



DATE: January 26, 2023

TO: Transportation Authority of Marin Board of Commissioners

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

SUBJECT: Adopt the 2023 Legislative Platform (Action), Agenda Item No. 10

RECOMMENDATION

The TAM Board reviews and adopts the proposed 2023 Legislative Platform as shown in Attachment A.

On January 9, 2023, the Funding, Programs & Legislation (FP&L) Executive Committee reviewed, suggested additional language, and voted unanimously to refer the proposed 2023 Legislative Platform with suggested changes to the Board for review and adoption.

BACKGROUND

At the beginning of each year, with the support of Khouri Consulting, TAM's Legislation Consultant, staff develops, and the TAM Board adopts, a Legislative Platform to guide policy decisions and communicate TAM's goals and the County's transportation needs to the Legislature and other agencies, such as the Metropolitan Transportation Commission (MTC) and the Self-Help Counties Coalition (SHCC).

The platform is used to guide communications on critical legislation and policies that impact how TAM achieves its goals and funding needs during the year. Staff and Khouri Consulting will bring recommendations on pending legislation to the TAM Board for review during the Legislative Session.

To further Marin's transportation interests, TAM has historically worked in concert with other agencies and associations in developing a unified message. TAM's past legislative advocacy and successes have usually been accomplished by working collaboratively with the North Bay Counties, Bay Area County Transportation Agencies (BACTA), SHCC, Regional Transportation Planning Agencies (RTPAs), and MTC. TAM will continue this practice to seek partners with common interests in supporting or opposing pertinent legislation and policies in 2023.

DISCUSSION/ANALYSIS

During the height of the pandemic, State Legislators were dissuaded from introducing too many bills because hearings and public participation were limited. On October 17, 2022, Governor Gavin Newsom announced that the COVID-19 State of Emergency will end on February 28, 2023. It is uncertain if the ending of the State of Emergency will result in an increase in the introduction of bills. Staff and Khouri Consulting will be monitoring the introduction of all bills and policies relevant to TAM for 2023.

Proposed 2023 Legislative Platform

Staff has developed the annual Legislative Platform to address ongoing and emerging transportation issues anticipated for 2023. The proposed 2023 Legislative Platform is included as Attachment A. A redlined version of the proposed 2023 Legislative Platform is included as Attachment B to show changes from the 2022 Platform. Attachment C is the adopted 2022 Legislative Platform.

The proposed 2023 Legislative Platform captures relevant ongoing policy elements that TAM adopted in prior years' platforms and adds potential new issues that staff anticipates being relevant in 2023. Staff and Khouri Consulting also reviewed MTC's and the County of Marin's 2023 Legislation Programs to avoid unwarranted contradictory proposals.

The proposed 2023 Legislative Platform recognizes the importance of state funding and suggests diligent efforts to enhance funding opportunities for Marin's transportation projects/programs. In addition to state funding, new funding opportunities have emerged from the passage of the federal Infrastructure Investment and Jobs Act (IIJA). TAM will continue to monitor all proposals on the distribution of IIJA funds to maximize funding opportunities for projects/programs in Marin.

While transportation funding policies continue to remain a focal point, the proposed 2023 Legislative Platform addresses other key areas of interest to TAM, including, but not limited to, the following:

- support legislation and regional efforts to encourage the state to provide resources to transit agencies in dealing with the impacts from the pandemic, including decline in ridership;
- support legislation that mitigates climate change and promotes resilience;
- support legislation that encourages multi-modal transportation options that emphasize active transportation, zero emission vehicles, and public transit;
- support legislation that provides resources and incentives for electric vehicle usage and infrastructure; including support for transit operators transitioning bus, ferry, and rail fleets to zero emission vehicles;
- support legislation that allows transit buses to use highway shoulders where feasible; and
- support legislation that allows more opportunities and simplifies the existing rules for virtual public meetings after the end of the State of Emergency.

On January 9, 2023, the FP&L Executive Committee suggested the State and Federal Funding sections to explicitly include "Marin Transit facilities" as an emphasis for targeted funding. Attachments A and B include the request by the FP&L Executive Committee.

2023 State Legislative Session

The 2023 Legislative Session is the first year of a two-year session. Any bill that is introduced in the first year that does not pass is eligible to continue through the legislative process in the second year without needing to be re-introduced.

The deadline to introduce legislative bills for the 2023 State Legislative Session is February 17, 2023. Staff and Khouri Consulting anticipate returning to the Board in March to highlight relevant bills for monitoring and taking positions consistent with the adopted 2023 Legislative Platform. Notable dates for the 2023 Legislative Session are shown in the table below.

Legislature reconvenes	January 4, 2023
Deadline for Governor to submit proposed FY2023-24 State Budget	January 10, 2023
Last day for bills to be introduced	February 17, 2023
Deadline to propose changes to State Budget, referred to as "May Revise"	May 14, 2023
Deadline for Legislature to pass State Budget	June 15, 2023
Last day for the Legislature to pass bills	September 14, 2023
Last day for the Governor to sign or veto bills	October 14, 2023
Statutes take effect, except emergency items that take effect upon signing	January 1, 2024

As noted in the above milestones, the Governor submitted a budget proposal to the Legislature on January 10, 2023. Attachment D is Khouri Consulting's initial summary of the proposed FY2023-24 State Budget, particularly with issues involving transportation. Mr. Khouri will provide more details on the proposed State Budget at the January TAM Board meeting.

FISCAL CONSIDERATION

There are no immediate fiscal impacts with the adoption of the 2023 Legislative Platform.

NEXT STEPS

Upon the TAM Board's approval, staff will communicate TAM's 2023 Legislative Platform to our partners, review proposed 2023 legislative bills, and present relevant legislative bills to the TAM Board for action.

ATTACHMENTS

- Attachment A – Proposed 2023 Legislative Platform
- Attachment B – Proposed 2023 Legislative Platform redlined version
- Attachment C – Adopted 2022 Legislative Platform
- Attachment D – Khouri Consulting State Legislative Update

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ATTACHMENT A

Proposed TAM 2023 Legislative Platform

Issue and Background Information	Goals	Strategies
<p>I. Acquiring State Funding for TAM’s Priority Projects</p> <p>In 2017, the legislature enacted SB 1 (Beall), Chapter 5, statutes of 2017, which provides \$5.2 billion in annual revenues to fund traffic congestion relief, highway rehabilitation and safety, local streets and roads repair, and multi-modal options through investments into public transportation, commuter and intercity rail, and bicycle and pedestrian programs. Applications were due to the California Transportation Commission(CTC) in December of 2022 for the SB 1 Cycle 3 competitive programs. Program adoption is scheduled for June 2023. The CTC adopted \$1.35 billion in funding for Cycle 6 of the Active Transportation Program in December. Of that amount, \$1.049 billion was one-time money approved in the FY2022-23 State Budget (AB 180).</p> <p>On November 15, 2021, President Biden signed the Infrastructure Investment and Jobs Act of 2021 (IIJA P.I. 117-58), which provides \$1.2 trillion in investments through 2026 for federal-aid highways, transit, highway safety, among other items. California is estimated to receive a guaranteed formulaic distribution of \$40 billion over the next five years. Discussion continues regarding the distribution of funding.</p> <p>On September 23, 2020, Governor Newsom issued Executive Order N-76-20, which prohibits the sale of gasoline-powered passenger vehicles by 2035 and promotes zero-emission vehicles for future mobility needs. Given that transportation is predominantly funded through the gas tax, a successor funding mechanism will eventually be needed.</p>	<p>A. Aggressively pursue funds through the State Budget, California Transportation Commission allocation process or any other state sources.</p> <p>B. Ensure predictability and stability of transportation revenue should the state move away from diesel or gasoline powered vehicles and the gas tax.</p>	<p>1. TAM will remain diligent in competing for additional state funds, including California’s share of federal funds, to support countywide priorities, with an emphasis on addressing safety, congestion, and mobility on State Route 37 and the 580/101 connector, as well as rehabilitating roads and bridges, such as the Richmond-San Rafael Bridge and Bellam Boulevard Off-Ramp Project. This includes supporting efforts to increase the appropriation authority/programming capacity for the SB 1 competitive programs.</p> <p>2. TAM supports a revenue-neutral conversion from the gas tax to a source that ensures equity in revenue collection that does not disadvantage those that must drive further to job centers.</p> <p>3. In partnership with local transit operators and jurisdictions, TAM will monitor and support appropriate efforts to encourage and provide resources for transportation to maintain a state of good repair, implement operational improvements, enhance connections to transit, advance equitable mobility, and enhance the safety and extent of the bicycle and pedestrian networks.</p> <p>4. TAM supports a streamlined application process for state funds so that the process does not disadvantage smaller agencies with scarce resources to limit or avoid entirely the need to retain costly consultants in preparing applications.</p>
<p>II. Addressing Mobility and Meeting State Climate Change Mandates</p> <p>The CTC, California Air Resources Board, and California</p>	<p>A. Monitor activities regarding greenhouse gas emission reduction, local land use</p>	<p>1. TAM will support efforts to secure resources to expand infrastructure and incentives, such as rebates and tax credits particularly for low-income individuals and families, for electric vehicle conversion by minimizing concerns over range, cost, and</p>

