None CSAC: None League: None

TAM Bill Matrix – March 2021

Measure	Status	Bill Summary	Recommended Position
AB 117 (Beorner Horvath) Electric Bicycles	1/11/21 Assembly Transportation	The bill would require the State Air Resources Board to establish and implement and administer the Electric Bicycle Rebate Pilot Project to provide rebates for purchases of electric bicycles. The bill would require the state board to submit to the Legislature a midcycle evaluation of the pilot project and an end-of-program evaluation of the pilot project. The bill would appropriate from the Greenhouse Gas Reduction Fund \$10,000,000 to the state board for purposes of the pilot project.	Support MTC: None CSAC: None League: None
AB 361 (Rivas, Robert) Open Meetings: Local Agencies: Teleconferences	2/12/2021 Assembly Local Government	This bill provides exemptions from the Ralph M. Brown Act's meeting requirements to allow local jurisdictions to meet virtually during emergencies, provided the legislative body makes certain determinations by majority vote, publishes proper notice, and provides opportunity for public comment.	Support MTC: None CSAC: None League: None
AB 786 (Cervantes) CTC Executive Director	2/16/21 Introduced	This bill would require the Governor, rather than the California Transportation Commission (CTC), to appoint the Commission's Executive Director.	Watch MTC: None CSAC: None League: None
AB 1049 (Davies) Public Transportation Account: Loan Repayment	2/18/21 Introduced	The Budget Act of 2013 and the Budget Act of 2014 require the Controller, upon the order of the Director of Finance, to transfer specified amounts totaling up to \$55,515,000 as loans from the Public Transportation Account to the High-Speed Passenger Train Bond Fund. This bill would require \$54,000,000 from these loans to be repaid to the Public Transportation Account and would provide that these repaid funds are available, upon appropriation by the Legislature, to help offset the loss of revenues incurred by transit operators during the COVID-19 pandemic.	Watch MTC: None CSAC: None League: None

TAM Bill Matrix – March 2021

Measure	Status	Bill Summary	Recommended Position
AB 1069 (Lackey) Zero-Emission Vehicles for Underrepresented Communities	2/18/21 Introduced	This bill would set a goal of having 60% of all zero-emission vehicles to be purchased by underrepresented communities, which is defined as an individual who self-identifies as Black, African American, Hispanic, Latino, Asian, Pacific Islander, Native American, Native Hawaiian, or Alaska Native, or who self-identifies as gay, lesbian, bisexual, or transgender.	Watch MTC: None CSAC: None League: None
AB 1499 (Daly) Design-Build Contracts	2/19/21 Introduced	This bill would remove the sunset date of January 1, 2024, for the ability to utilize the design-build project delivery system for up to 10 projects on the state highway system.	Watch MTC: None CSAC: None League: None
SB 261 (Allen) Regional Transportation Plans: Sustainable Communities Strategies	2/3/21 Double referred to Senate Housing and Transportation	This bill would require that the sustainable communities strategy be developed to achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050 established by the Air Resources Board.	Watch MTC: None CSAC: None League: None
SB 339 (Wiener) Road Usage Charge Pilot Program	2/8/21 Introduced	This bill extends by four years the Road Usage Charge (RUC) Technical Advisory Committee (TAC). The purpose of the TAC is to guide the development and evaluation of a pilot program to assess the potential for mileage-based revenue collection as an alternative to the gas tax system, gather public comment on issues and concerns related to the pilot program, and make recommendations to the Secretary of Transportation on the design of a pilot program.	Watch MTC: None CSAC: None League: None
SB 542 (Limón) Zero-emission Vehicles: Fees	2/18/21 Introduced	This bill would repeal the road improvement fee of \$100 to be paid to the Department of Motor Vehicles for registration or renewal of registration of every zero-emission motor vehicle with a model year of 2020 or later.	Oppose MTC: None CSAC: None League: None

