

POLICY ADVISORY COMMITTEE

ACTION/DISCUSSION ITEMS

AGENDA ITEM III. A.



21900 Colorado Avenue • P.O. Box 758 • San Joaquin, CA 93660
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April 7, 2009

Mr. Tony Boren,
Executive Director
Fresno County
Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721

Dear Mr. Boren:

I am writing to call your attention to one of the ballot measures that will be before the voters on May 19 – Proposition 1D.

If passed, Prop 1D will divert more than 50% of all future revenues for First 5 commissions for a five year period, beginning July 1, 2009. The "Big 5" agreed to a five-year diversion of 50% of the revenues from the tobacco tax that funds the First 5 commissions, but unfortunately, poor drafting and the lack of public review resulted in a measure that promises to cause much greater damage than that. Specifically,

- Prop 1D diverts \$268 million annually, through FY 2013-14, from First 5 commissions to the state General Fund. \$268 million is approximately 50% of the *current* annual revenue generated by the tobacco tax, but that percentage will quickly grow as tobacco sales decline over the next five years. Analysts expect a continued decline in tobacco sales of 3% - 5% per year. The decline will intensify significantly when the new 61 cent federal tobacco tax begins on April 1. By 2012-13, First 5 commissions are likely to be left with as little as 35% - 40% of their current revenues. **This means that Fresno County will lose over \$35 million for local children's programs over the 5 year period.**
- Prop 1D changes what First 5 commissions can fund, threatening many of First 5's most significant investments. Prop 1D requires First 5 revenues to be used for "direct services," even though direct services are only one aspect of First 5's investment in children – and not necessarily the investment that promises the greatest return. This new language in Prop 1D threatens:
 - Children's Health Initiatives, which provide the state's largest and most stable source of health insurance to low income children ineligible for other programs. **Because of the Fresno County Healthy Kids program funded by First 5 Fresno County, over 400 children per year – including undocumented children that aren't eligible for Medi-Cal or Healthy Families, have obtained access to insurance and regular health care.**
 - Developing and renovating facilities for preschools and funding for parks and playground equipment in underserved rural communities. **First 5 Fresno County provides one of the few sources of funding for these types of capital projects.** To date First 5 Fresno County has provided capital funding

Mr. Tony Boren
April 7, 2009
Page 2

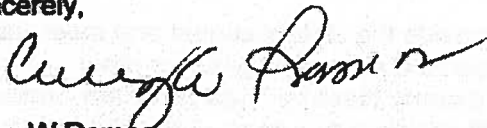
- to several rural communities including Coalinga, San Joaquin, Mendota, Firebaugh, Sanger, and Del Rey.
- Training preschool teachers and child care providers. First 5's investments in quality preschool and child care have resulted in some of the highest quality early education in the nation.
- School Readiness, if it 1D passes, it is very likely that all the school readiness programs will be cut by at least 50% if not cut completely. These programs are located in Firebaugh, Raisin City, San Joaquin, and Del Rey. It would be devastating to these communities (as you well know) if that happens - especially since these programs are the only thing of their kind in these communities.

Our local First 5 Commission has a strong commitment to supporting children and families in the rural communities since its inception in 2000 as demonstrated by the commitment of millions of dollars in funding awards. First 5 Fresno County is an excellent steward of precious dollars that meet the local needs of our young children and families.

Good things take time to build and after one decade through its partners, First 5 Fresno County has created one of the strongest systems of support for children and families in California. The damage done by reallocating these funds could not possibly be justified by the small dent it would make in the overall state budget deficit. In fact, the dismemberment of First 5 would actually have a much broader impact because not only will children and families be harmed but also many jobs will be lost as a result of this reallocation which will inevitably do more damage to our already struggling economy.

I am requesting that Proposition 1D be placed on the April agenda for discussion. A representative from First 5 Fresno County is available to attend the meeting to share the facts of the Proposition. Thank you very much for your attention to this matter.

Sincerely,



Cruz W Ramos
City Manager

Cc: Hilary Baird, Regional PA Manager
League of California Cities

PROTECTS CHILDREN'S SERVICES FUNDING. HELPS BALANCE STATE BUDGET.

OFFICIAL TITLE AND SUMMARY

PROTECTS CHILDREN'S SERVICES FUNDING. HELPS BALANCE STATE BUDGET.

- Provides more than \$600 million to protect children's programs in difficult economic times.
- Redirects existing tobacco tax money to protect health and human services for children, including services for at-risk families, services for children with disabilities, and services for foster children.
- Temporarily allows the redirection of existing money to fund health and human service programs for children 5 years old and under.
- Ensures counties retain funding for local priorities.
- Helps balance state budget.

Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:

- State General Fund savings of up to \$608 million in 2009–10 and \$268 million annually from 2010–11 through 2013–14, from temporarily redirecting a portion of funds from the California Children and Families Program in place of state General Fund support of health and human services programs for children up to age five.
- Corresponding reductions in funding for early childhood development programs provided by the California Children and Families Program.

FINAL VOTES CAST BY THE LEGISLATURE ON AB 17 (PROPOSITION 1D)

Senate:	Ayes 37	Noes 0
Assembly:	Ayes 75	Noes 3

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

First 5 Programs

Proposition 10, otherwise known as the California Children and Families Act, was enacted by the voters of California in the November 1998 election. The initiative created the California Children and Families Program (now commonly known as the First 5 program) to expand early development programs for children up to age five.

First 5 Programs Funded With Tobacco Taxes. The First 5 program is funded by revenues from a state excise tax on cigarettes (50 cents per pack) and other tobacco products. (An additional 37 cents per pack in state excise taxes is imposed

for other state purposes unrelated to First 5.) Revenues generated by the First 5 tax are deposited into the California Children and Families Trust Fund and are appropriated on an ongoing basis for First 5 programs. Thus, none of these funds are subject to appropriation by the Legislature. Proposition 10 requires that these funds be added to, rather than replace, the funding for existing programs.

We estimate that Proposition 10 revenues in 2009–10 will be about \$500 million. Based on our analysis of trends in tobacco consumption, we estimate Proposition 10 revenues will decrease by about 3 percent annually in the future.

State Commission. Proposition 10 established a state commission—the California Children and Families Commission—that is responsible for state-level administration of the early childhood development program. Twenty percent of available Proposition 10 revenues is allocated to the state commission, to be spent for the purposes detailed in Figure 1. The state commission funds many programs, including:

- **School Readiness**, which targets children up to age five and their families in schools with a low academic performance score.
- **Health Access**, which provides outreach and enrollment services for existing state-supported health programs, as well as expanded coverage for those children who lack health insurance but do not qualify for state-supported health programs.
- **Information Kit for New Parents**, which provides expecting and new parents with a resource kit to improve their parenting skills.

County Commissions. The remaining 80 percent of Proposition 10 revenues is allocated annually to 58 county commissions (consisting of five to nine members appointed by the county board of supervisors). The local commissions implement programs in accordance with local plans to support and improve early childhood development in their county. While the programs vary from county to county, each local commission provides services in the following three areas:

- **Family Functioning**, including adult education for parents; behavioral, substance abuse, and mental health services; and the provision of basic family needs (food, clothing, and housing).

Figure 1

Allocation of Proposition 10 Revenues to the State Commission

Purpose	Allocation
Mass media communications	6%
Education	5
Child care	3
Research	3
Administration	1
General program purposes	2
Total Allocation	20%

- **Child Development**, including preschool for three- and four-year olds, kindergarten transition services, and targeted intensive intervention for children identified with special needs.
- **Child Health**, including health coverage and access services, home visitations for newborns, and prenatal care.

Unspent Fund Balances. Proposition 10 provides that any revenues to the state and local commissions not spent during a fiscal year are carried over for use in subsequent fiscal years. As of June 30, 2008, the local commissions had a total of about \$2.1 billion in unspent funds, and the state commission had about \$400 million in unspent funds.

Auditing and Reporting Requirements. The state and local commissions conduct independent annual audits of their expenditures and issue reports on these audits. Local commissions must submit these financial reports to the state commission, while the state commission must

ANALYSIS BY THE LEGISLATIVE ANALYST

CONTINUED

submit its reports to the Governor, the Legislature, and each county commission.

Other State Health and Human Services Programs for Children

The state currently administers a variety of health and human services programs that serve children, many of whom are age five or younger. Examples of these state-supported health and human services programs include foster care, health coverage services like Medi-Cal and Healthy Families, state preschool, and child care. These programs currently are largely operated separately of the First 5 programs and are supported by the state General Fund.

PROPOSAL

This measure temporarily redirects a significant portion of Proposition 10 funds to achieve budgetary savings and makes permanent changes to state and local commission operations, as discussed below.

Temporary Redirections of Funding to State Programs for Children. This measure amends the California Children and Families Act to temporarily allow Proposition 10 revenues to be used to fund other state health and human services programs for children up to age five. In effect, these Proposition 10 revenues would be used to offset *existing* state General Fund costs, thereby achieving savings to help address the state's current budgetary problem. The measure achieves these state General Fund savings in two ways:

- By redirecting up to \$340 million of available unspent reserves held by the state commission as of July 1, 2009.
- By temporarily redirecting a portion of future Proposition 10 revenues. Specifically,

from 2009–10 through 2013–14, this measure would divert annually \$268 million in Proposition 10 funds. Of the redirected funds, \$54 million would come from state commission funds and \$214 million from local commission funds. During these five years, the redirected funds would be subject to appropriation by the Legislature.