Issue and Background Information	Goals	Strategies
<p>Department of Housing and Community Development are required to convene twice a year to coordinate transportation policies, with a focus on reducing vehicle miles traveled and greenhouse gas emissions. Concurrently, the legislature continues to work on providing resources to develop additional affordable housing and assess job creation opportunities to help mitigate vehicle miles traveled to reduce greenhouse gas emissions.</p> <p>On September 20, 2019, Governor Newsom issued Executive Order N-19-19, directing the California State Transportation Agency to leverage \$5 billion in state funding to encourage mode shift with an emphasis on reducing greenhouse gases and vehicles miles traveled. Regional transportation planning agencies face greater challenges in addressing mobility and congestion management while accounting for local land use planning and complying with state mandates to reduce greenhouse gas emissions and vehicle miles traveled.</p> <p>Given the unique geography of Marin County, local land use development patterns, and the regional travel patterns, opportunities for reducing vehicle miles traveled can be challenging. The prospects for reducing greenhouse gas emissions can also be realized through investments made to improve the availability of charging station infrastructure and availability of converting from gas-powered to electric passenger vehicles, where feasible.</p>	<p>development patterns and the impact on vehicle miles traveled.</p> <p>B. Support state funding to expand infrastructure and incentives for conversion to electric vehicles to reduce greenhouse gas emissions.</p> <p>C. Support climate resilience policies and funding opportunities.</p>	<p>infrastructure. An evaluation of the cost of increased usage of electricity, as well as availability should be considered.</p> <p>2. TAM will work with the Self-Help Counties Coalition, the California Association of Councils of Governments, and other partners, to develop additional revenue sources at the state, regional and local level to support the planning required by SB 375, and making transit-oriented development more viable, where feasible. This includes supporting MTC’s efforts to advocate for SB 375 reform to incentivize near-term, real-world progress on GHG emission reduction over the current approach, which places too great an emphasis on long-term modeling, and seek changes to provide greater alignment, rather than competition between regional and state GHG reduction strategies.</p> <p>3. TAM will monitor upcoming funding opportunities for land use and transportation planning integration to support and advocate for Marin PDAs and major transit stops to integrate housing and transportation to reduce VMT.</p> <p>4. TAM will monitor upcoming funding opportunities and programs for zero emission vehicles, including charging infrastructure. This includes working with local jurisdictions to support climate action plan goals and mobility goals, including MTC’s effort to seek up to \$1.25 billion for zero-emission vehicle investments in the FY2023-24 budget, consistent with the level identified in AB 211 (2022), part of the multiyear climate commitment in the FY2022-23 budget. Ensure zero-emission transit vehicles and infrastructure are eligible uses of the public transit funds, including supporting funds to help transit operators transition bus, ferry, and rail fleets to zero emission vehicles.</p> <p>5. TAM will continue to seek to modify the definition of disadvantaged communities so that resources can be used in underprivileged communities within the County but also provide a regional benefit.</p>

Issue and Background Information	Goals	Strategies
		<p>6. TAM will continue to work with organizations such as the California League of Cities, California State Association of Counties, and Self-Help Counties Coalition, among others, to pursue funding from Cap-and-Trade revenues or other means to help comply with the statewide mandate to reduce GHG emissions. This includes supporting operational improvements such as telecommuting, vanpools, shipping more freight via rail, and promoting opportunities to generate revenue for providing multi-modal options, including bus and ferry service. TAM will also work with these groups to understand the impact of any new requirements on local, voter-approved transportation measures.</p> <p>7. TAM will support efforts to extend the Cap-and-Trade program beyond 2030 and efforts to mitigate climate change and support adaptation to climate-related impacts, including wildfire risk and infrastructure that would assist in adaptation to sea-level rise, such as wetlands restoration, levee construction or other resilience measures to mitigate against threats to the local transportation network, particularly major arterials, or evacuation routes.</p>
<p>III. Leveraging Regional Partnerships</p> <p>Even with the availability of state resources, regional coordination and funding is needed to expedite project delivery to improve air quality, mobility and maintain system integrity. TAM will educate our delegation and state funding partners, such as the California State Transportation Agency, CTC, Caltrans, and the Newsom Administration, about the Bay Area’s transportation network and mobility needs.</p>	<p>A. Coordinate with MTC and Bay Area County Transportation Agencies to protect and acquire resources to address transportation infrastructure and mobility needs.</p>	<p>1. TAM will coordinate with MTC to position Marin projects for competitive state and federal grant funding opportunities.</p> <p>2. MTC intends on collaborating with Caltrans and the four North Bay Counties (Marin, Napa, Solano, Sonoma) to seek approval for tolls on State Route 37 to help fund congestion relief and sea level rise/flood prevention projects on the route. TAM will work with stakeholders to ensure that the potential legislation supports Marin’s priorities of addressing segments within the County.</p> <p>3. TAM will support the California Transit Association’s (CTA’s) effort to pursue statewide legislation to allow for transit buses to use shoulders along routes such as Highway 101.</p> <p>4. TAM will advocate for the expansion of cost-savings provisions for MTC and the Bay Area Toll Authority (BATA) that were incorporated into the FY2020-21 State Budget with respect to local agencies to reduce BATA administrative costs and free up funding</p>

Issue and Background Information	Goals	Strategies
		<p>for key bridge maintenance and increased capacity to support counties with bridge toll revenues.</p>
<p>IV. Enhancing Multi-Modal Options</p> <p>The COVID-19 pandemic and the shift to working from home has exacerbated transit ridership challenges. AB 149 (Committee on Budget), Chapter 81, Statutes of 2021, provides statutory relief in meeting farebox recovery requirements for receiving State Transit Assistance (STA), Low Carbon Transit Operations Program (LCTOP), and State of Good Repair funds, through fiscal year 22-23. It suspends Transportation Development Act (TDA) and STA penalties for this duration. The bill also adds a list of new exemptions from the farebox recovery calculation, including on-demand service and micro transit service beyond fixed-route service, costs for security, ticketing services, pensions, planning for improvements in transit operations, integration with other operators and agencies, transitioning to zero-emission operations, and for compliance with state and federal mandates. Legislation will be needed to extend relief for transit operators to maintain and expand existing services.</p> <p>The recent cycles of the State’s Active Transportation Program (ATP) have left many viable applications unfunded due to the lack of funds. Cycle 6 provided one-time funding of \$1.3 billion. In addressing climate changes, broad based support for more funding for active transportation and safety improvements on existing roadways (i.e., “complete streets”) have been advocated by various organizations.</p>	<p>A. Support potential changes to the Transportation Development Act to assist local public transportation with funding eligibility.</p> <p>B. Seek funding to maintain transit operations.</p> <p>C. Pursue opportunities to expand active transportation network and improve bicycle and pedestrian safety.</p>	<p>1. TAM will support legislation that creates flexibility for public transportation funding programs to maintain service. This includes supporting an on-going funding augmentation for transit operations.</p> <p>2. TAM will support efforts by Marin Transit and Golden Gate Bridge, Highway and Transportation District to acquire funds from Cap and Trade and Transit and Intercity Rail Capital Program for operations and capital needs for bus, rail and bicycle and pedestrian programs, ferries, and transit hubs, such as the San Rafael Transit Center, Marin Transit facilities, and Bus on Shoulder Project.</p> <p>3. TAM will also continue to advocate for a permanent augmentation to the Active Transportation Program, and any other funding made available to enhance bicycle and pedestrian safety and infrastructure to encourage mode shift, which includes use of e-bikes, as well as support to implement Vision Zero to eliminate fatalities. TAM will actively pursue funds for non-motorized transportation applications that were not funded by ATP or OBAG 3.</p> <p>4. TAM supports recommendations made by the Blue-Ribbon Transit Recovery Task Force and will assist local transit agencies in seeking funding opportunities to implement those recommendations applicable to Marin.</p> <p>5. TAM will participate in a regional effort to pursue a unified statewide advocacy strategy for new ongoing (multi-year) state funding to address transit operators’ fiscal impacts from the pandemic, as well as other improvements needed to attract riders back to transit.</p>