TAM Bill Matrix – March 2021

Measure	Status	Bill Summary	Recommended Position
SB 551 (Stern) California Electric Vehicle Authority	2/18/21 Introduced	This bill would establish the California Electric Vehicle Authority within the Governor's office. The bill would require the authority to coordinate activities among state agencies to advance electric vehicle and zero-emission charging infrastructure deployment as well as ensure related equity, workforce development, and economic development.	Support MTC: None CSAC: None League: None
SB 643 (Archuleta) Fuel Cell Electric Fueling Infrastructure	2/19/21 Introduced	This bill would require the California Air Resources Board, in consultation with the Energy Commission and the Public Utilities Commission, to prepare a statewide assessment of the fuel cell electric vehicle fueling infrastructure and fuel production needed to support the adoption of zero-emission trucks, buses, and off-road vehicles at levels necessary for the state to meet specified goals and requirements relating to vehicular air pollution.	Watch MTC: None CSAC: None League: None
SB 771 (Becker) Sales Tax on Zero-Emission Vehicle Exemption	2/19/21 Introduced	This bill would provide a sales tax exemption on the purchase of an electric or a hybrid electric vehicle valued at \$25,000 or less. The bill specifies that there would be no local reimbursement to cities and counties for the lost revenue attributable to the exemption.	Oppose MTC: None CSAC: None League: None
HR ____ (Panetta, Blumenauer) Federal Tax Credit for E-Bikes	Awaiting introduction	This federal bill creates a tax credit that covers 30% of the cost of an electric bike (e-bike), up to \$1,500 (or \$3,000 for joint returns), applicable to e-bikes costing under \$8,000, and is fully-refundable, allowing lower-income workers to claim the credit. Credit can be applied to e-bikes that have pedals, a saddle, a motor of less than 750 watts and that meet one of the three-class definitions: class 1 (20 mph max with no throttle), class 2 (20 mph max with throttle), or class 3 (28 mph max with no throttle). The credit can only be used on new e-bikes.	Support MTC: None CSAC: None League: None

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CAPTI Draft Plan



CAPTI is...

- A **holistic framework and statement of intent** for aligning State infrastructure investments with State climate, health, and social equity goals **built on the foundation of the “fix-it first” approach** established in SB 1
- A **suite of proposed changes** to State transportation planning, project scoping and programming, and mitigation activities **to align with the CAPTI framework**
- A **living document** that enables the CAPTI to adapt, pivot and modify approaches as needed
- A structure to **monitor and evaluate progress** of transportation infrastructure implementation to align with State climate, health and equity goals

CAPTI Approach

- Maintain and build upon existing **“Fix-It-First”** approach
- **Ensure all areas of the state can benefit** from any changes to alignment of funds
- Set a framework that can **balance local contexts and needs** with standardized approaches



CAPTI Investment Framework



Building towards an integrated, statewide rail and transit network



Investing in networks of safe and accessible bicycle and pedestrian infrastructure



Including investments in light, medium, and heavy-duty zero-emission-vehicle (ZEV) infrastructure

CAPTI Investment Framework



Reducing public health harms and maximize benefits to disproportionately impacted disadvantaged communities



Making safety improvements to reduce fatalities and severe injuries



Assessing physical climate risk



Promoting projects that do not increase passenger vehicle travel



Promoting compact infill development



Developing a zero-emission freight transportation system



Protecting natural and working lands

Seven CAPTI Strategy Areas

1. Cultivate and Accelerate Sustainable Transportation Innovation by Leading with State Investments
2. Support a Robust Economic Recovery by Revitalizing Transit, Supporting ZEV Deployment, and Expanding Active Transportation Investments
3. Elevate Community Voices in How We Plan and Fund Transportation Projects
4. Advance State Transportation Leadership on Climate and Equity through Improved Planning & Project Partnerships
5. Support Climate Resilience through Transportation System Improvements and Protections for Natural and Working Lands
6. Support Local and Regional Innovation to Advance Sustainable Mobility
7. Strengthen Transportation-Land Use Connections

S1. Cultivate and Accelerate Sustainable Transportation Innovation by Leading with State Investments

	Action
S1.1	Prioritize SCCP Projects to Enable Travelers to Opt Out of Congestion
S1.2	Promote Innovative Sustainable Transportation Solutions in SCCP by Requiring Multimodal Corridor Plans
S1.3	Fast Track New CAPTI-Aligned Projects in Early Planning Phases by Adding Them to the ITIP
S1.4	Mainstream Zero-Emission Vehicle Infrastructure Investments within TCEP

S2. Support a Robust Economic Recovery by Revitalizing Transit, Supporting ZEV Deployment, and Expanding Active Transportation Investments

	Action
S2.1	Implement the California Integrated Travel Program (Cal-ITP)
S2.2	Identify A Long-Term Strategic Funding Pathway Across All Funding Opportunities to Realize the State Rail Plan
S2.3	Accelerate TIRCP Cycles to Support Transit Recovery with deployment of ZEV Transit/Rail Fleets and Transit/Rail Network Improvements
S2.4	Increase Funding to Active Transportation Program (ATP)

S3. Elevate Community Voices in How We Plan and Fund Transportation Projects

	Action
S3.1	Establish Transportation Equity and Environmental Justice Advisory Committee(s)
S3.2	Strengthen and Expand Coordinated, Targeted Technical Assistance on State Transportation Funding Programs
S3.3	Lift Up and Mainstream Community Engagement Best Practices
S3.4	Develop and Utilize Equity Index to Assist in Evaluation or Prioritization of Caltrans Projects

S4. Advance State Transportation Leadership on Climate and Equity through Improved Planning & Project Partnerships

	Action
S4.1	Develop and Implement the California Strategic Investment Strategy (CSIS) to Align Caltrans Project Nominations in with the CAPTI Investment Framework
S4.2	Align Interregional Transportation Strategic Plan 2021 (ITSP) with CAPTI Investment Framework
S4.3	Update the 2023 State Highway System Management Plan (SHSMP) and Asset Management Targets to Meaningfully Advance CAPTI Investment Framework
S4.4	Re-focus Caltrans Corridor Planning Efforts to Prioritize Sustainable Multimodal Investments in Key Corridors of Statewide and Regional Significance
S4.5	Develop and Implement Caltrans Climate Action Plan (CCAP)
S4.6	Incorporate Zero-Emission Freight Infrastructure Needs in California Freight Mobility Plan (CFMP)

S5. Support Climate Resilience through Transportation System Improvements and Protections for Natural and Working Lands

	Action
S5.1	Develop Climate Risk Assessment Planning and Implementation Guidance
S5.2	Update SHOPP and SB 1 Competitive Program Guidelines to Incentivize Climate Adaptation and Climate Risk Assessments/Strategies
S5.3	Explore Incentivizing Land Conservation through Transportation Programs

S6. Support Local and Regional Innovation to Advance Sustainable Mobility

	Action
S6.1	Explore New Mechanisms to Mitigate Increases in Vehicle Miles Travelled (VMT) from Transportation Projects
S6.2	Convene an Equitable Roadway Pricing Working Group to Identify Implementation Pathways for Local and Regional Efforts
S6.3	Develop Interagency Framework for Project Evaluation Around Advancing Sustainable Communities

S7. Strengthen Transportation-Land Use Connections

	Action
S7.1	Leverage Transportation Investments to Incentivize Infill Housing Production
S7.2	Create a Working Group to Explore Potential Action to Address Direct and Indirect Displacement in Transportation Programs
S7.3	Explore a “Highways to Boulevards” Conversion Pilot Program

Discussion

CAPTI Next Steps

- Full Draft Plan Release & Start of Public Comment Period: 03/10/21
- Public Workshop: 03/18/21
- CTC Meeting Presentation on Draft Plan: 03/24/21
- CTC-CARB-HCD Joint Meeting Presentation on Draft Plan: 04/08/21
- Public Comment Period Closes: 04/16/21
- Final CAPTI Release: June 2021
- Submittal of Plan to Governor and Legislature by July 15, 2021