Issue and Background Information	Goals	Strategies
<p>V. Seeking Efficiencies</p>	<p>A. Support efforts to streamline and expedite project delivery.</p> <p>B. Support flexibility for local agencies to conduct virtual public meetings.</p>	<p>1. TAM will support efforts to streamline the permitting process, delivery methods or additional administrative steps necessary to deliver projects in a timely and cost-effective manner.</p> <p>2. TAM will monitor and engage in legislation, in coordination with other local agency associations and regional agencies, related to modifying AB 2449 (Rubio), which updates the Ralph M. Brown Act (Brown Act) to incorporate some of the increased flexibility in relation to remote participation in meetings without a declared State of Emergency. AB 2449 limits virtual participation for no more than 20% of a local agency’s board meetings and requires a quorum to meet in a singular physical location within the jurisdiction of a board. TAM will advocate for language that allows board members to participate remotely more frequently, as long as the public is afforded the same opportunity.</p>
<p>VI. Pursuing Federal Opportunities</p> <p>The Fixing America’s Surface Transportation (FAST) Act was enacted in 2015 and authorized federal surface transportation programs for highways, highway safety and transit. It expired September 30, 2020; however, a one-year extension was approved to provide certainty to states and local governments under the strain of the COVID-19 pandemic.</p> <p>In 2019, the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule proposed to amend existing Corporate Average Fuel Economy (CAFE) and tailpipe carbon dioxide emissions standards for passenger cars and light trucks and to establish new standards covering model years 2021 through 2026. The Trump Administration threatened to revoke California’s Clean Air Act waiver, devising its own emissions standards.</p> <p>On November 15, 2021, President Biden signed the Infrastructure Investment and Jobs Act of 2021 (IIJA P.L. 117-58), which provides \$1.2 trillion in investments through 2026 for federal-aid highways, transit, highway safety, among other items. California is estimated to receive a guaranteed formulaic distribution of funding over the next five years as</p>	<p>A. Seek federal funding to support priority projects/programs at TAM and for our partner agencies.</p> <p>B. Support climate resilience policies.</p>	<p>1. TAM will work with our regional and national partners to implement the IIJA to achieving goals related to infrastructure condition, safety, mobility, and air quality. TAM will monitor funds from IIJA that are distributed to the Bay Area in an equitable manner to CTAs and transit agencies. TAM will also seek new resources to support climate adaptation and the deployment of new transportation technology to address the Bay Area’s mobility challenges.</p> <p>2. TAM also supports examining revenue solutions for the Highway Trust Fund that keeps up with inflation.</p> <p>3. TAM will continue to advocate that federal transportation programs fund and advance the following priorities:</p> <p>a. Highway 101 Multi-Modal Corridor Projects. TAM will <u>support</u> the Sonoma Marin Area Rail Transit’s (SMART’s) efforts to seek or maintain funding for its project, including extension north to Cloverdale, completion of the multi-use pathway, and potential extension east to the Capital Corridor near Interstate 80. <u>Support</u> efforts to construct a new Bettini San Rafael Transit Center to ensure safe and efficient multimodal operations for SMART, bus operations, pedestrians, and motor vehicles. <u>Support</u> other emerging multi-modal</p>

Issue and Background Information	Goals	Strategies
<p>follows: \$25.3 billion for federal-aid highways (60/40 split between state and local agencies); \$9.45 billion to improve public transportation; \$4.2 billion for bridge repair and seismic retrofits; and \$384 million for expanding the electric vehicle charging network.</p>		<p>improvements along the corridor.</p> <p>b. Nonmotorized Transportation/ATP. <u>Seek</u> funds dedicated to nonmotorized transportation projects and programs, including Safe Routes to Schools.</p> <p>c. State Highway 37. <u>Support</u> funding for sea level rise adaptation/resilience projects for the State Route 37 Project including Segment A in Marin County.</p> <p>d. Transit Funding. <u>Support</u> maintaining or increasing funding for transit operations and capital programs, including immediate pandemic-related relief funding and transit facilities for Marin Transit.</p> <p>4. TAM will advocate for mitigating climate change and will support adaptation to protect transportation infrastructure from climate-related impacts, including wildfire risk and sea-level rise.</p> <p>5. TAM will monitor litigation and any potential actions pertaining to SAFE rule enactment and compliance.</p> <p>6. TAM will support an extension of federal tax credits for zero emission vehicles. Federal law provides a credit for qualified plug-in electric drive motor vehicles including passenger vehicles and light trucks.</p> <p>7. While the United States District Court granted a Stay Order to allow transit funds to continue to flow to California and prevents the Department of Labor from using PEPRRA to slow or stop the execution of FTA grants to transit agencies, TAM supports a permanent resolution that does not compel rescission of grant funds to ensure predictability for transit agencies.</p>