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February 25, 2021

TO: Board Members, Transportation Authority of Marin
FROM: Gus Khouri, President
Khoury Consulting LLC

RE: STATE LEGISLATIVE UPDATE – MARCH 2021

On January 8, Governor Newsom released his proposed FY 2021-22 State Budget. The 2021-22 State Budget, which contains \$164 billion in General Fund spending (\$227 billion total when including special funds). The elimination net operating loss tax credits in the 2020-21 enacted State Budget combined with a record amount of capital gains receipts has resulted in an additional \$34 billion of revenue help close the \$54.3 billion deficit due to the COVID-19 pandemic induced recession. The state also has reserves including: \$15.6 billion from the Proposition 2 Rainy Day Fund; \$450 million from the Safety Net reserve; \$3 billion from the Public School System Stabilization Account; an \$2.9 billion from the state's operating reserve. In addition, over \$10 billion in federal assistance is anticipated during the 2021-22 State Budget cycle.

While the state unemployment rate has dropped from 16.4% last May to about 8% this January, a structural deficit of \$7.6 billion is projected for FY 2022-23, and that is expected to grow to \$11 billion by FY 2024-25. Of the \$887 billion available nationally from the Coronavirus Response and Relief Supplemental Appropriations Act, the state is expected to receive \$105.5 billion of that amount, with \$42 billion going to individuals and families.

The 2021-22 State Budget also includes \$300 million in one-time General Fund revenues for the most critical statewide deferred maintenance, including greening of state infrastructure. This proposal is intended to create jobs in California while achieving the state's climate goals. Projects include the installation of electric vehicle charging stations at state-owned facilities. An additional \$1.5 billion investment is included to accelerate the state's progress toward these goals while creating jobs. The proposal will support jobs and economic growth and provide air quality benefits and support for low-income Californians to purchase cleaner vehicles. Funds will support purchases of clean trucks, buses and off-road freight equipment and Clean Cars 4 All programs. It will also support job-creating construction of electric charging and hydrogen fueling stations necessary to accelerate zero-emission vehicle adoption. The package builds upon Executive Order N-79-20, which mandates no gas-powered passenger vehicle sales by 2035, which will force a conversion to an alternative fuel source.

On February 23, Governor Newsom signed a package of bills that provides nearly \$6.8 billion in relief for small businesses, families, and individuals to help ease the economic burden of the COVID pandemic. This includes \$3.4 billion in payments of \$600 to 5.7 million Californians (those making below \$75,000), \$2.1 billion for grants of up to \$25,000 to small businesses, \$740 million to waive license fees to bars, restaurants, and cosmetology establishments, \$400 million for childcare, and \$100 million for low-income community college students.

Impact on Transportation Funding

The reduction in fuel consumption due to the pandemic shelter in place order has resulted in an estimated \$1.5 billion reduction of gas tax receipts through FY 2024-25, which will undoubtedly impact funding for local streets and roads, the State Highway Operations and Protection Program (SHOPP), which focuses on maintaining our state highway system, and the State Transportation Improvement Program (STIP), which provides funding for future multi-modal transportation improvements throughout California. For FY 2020-21 through FY 2023-24, \$17.4 billion is programmed for the SHOPP and \$2.4 billion for the STIP.

The CRRSSA federal stimulus package will provide some much-needed relief for public transportation operations (\$2 billion) and highway projects (\$912 million). The state has also received over \$500 million in the redistribution of unused funding from other states. This is in addition to the \$3.7 billion that was received last year through the Coronavirus Aid, Relief, and Economic Security (CARES) Act to help transit agencies.