ATTACHMENT B

Proposed TAM 2023~~2~~ Legislative Platform

Issue and Background Information	Goals	Strategies
<p>I. Acquiring State Funding for TAM’s Priority Projects</p> <p>In 2017, the legislature enacted SB 1 (Beall), Chapter 5, statutes of 2017, which provides \$5.2 billion in annual revenues to fund traffic congestion relief, highway rehabilitation and safety, local streets and roads repair, and multi-modal options through investments into public transportation, commuter and intercity rail, and bicycle and pedestrian programs. In 2020, TAM was successful in acquiring \$40 million for the completion of the Marin-Sonoma Narrows. Applications were due to the California Transportation Commission(CTC) in December of 2022, with applications being due in the Winter for the SB 1 Cycle 3 competitive programs. Program adoption is scheduled for June 2023. The CTC adopted \$1.35 billion in funding for Cycle 6 of the Active Transportation Program in December. Of that amount, \$1.049 billion was one-time money approved in the FY 2022-23 State Budget (AB 180). Additionally, the State General Fund is projected to have a \$31.2 billion surplus for FY 22-23. There is also a \$4.5 billion carryover of resources from FY 21-22.</p> <p><u>On November 15, 2021, President Biden signed the Infrastructure Investment and Jobs Act of 2021 (IIJA P.L. 117-58), which provides \$1.2 trillion in investments through 2026 for federal-aid highways, transit, highway safety, among other items. California is estimated to receive a guaranteed formulaic distribution of \$40 billion over the next five years as follows: \$25.3 billion for federal aid highways (60/40 split between state and local agencies); \$9.45 billion to improve public transportation; \$4.2 billion for bridge repair and seismic retrofits; and \$384 million for expanding the electric vehicle charging network. Discussion continues regarding the distribution of funding.</u></p>	<p>A. Aggressively pursue funds through the State Budget, California Transportation Commission allocation process or any other state sources.</p> <p>B. Ensure predictability and stability of transportation revenue should the state move away from diesel or gasoline powered vehicles and the gas tax.</p>	<p>1. TAM will remain diligent in competing for additional state funds, including California’s share of federal funds that need to be implemented, for to support countywide priorities, with an emphasis on addressing safety, congestion, and mobility on State Route 37 and the 580/101 connector, as well as rehabilitating roads and bridges, such as the <u>Richmond-San Rafael Bridge and Bellam Boulevard Off-Ramp Project</u>. This includes supporting efforts to increase the appropriation authority/programming capacity for the SB 1 competitive programs.</p> <p>2. TAM supports a revenue-neutral conversion from the gas tax to a source that ensures equity in revenue collection that does not disadvantage those that must drive further to job centers.</p> <p>3. In partnership with local transit operators and jurisdictions, TAM will monitor and support appropriate efforts to encourage and provide resources for <u>“seamless” transportation to maintain a state of good repair, implement operational improvements, enhance connections to transit, advance equitable mobility, and enhance the safety and extent of the bicycle and pedestrian networks.</u></p> <p>4. Participate in a unified Bay Area strategy to advocate for equitable shares of the surplus funds for Northern California and protects the interests of smaller counties and smaller transit agencies. Advocate that the majority of the surplus funds be used to augment existing funding sources, such as STA, ATP, STIP, and other sources with established distribution formulas or statewide competitive structure and oppose using the STIP as the mechanism for distributing public transit funding, particularly when STA distribution mechanism is readily available. Moreover, funds distributed through STIP would require additional steps through the California Transportation Commission (CTC) that is avoided by STA that provides funding directly to transit agencies based readily accepted transit formula.</p> <p>45. TAM supports a streamlined application process for state funds</p>

Issue and Background Information	Goals	Strategies
<p>On September 23, 2020, Governor Newsom issued Executive Order N-76-20, which prohibits the sale of gasoline-powered passenger vehicles by 2035 and promotes zero-emission vehicles for future mobility needs. Given that transportation is predominantly funded through the gas tax, a successor funding mechanism will eventually be needed.</p>		<p>so that the process does not disadvantage smaller agencies with scarce resources to limit or avoid entirely the need to retain costly consultants in preparing applications.</p>
<p>II. Addressing Mobility and Meeting State Climate Change Mandates</p> <p>The California Transportation CommissionCTC, California Air Resources Board, and California Department of Housing and Community Development are required to convene twice a year to coordinate transportation policies, with a focus on reducing vehicle miles traveled and greenhouse gas emissions. Concurrently, the legislature continues to work on providing resources to develop additional affordable housing and assess job creation opportunities to help mitigate vehicle miles traveled to reduce greenhouse gas emissions.</p> <p>On September 20, 2019, Governor Newsom issued Executive Order N-19-19, directing the California State Transportation Agency to leverage \$5 billion in state funding to encourage mode shift with an emphasis on reducing greenhouse gases and vehicles miles traveled. Regional transportation planning agencies face greater challenges in addressing mobility and congestion management while accounting for local land use planning and complying with state mandates to reduce greenhouse gas emissions and vehicle miles traveled.</p> <p>Given the unique geography of Marin County, local land use development patterns, and the regional travel patterns, opportunities for reducing vehicle miles traveled can be challenging. The prospects for reducing greenhouse gas emissions can also be realized through investments made to improve the availability of charging station infrastructure and availability of converting from gas-powered to electric passenger vehicles, where feasible.</p>	<p>A. Monitor activities regarding greenhouse gas emission reduction, local land use development patterns and the impact on vehicle miles traveled.</p> <p>B. Support state funding to expand infrastructure and incentives for conversion to electric vehicles to reduce greenhouse gas emissions.</p> <p>C. Support climate resilience policies and funding opportunities.</p>	<p>1. TAM will support efforts to secure resources to expand infrastructure and incentives, such as rebates and tax credits particularly for low-income individuals and families, for electric vehicle conversion by minimizing concerns over range, cost, and infrastructure. An evaluation of the cost of increased usage of electricity, as well as availability should be considered.</p> <p>2. TAM will work with the Self-Help Counties Coalition, the California Association of Councils of Governments, and other partners, to develop additional revenue sources at the state, regional and local level to support the planning required by SB 375, and making transit-oriented development more viable, where feasible. <u>This includes supporting MTC’s efforts to advocate for SB 375 reform to incentivize near-term, real-world progress on GHG emission reduction over the current approach, which places too great an emphasis on long-term modeling, and seek changes to provide greater alignment, rather than competition between regional and state GHG reduction strategies.</u></p> <p>3. TAM will monitor upcoming funding opportunities for land use and transportation planning integration to support and advocate for Marin PDA’s and major transit stops to integrate housing and transportation to reduce VMT.</p> <p>4. TAM will monitor upcoming funding opportunities and programs for zero emission vehicles, including charging infrastructure. This includes working with local jurisdictions to support climate action plan goals and mobility goals, <u>including MTC’s effort to seek up to \$1.25 billion for zero-emission vehicle investments in the FY 2023-24 budget, consistent with the level identified in AB 211 (2022), part of the multiyear climate</u></p>

Issue and Background Information	Goals	Strategies
		<p><u>commitment in the FY 2022-23 budget. Ensure zero-emission transit vehicles and infrastructure are eligible uses of the public transit funds, including supporting funds to help transit operators transition bus, ferry, and rail fleets to zero emission vehicles.</u></p> <p>5. TAM will also <u>continue</u> to seek to modify the definition of disadvantaged communities so that resources can be used in underprivileged communities within the <u>C</u>ounty but also provide a regional benefit.</p> <p>6. TAM will <u>continue</u> also to work with organizations such as the California League of Cities, California State Association of Counties, and Self-Help Counties Coalition, among others, to pursue funding from Cap-and-Trade revenues or other means to help comply with the statewide mandate to reduce <u>GHG</u> greenhouse gas emissions. This includes supporting operational improvements such as telecommuting, vanpools, shipping more freight via rail, and promoting opportunities to generate revenue for providing multi-modal options, including bus and ferry service. TAM will also work with these groups to understand the impact of any new requirements on local, voter-approved transportation measures.</p> <p>7. TAM will support <u>efforts to extend the Cap-and-Trade program beyond 2030 and efforts to mitigate climate change and support adaptation to climate-related impacts, including wildfire risk and infrastructure that would assist in adaptation to sea-level rise, such as wetlands restoration, levee construction or other resilience measures to mitigate against threats to the local transportation network, particularly major arterials, or evacuation routes.</u></p>
<p>III. Leveraging Regional Partnerships</p> <p>Even with the availability of state resources, regional coordination and funding is needed to expedite project delivery to improve air quality, mobility and maintain system integrity. TAM will educate our delegation and state funding partners, such as the California State Transportation Agency,</p>	<p>A. Coordinate with MTC and Bay Area <u>Congestion Management</u><u>County Transportation</u> Agencies to protect and acquire resources to</p>	<p>1. TAM will coordinate with MTC to position Marin projects for <u>competitive state and federal grant funding opportunities</u>from new federal infrastructure or stimulus bills that may be proposed.</p> <p>2. TAM will monitor conversations and legislation regarding the potential development of a regional ballot measure to address congestion and mobility options in the Bay Area (similar to prior</p>

Issue and Background Information	Goals	Strategies
<p>California Transportation Commission CTC, Caltrans, and the Newsom Administration, about the Bay Area’s transportation network and mobility needs.</p>	<p>address transportation infrastructure and mobility needs.</p>	<p>“FASTER” effort). TAM will collaborate with stakeholders to ensure that county priorities are reflected in a prospective expenditure plan should a proposal move forward. If the regional transportation measure is connected to a regional housing measure, TAM will advocate for a “return to source” formula for the transportation funds to avoid being disadvantaged to Marin. Without a county guarantee based on an acceptable formula, larger counties tend to dominate in housing discussions with density, development, transit linkage, and other criteria that smaller counties cannot compete with.</p> <p><u>23.</u> MTC intends on collaborating with Caltrans and the four North Bay Counties (Marin, Napa, Solano, Sonoma) to seek legislation approval for to authorize tolls on State Route 37 to help fund congestion relief and sea level rise/flood prevention projects on the route. TAM will work with stakeholders to ensure that the potential legislation supports Marin’s priorities of addressing segments within the <u>C</u>ounty. TAM supports the using BAIFA as the tolling authority but the BAIFA commissioner membership would need to expand beyond counties with express lanes.</p> <p><u>34.</u> TAM will support the California Transit Association’s (CTA’s) effort to pursue statewide legislation to allow for transit buses to use shoulders along routes such as Highway 101.</p> <p><u>45.</u> TAM will advocate for the expansion of cost-savings provisions for MTC and the Bay Area Toll Authority (BATA) that were incorporated into the FY 2020-21 State Budget with respect to local agencies to reduce BATA administrative costs and free up funding for key bridge maintenance and increased capacity to support counties with bridge toll revenues.</p>
<p>IV. Enhancing Multi-Modal Options</p> <p>The Transportation Development Act dedicates a statewide 1/4 cent sales tax for each county for local transportation purposes. That 1/4 cent sales tax, known as the Local Transportation Fund, generates over \$1.7 billion annually, primarily for public transit. Some operators statewide have</p>	<p>A. Support potential changes to the Transportation Development Act to assist local public transportation with funding eligibility.</p>	<p><u>1.</u> TAM will support legislation that creates flexibility for public transportation funding programs within the Transportation Development Act to allow public transportation systems access to locally generated revenues to maintain existing service. <u>This includes supporting an on-going funding augmentation for transit operations.</u></p>

Issue and Background Information	Goals	Strategies
<p>had difficulty in meeting the farebox recovery ratio requirements (20% for urban operators) that are necessary to qualify to use funds for operational purposes. The COVID-19 pandemic and the shift to working from home has exacerbated <u>transit ridership</u> challenges. AB 149 (Committee on Budget), Chapter 81, Statutes of 2021, provides statutory relief in meeting farebox recovery requirements for receiving State Transit Assistance (STA), Low Carbon Transit Operations Program (LCTOP), and State of Good Repair funds, through fiscal year 22-23. It suspends Transportation Development Act (TDA) and STA penalties for this duration. The bill also adds a list of new exemptions from the farebox recovery calculation, including on-demand service and micro transit service beyond fixed-route service, costs for security, ticketing services, pensions, planning for improvements in transit operations, integration with other operators and agencies, transitioning to zero-emission operations, and for compliance with state and federal mandates. <u>Legislation will be needed to extend relief for transit operators to maintain and expand existing services.</u></p> <p>The recent cycles of the State’s Active Transportation Program (ATP) have left many viable applications unfunded due to the lack of funds. <u>Cycle 6 provided one-time funding of \$1.3 billion.</u> In addressing climate changes, broad based support for more funding for active transportation and safety improvements on existing roadways (i.e., “complete streets”) have been advocated by various organizations.</p>	<p>B. Seek funding to maintain transit operations.</p> <p>C. Pursue opportunities to expand active transportation network and improve bicycle and pedestrian safety.</p>	<p>2. TAM will support efforts by Marin Transit and Golden Gate Bridge, Highway and Transportation District to acquire funds from Cap and Trade and Transit and Intercity Rail Capital Program for operations and capital needs for bus, rail and bicycle and pedestrian programs, ferries, and transit hubs, such as the San Rafael Transit Center, <u>Marin Transit facilities, and Bus on Shoulder Project.</u></p> <p>3. In partnership with the region’s transit operators and the CTA, support efforts to seek state and federal assistance to provide emergency transit operating funding to prevent mass layoffs and major reductions in transit service.</p> <p><u>34. TAM will also continue to pursue advocate for a permanent augmentation to revenue made available through the Active Transportation Programs, and any other funding made available to enhance bicycle and pedestrian safety and infrastructure to encourage mode shift, which includes use of e-bikes, as well as support to implement Vision Zero to eliminate fatalities. TAM will actively pursue funds for non-motorized transportation applications that were not funded by ATP or OBAG 3. TAM also advocates the priority to fund the backlog of high scoring applications from previous cycles with additional funding before funding new applications.</u></p> <p>45. TAM will monitor legislation emerging from supports recommendations made by the Blue-Ribbon Transit Recovery Task Force and will assist local transit agencies in seeking funding opportunities to implement those recommendations applicable to Marin.</p> <p><u>5. TAM will participate in a regional effort to pursue a unified statewide advocacy strategy for new ongoing (multi-year) state funding to address transit operators’ fiscal impacts from the pandemic, as well as other improvements needed to attract riders back to transit.</u></p>

Issue and Background Information	Goals	Strategies
<p>V. Seeking Efficiencies</p>	<p>A. Support efforts to streamline and expedite project delivery</p> <p>B. Support flexibility for local agencies to conduct virtual public meetings</p>	<p>1. TAM will support efforts to streamline the permitting process, delivery methods or additional administrative steps necessary to deliver projects in a timely and cost-effective manner.</p> <p>2. TAM will monitor and engage in legislation, in coordination with other local agency associations and regional agencies, related to <u>modifying AB 2449361 (RubioRivas), which updates the Ralph M. Brown Act (Brown Act) to incorporate some of the increased flexibility in relation to remote participation in meetings without a declared Sstate of Eemergency. AB 2449 however limits virtual participation for no more than 20% of a local agency’s board meetings and require a quorum to meet in a singular physical location within the jurisdiction of a board. TAM will advocate for language that allows board members to participate remotely more frequently, as long as the public afforded the same opportunity.</u>The intent of further amending statute is to allow for flexibility to continue meeting remotely through the duration of a declared state of emergency, rather than renewing the ability to meet virtually every 30 days, as is currently required.</p>
<p>VI. Pursuing Federal Opportunities</p> <p>The Fixing America’s Surface Transportation (FAST) Act was enacted in 2015 and authorized federal surface transportation programs for highways, highway safety and transit. It expired September 30, 2020; however, a one-year extension was approved to provide certainty to states and local governments under the strain of the COVID-19 pandemic.</p> <p>In 2019, the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule proposed to amend existing Corporate Average Fuel Economy (CAFE) and tailpipe carbon dioxide emissions standards for passenger cars and light trucks and to establish new standards covering model years 2021 through 2026. The Trump Administration threatened to revoke California’s Clean Air Act waiver, devising its own emissions standards.</p> <p>On November 15, 2021, President Biden signed the</p>	<p>A. Support federal efforts to approve stimulus funding for multi-modal priority projects, and continuation/reauthorization of traditional federal transportation programs. <u>Seek federal funding to support priority projects/programs at TAM and for our partner agencies.</u></p> <p>B. Support climate resilience policies</p>	<p>1. TAM will work with our regional and national partners to implement the IIJA, and support a long-term, fully funded transportation authorization that supports states and regions in to achieving national goals related to infrastructure condition, safety, mobility, and air quality. Ensure that the next authorization bill retains discretion for MTC to invest funds in ways that further our region’s goals to improve equity, respond to a changing climate, and advance multi-modal options. TAM will monitor funds from IIJA to the Bay Area that are distributed <u>to the Bay Area in an equitable manner</u> to CTAs and transit agencies. TAM <u>will</u> also seek new resources to support climate adaptation and the deployment of new transportation technology to address the Bay Area’s mobility challenges.</p> <p>2. TAM also supports examining revenue solutions for the Highway Trust Fund that keeps up with inflation.</p> <p>3. TAM will continue to advocate that federal transportation</p>