The California Transportation Commission (CTC) is currently in the process of holding workshops to determine the distribution of the \$912 million in federal stimulus funds. The purpose of the money is to backfill shortfalls attributable to the shelter in place order, which resulted in less gas consumption. Traditionally, these funds have been split 60/40 between the state and local transportation agencies, respectively. If maintained, this would result in roughly \$365 million being transferred to local agencies, and \$547 million going to the state. The state funds will most likely go towards the SHOPP to help maintain the state highway system and provide active transportation linkages.

Several regions have expressed a preference that the local share be distributed through the Surface Transportation Block Grant, which provides a direct, flexible allocation to help expedite project delivery. The CTC has suggested that distributions go through the STIP process, in order to help with the 2022 STIP, which is expected to have a shortfall of \$100 million for the cycle. The CTC is expected to address the item at its March 24 meeting.

Governor's Climate Action Plan for Transportation Infrastructure (CAPTI)

The California State Transportation Agency in collaboration with the Governor's Office of Planning and Research (OPR) and California Air Resources Board (CARB) is in the process of adding guidance to implement Governor Newsom's Executive Order, N-19-19, to reduce greenhouse gas emissions and vehicle miles traveled through limiting capacity projects along the state highway system, discouraging the use of single-occupant, gas powered vehicles, while encouraging mode shift through accelerated investments into public transportation, bicycle and pedestrian programs, and electric vehicle infrastructure. The plan being developed is named the Climate Action Plan for Transportation Infrastructure (CAPTI).

The current CAPTI draft encourages investments to be made that account for improvements for disadvantaged communities, making safety improvements that reduce fatalities on roadways and transit systems, factor in climate risk for transportation infrastructure projects, prioritize projects that reduce vehicle miles traveled, and favor investments into passenger rail over highways, particularly capacity projects. While the adopted TAM 2021 State Legislative Platform is supportive of many of these objectives, it may be problematic for many small urban/rural areas to refrain from making highway capacity project improvements, particularly where reductions in vehicle miles traveled may not be possible due to the lack of rail infrastructure or density to support those systems.

This results in a need to plan, fund, and deliver projects that may increase passenger vehicle travel that addresses safety, congestion, and freight movement, particularly along lifeline routes, such as Highways 1, 37 or 101 where in some cases there is limited or no passenger rail service or transit service. Many regions are asking the state to consider geographic areas where capacity expansion is necessary to address climate adaptation and resiliency or completing gap closures on evacuation or parallel routes, and east-west connectors, such as SR 37 or I-580/80, in case of natural disasters or other climate events.

The draft CAPTI policy could require TAM to reassess its ability to leverage voter-approved investments as articulated in the expenditure plan for Measure AA since CAPTI implies there will be less state investment made on the state highway system. While the state clearly cannot adjust locally approved sales tax expenditure plans, it is the owner/operator of the state highway system, and it reserves the right to place local funds on a state-owned asset and authorize the availability of state resources, which could call into the question the leveraging power of local sales tax revenues to deliver certain projects.

TAM has historically always supported multi-modal options such as bike and pedestrian projects, and bus, ferry, and rail service. It is necessary given the Bay Area's population density (less so in the North Bay). It is expensive however to build and operate a transit system and may not always serve as a pragmatic or efficient solution for a constituency's daily mobility needs. Pre-pandemic, ridership levels declined in 31 metropolitan areas nationally. The widespread impact of COVID-19 has exacerbated this predicament due to the shelter in place order and social distancing protocols.

TAM's adopted 2021 State Legislative Platform articulates several solutions to consider that are designed to improve air quality, reduce congestion, and provide greater mobility options. Suggested strategies include operational investments such as the increase of broadband access to encourage telecommuting, ability of transit agencies to utilize vanpools and high-occupancy vehicle lanes to provide more frequent and cost-effective service, shipment of more freight via rail to ease congestion and enhance safety, creation of greater incentives for businesses to expand or relocate to help reduce vehicle miles traveled, and accelerating the installation of zero-emission charging stations and providing incentives for zero-emission vehicle purchases.

The California State Transportation Agency will be holding a workshop on March 18 to discuss further with the hope of adoption of the CAPTI in June.

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