Issue and Background Information	Goals	Strategies
<p>Infrastructure Investment and Jobs Act of 2021 (IIJA P.I. 117-58), which provides \$1.2 trillion in investments through 2026 for federal-aid highways, transit, highway safety, among other items. California is estimated to receive a guaranteed formulaic distribution of funding over the next five years as follows: \$25.3 billion for federal-aid highways (60/40 split between state and local agencies); \$9.45 billion to improve public transportation; \$4.2 billion for bridge repair and seismic retrofits; and \$384 million for expanding the electric vehicle charging network. Legislation will be introduced to distribute funding.</p>		<p>programs fund and advance the following priorities:</p> <p>a. Highway 101 Multi-Modal Corridor Projects. TAM will <u>support</u> the Sonoma Marin Area Rail Transit’s (SMART’s) efforts to seek or maintain funding for its project, including extension north to Cloverdale, <u>completion of the multi-use pathway</u>, and potential extension east to the Capital Corridor near Interstate 80. <u>Support</u> efforts to construct a new Bettini San Rafael Transit Center to ensure safe and efficient multimodal operations for SMART, bus operations, pedestrians, and motor vehicles. Support other emerging multi-modal improvements along the corridor.</p> <p>b. Nonmotorized Transportation/AT<u>Petive Transportation Program.</u> <u>Seek</u> funds dedicated to nonmotorized transportation projects and programs, including Safe Routes to Schools.</p> <p>c. State Highway 37. <u>Support</u> funding for sea level rise adaptation/resilience projects for the State Route 37 Project including Segment A in Marin County.</p> <p>d. Transit Funding. <u>Support</u> maintaining or increasing funding for transit operations and capital programs, including immediate pandemic-related relief funding <u>and transit facilities for Marin Transit.</u></p> <p>4. TAM will advocate for mitigating climate change and will support adaptation to protect transportation infrastructure from climate-related impacts, including wildfire risk and sea-level rise.</p> <p>5. TAM will monitor litigation and any potential actions pertaining to SAFE rule enactment and compliance.</p> <p>6. TAM will support an extension of federal tax credits for zero emission vehicles. Federal law provides a credit for qualified plug-in electric drive motor vehicles including passenger vehicles and light trucks. Congress is currently considering a \$12,500 zero-emission vehicle tax credit.</p> <p>7. While the United States District Court granted a Stay Order to</p>

Issue and Background Information	Goals	Strategies
		<p>allow transit funds to continue to flow to California and prevents the Department of Labor from using <u>the Public Employees' Pension Reform Act (PEPRA)</u> to slow or stop the execution of <u>Federal Transit Administration (FTA)</u> grants to transit agencies, TAM supports a permanent resolution that does not compel recession <u>compel recession</u> of grant funds to ensure predictability for transit agencies.</p>

TAM 2022 Legislative Platform

(Adopted January 27, 2022)

Issue and Background Information	Goals	Strategies
<p>I. Acquiring State Funding for TAM’s Priority Projects</p> <p>In 2017, the legislature enacted SB 1 (Beall), Chapter 5, Statutes of 2017, which provides \$5.2 billion in annual revenues to fund traffic congestion relief, highway rehabilitation and safety, local streets and roads repair, and multi-modal options through investments into public transportation, commuter and intercity rail, and bicycle and pedestrian programs.</p> <p>In 2020, TAM was successful in acquiring \$40 million for the completion of the Marin-Sonoma Narrows. The California Transportation Commission (CTC) will adopt guidelines in the Summer of 2022, with applications being due in the Winter of 2022 for the SB 1 Cycle 3 competitive programs. Additionally, the State General Fund is projected to have a \$31.2 billion surplus for FY 22-23. There is also a \$4.5 billion carryover of resources from FY 21-22.</p> <p>On September 23, 2020, Governor Newsom issued Executive Order N-76-20, which prohibits the sale of gasoline-powered passenger vehicles by 2035, promotes zero-emission vehicles for future mobility needs. Given that transportation is predominantly funded through the gas tax, a successor funding mechanism will eventually be needed.</p>	<p>A. Aggressively pursue funds through the State Budget, CTC allocation process or any other state sources.</p> <p>B. Ensure predictability and stability of transportation revenue should the State move away from diesel or gasoline powered vehicles and gas tax as the primary source.</p>	<p>1. TAM will remain diligent in competing for additional state funds, including California’s share of federal funds, for countywide priorities, with an emphasis on addressing safety, congestion, and mobility, improvements on State Route 37 and the 101/580 connector, as well as rehabilitating roads and bridges, such as the Richmond-San Rafael Bridge. This includes supporting efforts to increase the appropriation authority/programming capacity for the SB 1 competitive programs.</p> <p>2. TAM supports a revenue-neutral conversion from the gas tax to a source that ensures equity in revenue collection that does not disadvantage those who must drive further to job centers.</p> <p>3. TAM will monitor and support appropriate efforts to encourage and provide resources for “seamless” transportation that enhances connections to transit, advances equitable mobility, and enhances the safety and extent of the bicycle and pedestrian networks.</p> <p>4. TAM will participate in a unified Bay Area strategy to advocate for equitable shares of the surplus funds for Northern California and protect the interests of smaller counties and smaller transit agencies. Advocate that the majority of the surplus funds be used to augment existing funding sources, such as State Transit Assistance (STA), Active Transportation Program (ATP), State Transportation Improvement Program (STIP), and other sources with established distribution formula or statewide competitive structure. Oppose using the STIP as the mechanism for distributing public transit funding, particularly when STA distribution mechanism is readily available. Moreover, funds distributed through STIP would require additional steps through the CTC that is avoided by STA.</p> <p>5. TAM supports a streamlined application process for state funds so that the process does not disadvantage smaller agencies with scarce resources to limit or avoid entirely the need to retain consultants in preparing applications.</p>

Issue and Background Information	Goals	Strategies
<p>II. Addressing Mobility and Meeting State Climate Change Mandates</p> <p>The CTC, California Air Resources Board (CARB), and California Department of Housing and Community Development (HCD) are required to convene twice a year to coordinate transportation policies, with a focus on reducing vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions. Concurrently, the legislature continues to work on providing resources to develop additional affordable housing and assess job creation opportunities to help mitigate VMT to reduce GHG emissions.</p> <p>On September 20, 2019, Governor Newsom issued Executive Order N-19-19, directing the California State Transportation Agency (CalSTA) to leverage \$5 billion in state funding to encourage mode shift with an emphasis on reducing GHG and VMT. Regional transportation planning agencies face greater challenges in addressing mobility and congestion management while accounting for local land use planning and complying with state mandates to reduce GHG emissions and VMT.</p> <p>Given the unique geography of Marin County, local land use development patterns, and the regional travel patterns, opportunities for reducing vehicle miles traveled can be challenging. The prospects for reducing GHG emissions can be realized through investments made to improve the availability of charging station infrastructure and the conversion from gas-powered to electric vehicles, where feasible.</p>	<p>A. Monitor activities regarding GHG emission reduction, local land use development patterns and the impact on VMT.</p> <p>B. Support state funding to expand infrastructure and incentives for conversion to electric vehicles to reduce GHG emissions.</p> <p>C. Support climate resilience policies and funding opportunities.</p>	<p>1. TAM will support efforts to secure resources to expand infrastructure and incentives, such as rebates and tax credits particularly for low-income individuals and families, for electric vehicle conversion by minimizing concerns over range, cost, and infrastructure. An evaluation of the cost of increased usage of electricity, as well as availability should be considered.</p> <p>2. TAM will work with the Self-Help Counties Coalition (SHCC), the California Association of Councils of Governments (CALCOG), and other partners, to develop additional revenue sources at the state, regional and local level to support the planning required by SB 375, and making transit-oriented development more viable, where feasible for Marin Priority Development Areas (PDAs) and major transit stops.</p> <p>3. TAM will monitor upcoming funding opportunities and programs for zero emission vehicles, including charging infrastructure. This includes working with local jurisdictions to support climate action plan goals and mobility goals.</p> <p>4. TAM will seek to modify the definition of disadvantaged communities so that resources can be used in underprivileged communities within the county but also provide a regional benefit.</p> <p>5. TAM will work with organizations such as the California League of Cities (CLC), California State Association of Counties (CSAC), and SHCC, among others, to pursue funding from Cap-and-Trade revenues or other means to help comply with the statewide mandate to reduce GHG emissions. This includes supporting operational improvements such as telecommuting, vanpools, shipping more freight via rail, and promoting opportunities to generate revenue for providing multi-modal options, including bus and ferry service. TAM will also work with these groups to understand the impact of any new requirements on local, voter-approved transportation measures.</p>

Issue and Background Information	Goals	Strategies
		<p>6. TAM will support efforts to mitigate climate change and support adaptation to climate-related impacts, including wildfire risk and infrastructure that would assist in adaptation to sea level rise, such as wetlands restoration, levee construction or other resilience measures to mitigate against threats to the local transportation network, particularly major arterials, or evacuation routes.</p>
<p>III. Leveraging Regional Partnerships</p> <p>Even with the availability of state resources, regional coordination and funding is needed to expedite project delivery to improve air quality, mobility and maintain system integrity. TAM will educate our delegation and state funding partners, such as the CalSTA, CTC, Caltrans, and the Newsom Administration, about the Bay Area’s transportation network and mobility needs.</p>	<p>A. Coordinate with the Metropolitan Transportation Commission (MTC) and other Bay Area County Transportation Agencies (BACTA) to protect and acquire resources to address transportation infrastructure and mobility needs.</p>	<p>1. TAM will coordinate with MTC to position Marin projects/programs for funding from the new Infrastructure Investment and Jobs Act (IIJA) and other potential new bills.</p> <p>2. TAM will monitor conversations and legislation regarding the potential development of a regional ballot measure to address congestion and mobility options in the Bay Area (similar to prior “FASTER” effort). TAM will collaborate with stakeholders to ensure that county priorities are reflected in a prospective expenditure plan should a proposal move forward. If the regional transportation measure is connected to a regional housing measure, TAM will advocate for a “return to source” formula for the transportation funds. Without a county guarantee based on an acceptable formula, larger counties tend to dominate in housing discussions with density, development, transit linkage, and other criteria that smaller countries cannot compete with.</p> <p>3. MTC intends on collaborating with Caltrans and the four North Bay Counties (Marin, Napa, Solano, Sonoma) to seek legislation to authorize tolls on State Route 37 to help fund congestion relief and sea level rise/flood prevention projects on the route. TAM will work with stakeholders to ensure that the potential legislation supports Marin’s priorities of addressing segments within the county. TAM supports using the Bay Area Infrastructure Financing Authority (BAIFA) as the tolling authority, but the BAIFA commissioner membership would need to expand beyond counties with express lanes.</p> <p>4. TAM will support the California Transit Association’s (CTA’s) effort to pursue statewide legislation to allow for transit buses to use shoulders along routes such as Highway 101.</p>

Issue and Background Information	Goals	Strategies
		<p>5. TAM will advocate for the expansion of cost-savings provisions for MTC and the Bay Area Toll Authority (BATA) that were incorporated into the FY 2020-21 State Budget with respect to local agencies to reduce BATA administrative costs and free up funding for key bridge maintenance and increased capacity to support counties with bridge toll revenues.</p>
<p>IV. Enhancing Multi-Modal Options</p> <p>The Transportation Development Act (TDA) dedicates a statewide ¼-cent sales tax for each county for local transportation purposes. That ¼-cent sales tax, known as the Local Transportation Fund (LTF), generates over \$1.7 billion annually, primarily for public transit. Some operators statewide have had difficulty in meeting the farebox recovery ratio requirements (20% for urban operators) that are necessary to qualify to use funds for operational purposes. The COVID-19 pandemic and the shift to remote work have exacerbated ridership challenges. AB 149 (Committee on Budget), Chapter 81, Statutes of 2021, provides statutory relief in meeting farebox recovery requirements for receiving STA, Low Carbon Transit Operations Program (LCTOP), and State of Good Repair funds, through FY 22-23. It suspends TDA and STA penalties for this duration. The bill also adds a list of new exemptions from the farebox recovery calculation. However, transit agencies are facing ongoing funding challenges, particularly with funding for operations and maintenance.</p> <p>The recent cycles of the State’s ATP have left many viable applications unfunded due to the lack of funds. In addressing climate changes, broad based support for more funding for active transportation and safety improvements on existing roadways (i.e., “complete streets”) have been advocated by various organizations.</p>	<p>A. Support potential changes to TDA to assist local public transportation with funding eligibility.</p> <p>B. Seek funding to maintain transit operations.</p> <p>C. Pursue opportunities to expand active transportation network and improve bicycle and pedestrian safety.</p>	<p>1. TAM will support legislation that creates flexibility within TDA to allow public transportation systems access to locally generated revenues to maintain existing service.</p> <p>2. TAM will support efforts by Marin Transit, Golden Gate Bridge, Highway and Transportation District (GGBHTD), and SMART to acquire funds from Cap-and-Trade and Transit and Intercity Rail Capital Program (TIRCP) for operations and capital needs for bus, rail and bicycle and pedestrian programs, ferries, and transit hubs, such as the new San Rafael Transit Center.</p> <p>3. In partnership with the region’s transit operators and the CTA, support efforts to seek state and federal assistance to provide emergency transit operating funding to prevent mass layoffs and major reductions in transit service.</p> <p>4. TAM will continue to pursue revenue made available through ATP, and any other funding made available to enhance bicycle and pedestrian safety and infrastructure to encourage mode shift, which includes use of e-bikes, as well as support to implement Vision Zero to eliminate fatalities. TAM will advocate the priority to fund the backlog of high-scoring applications from the previous cycle with additional funding while balancing the need to fund high-priority new applications.</p> <p>5. TAM will monitor legislation emerging from recommendations made by MTC’s Blue-Ribbon Transit Recovery Task Force and assist local transit agencies in seeking funding opportunities to implement those recommendations applicable to Marin.</p>

Issue and Background Information	Goals	Strategies
<p>V. Seeking Efficiencies</p>	<p>A. Support efforts to streamline and expedite project delivery.</p> <p>B. Support flexibility for local agencies to conduct virtual public meetings.</p>	<p>1. TAM will support efforts to streamline the permitting process, delivery methods or administrative steps necessary to deliver projects in a timely and cost-effective manner.</p> <p>2. TAM will monitor and engage in legislation, in coordination with other local agency associations and regional agencies, related to modifying AB 361 (Rivas), which updates the Ralph M. Brown Act (Brown Act) to incorporate some of the increased flexibility in relation to remote participation in public meetings. The intent of further amending the statute is to allow for flexibility to continue meeting remotely through the duration of a declared state of emergency, rather than renewing the ability to meet virtually every 30 days, as is currently required.</p>
<p>VI. Pursuing Federal Opportunities</p> <p>The Fixing America’s Surface Transportation (FAST) Act was enacted in 2015 and authorized federal surface transportation programs for highways, highway safety and transit. It expired September 30, 2020; however, a one-year extension was approved to provide certainty to states and local governments under the strain of the COVID-19 pandemic.</p> <p>On November 15, 2021, President Biden signed IIJA, which provides \$1.2 trillion in investments through 2026 for federal-aid highways, transit, and highway safety, among other items. California is estimated to receive a guaranteed formulaic distribution of funding over the next five years as follows: \$25.3 billion for federal-aid highways (60/40 split between state and local agencies); \$9.45 billion to improve public transportation; \$4.2 billion for bridge repair and seismic retrofits; and \$384 million for expanding the electric vehicle charging network. Legislation may need to be introduced to distribute the IIJA funding.</p>	<p>A. Support federal efforts to approve stimulus funding for multi-modal priority projects, and annual appropriations for the authorized federal transportation programs.</p> <p>B. Support climate resilience policies.</p>	<p>1. TAM will work with our regional and national partners to implement IIJA. TAM will monitor and ensure funds from IIJA to the Bay Area are distributed equitably to CTAs and transit agencies. As competitive programs develop, TAM will evaluate and apply for funds as appropriate.</p> <p>2. TAM also supports examining revenue solutions for the Highway Trust Fund that keep up with inflation.</p> <p>3. TAM will continue to advocate that federal transportation programs fund and advance the following priorities:</p> <p>a. Highway 101 Multi-Modal Corridor Projects. TAM will support the Sonoma Marin Area Rail Transit’s (SMART’s) efforts to seek or maintain funding for its system, including extension north to Cloverdale, and potential extension east to the Capital Corridor near Interstate 80. Support efforts to construct a new San Rafael Transit Center to ensure safe and efficient multimodal operations for SMART, bus operations, pedestrians, and motor vehicles. Support other emerging multi-modal improvements along the corridor.</p> <p>b. Nonmotorized Transportation/ATP. Seek funds dedicated to nonmotorized transportation projects and programs, including Safe Routes to Schools.</p>

Issue and Background Information	Goals	Strategies
		<p>c. State Highway 37. Support funding for sea level rise adaptation/resilience projects for the State Route 37 Project including Segment A in Marin County.</p> <p>d. Transit Funding. Support maintaining or increasing funding for transit operations and capital programs, including immediate pandemic-related relief funding.</p> <p>4. TAM will advocate for mitigating climate change and will support adaptation to protect transportation infrastructure from climate-related impacts, including wildfire risk and sea level rise at the federal level.</p> <p>5. TAM will support an extension of federal tax credits for zero emission vehicles. Federal law provides a credit for qualified plug-in electric drive motor vehicles including passenger vehicles and light trucks. Congress is currently considering a \$12,500 zero-emission vehicle tax credit.</p> <p>6. While the United States District Court granted a Stay Order to allow transit funds to continue to flow to California and prevents the Department of Labor from using PEPPRA to slow or stop the execution of FTA grants to transit agencies, TAM supports a permanent resolution that does not compel rescission of grant funds to ensure predictability for transit agencies.</p>



January 10, 2023

TO: Board Members, Transportation Authority of Marin

FROM: Gus Khouri, President
Khouri Consulting LLC

RE: STATE LEGISLATIVE UPDATE – GOVERNOR’S FY2023-24 STATE BUDGET

On January 10, Governor Newsom released his proposed FY2023-24 State Budget. The proposed FY2023-24 State Budget, which contains \$223.6 billion in General Fund spending (\$297 billion with special funds), is projected to have a deficit of \$22.5 billion. This is a sharp turn from the past few years with surpluses in the FY2022-23 State Budget (\$97.5 billion) and the FY2021-22 State Budget (\$76 billion), which were predominantly used for one-time expenditures rather than long-term obligations.

Despite the projected deficit, the Governor is not predicting a recession. The proposed FY2023-24 State Budget has a \$35.6 billion reserve to help address the shortfall to prevent deep cuts. This includes \$22.4 billion from the Proposition 2 Rainy-Day Fund; \$900 million from the Safety Net reserve; \$8.5 billion from the Public School System Stabilization Account; and \$3.8 billion from the state’s operating reserve. The Rainy-Day Fund is at its constitutional maximum (10 percent of General Fund revenues), and a total of \$951 million must be dedicated to infrastructure investments in FY2023-24.

Funding For Climate Change

The 2021 and 2022 Budget Acts allocated approximately \$54 billion over five years to advance the state’s climate agenda. The Budget maintains 89% of these investments (roughly \$48 billion) and continues to prioritize equity and investments in populations facing disproportionate harm from pollution and the climate crisis. Given the projected decline in General Fund revenues, the Budget includes reductions across several climate programs, partially offset by shifts to other fund sources. Additionally, the state will pursue additional federal funding through the Inflation Reduction Act and the Infrastructure Investment and Jobs Act. Most of the climate reductions are included in the trigger, so if there is sufficient General Fund in January 2024, these reductions will be restored.

The Budget sustains a multi-year commitment of \$44 billion in state funds for various statewide infrastructure investments. This includes funding to accelerate the transition to zero-emission vehicles, modernize the state’s transportation system, promote energy innovation and reliability, provide greater access to broadband connectivity, advance the state’s housing goals, reduce wildfire risk to communities, and support drought resiliency and response.

The 2021 and 2022 Budget Acts committed \$10 billion over five years in investments to the state’s ZEV agenda—ranging from cleaning up drayage trucks and school buses to accelerating equitable electrification of passenger vehicles—coupled with infrastructure and incentives for in-state manufacturing. Below is a list of where adjustments are being made.

Significant Budget Adjustments

- **Equitable Zero-Emission Vehicles and Infrastructure** — A \$745 million General Fund reduction partially offset by a shift of \$535 million to the Greenhouse Gas Reduction Fund. This maintains approximately \$2.1 billion (91 percent) for programs that expand affordable and convenient ZEV infrastructure access in low-income neighborhoods.
- **Heavy-Duty Zero-Emission Vehicles and Supporting Infrastructure** — A \$1.5 billion General Fund reduction partially offset by a shift of \$839 million to the Greenhouse Gas Reduction Fund. This maintains approximately \$5.3 billion (89 percent) for programs supporting drayage, transit, school buses, port ZEVs, and infrastructure.
- **Zero-Emission Mobility** — A \$184 million General Fund reduction partially offset by a shift of \$25 million to the Greenhouse Gas Reduction Fund. This maintains approximately \$180 million (53 percent) for sustainable community-based transportation equity projects that increase access to zero-emission mobility in low-income communities.
- **Emerging Opportunities and Federal Programs** — A reduction of \$133 million General Fund, which is partially offset by a shift of \$40 million to the Greenhouse Gas Reduction Fund. This maintains approximately \$1.3 billion (93 percent) to invest in demonstration and pilot projects in high carbon-emitting sectors, such as maritime, aviation, rail, and other off-road applications, as well as support for hydrogen infrastructure and vehicle grid integration at scale.

Impacts on Transportation

With the Congressional passage of the Infrastructure Investment and Jobs Act (IIJA) in November of 2021, California will receive more than \$40 billion of new formula-based transportation funding over the next five years and billions of dollars in additional funding from new competitive grants.

The 2022 Budget Act included \$13.8 billion for transportation programs and projects aligned with the state's climate goals. Given the projected decline in General Fund revenues for FY2023-24, the January Budget includes \$2.7 billion in General Fund reductions, partially mitigated by an additional \$500 million from state transportation funds, to maintain \$11.6 billion (84 percent) of these investments. Below is a list of where adjustments are being made.

Significant Budget Adjustments

- **Transit Intercity Rail Capital Program** — A planned funding reduction in 2023 and 2024 from \$2 billion annually to \$1 billion in FY2023-24 and \$500 million each in FY2024-25 and FY2025-26. These funds are set to be allocated proportionally, by region, based on population. This maintains approximately \$5.7 billion (74 percent) of the original \$7.7 billion planned additional funds for local transit capital infrastructure projects. This reduction will be restored if there is sufficient General Fund revenue in January 2024.
- **Active Transportation Program** — A reduction of \$500 million in General Fund revenues, with \$300 million of the decline being restored from State Highway Account funds, for a net decrease of \$200 million. This will allow the program to sustain all the programming capacity approved in the 2023 programming cycle. This maintains approximately \$850 million (81 percent) of the original \$1.05 billion of additional funds for projects that increase the proportion of trips accomplished by walking or biking and increase the safety and mobility of non-motorized users.

Significant Budget Adjustments (continued)

- **Climate Adaptation Program** — A shift of \$200 million General Fund with \$200 million State Highway Account funding, leaving unaffected the project funding that supports climate resiliency and reduces infrastructure risk.
- **Safety Grade Separations** — A delay of \$350 million of funding originally planned to be available in FY2023-24, which will be made available in FY2025-26. Given the multi-year nature of these projects, this shift should not significantly impact the ability to deliver the same number of originally planned projects that improve safety for people walking, biking, and driving at rail crossings.