Permanent Changes. This measure makes various other changes:

- **New Requirements for Distribution of Audits and Reports.** The measure requires that the county commissions also submit their annual audits and reports of their expenditures to the county board of supervisors and the county auditor. In addition, it requires that each county auditor serve on the local First 5 commission.
- **Changes in Allocation of State Commission Funds.** This measure also amends the allocation requirements for the state commission's 20 percent of Proposition 10 revenues. Specifically, it deletes the allocation now provided for mass media communications (now 6 percent) and increases the allocation for general program purposes (from 2 percent to 8 percent). Under the measure, the state commission must also ensure that every county commission receives at least \$400,000 each year.
- **County Borrowing of First 5 Funds.** Finally, it allows a county controller to borrow local commission funds for that county's general fund, unless the transfer would interfere with local commission activities. Any borrowed funds must be repaid with interest.

FISCAL EFFECTS

The measure would have the following fiscal effects on state and local governments.

Reduction in Funding Available for Existing State and Local Commission Programs. This measure would reduce state commission funding by up to \$340 million on a one-time basis in 2009–10 by redirecting the state commission's reserve funds. In addition, this measure would reduce funding for the state and local commissions by \$268 million annually from 2009–10 through 2013–14.

State General Fund Savings. This measure would achieve state savings of up to \$608 million in 2009–10 and \$268 million annually from 2010–11 through 2013–14. This results from using a portion of Proposition 10 funds in place of state General Fund for state-supported health and human services programs for children up to age five.

Other Potential Fiscal Effects. The reduction in state and local First 5 commission funding could result in other costs to the state and local agencies (primarily counties and schools). This would occur to the extent that some children and families rely on other health and human services programs instead of those now provided under First 5. However, absent this measure, other budget reductions or revenue increases would be needed to address the state's severe fiscal problems. The fiscal effects of these alternative budget-balancing solutions on state and local programs and state revenues are unknown.

POLICY ADVISORY COMMITTEE

ACTION/DISCUSSION ITEMS

AGENDA ITEM III. B.

April 28, 2009

Memorandum

TO: Transportation Technical Committee
Policy Advisory Committee
COG Policy Board

FROM: Tony Boren, Executive Director
Barbara Steck, Deputy Director
Les Beshears, Finance Director

SUBJECT: FY 2009-10 Overall Work Program

Recommendation:

Staff recommends approval of the FY 2009-10 Overall Work Program totaling \$13,403,568. The draft document was released for 45 day review in February, 2009 and revisions, based on comments received, have been incorporated into the final OWP.

Summary:

The FY 2008-09 Overall Work Program (OWP) totaling \$13,403,568 (including carryover projects) is submitted for your review. This year's budget total reflects a decrease of 1% (\$168,191) from the approved FY 2008-09 budget. Federal revenues increased \$1,433,776 to reflect a number of large projects funded by federal funds. These large federally funded programs included the Federal Transit Administration Job Access Reverse Commute and New Freedom programs and the Partnership Planning Metropolitan Rural Loop. State revenues increased 133% largely due to the valley wide state grant we have agreed to administer for the valley MPO partners. Local Revenues decreased 34%, (\$2,971,455). A significant amount of this decrease comes from removing fund balances from the Measure "C" programs to reflect actual program implementation. As the programs grow the fund balances the budgets will be increased and the fund balances drawn down.

The six primary components of the program are as follows:

1. Regional Transportation Planning
2. Transportation Program Development
3. Service and General Coordination Activities
4. Regional Coordination of Transportation, Land Use & Housing
5. Valleywide Coordinated Activities
6. Administrative Activities

Member Agencies: The cities of Clovis, Coalinga, Firebaugh, Fowler, Fresno, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger, Selma & Fresno County

Highlights for each of the six OWP components are listed below:

1. Regional Transportation Planning

The work elements contained within this section primarily carryout the long-range regional transportation planning program, which the COG is statutorily responsible for.

Work Element 111 - Regional Transportation Modeling This \$420,988 program includes \$125,000 to update our Traffic Model.

Work Elements 113 & 116 – Regional Transportation Planning Study (West Area) and National Park Transit Study. These elements provide \$100,000 for ongoing and new regional planning studies. They will allow continued funding of the West Area Circulation Study (\$50,000) and initiate the National Park Transit Study (\$50,000).

Work Element 120 – Public Transportation Urban. This \$553,000 Urban Transit planning effort programs \$100,000 of FAX's Section 5307 grant to do Transit studies as needed.

Work Element 121 – JARC and Work Element 122 – New Freedom This \$2.3 million Federal Transit Administration Sect. 5316 and Sect. 5317 grant programs provide funds to eligible projects.

Work Element 123-(Public Transit Infrastructure (PTIS) Completion of this \$2.7 million Measure "C" funded study is required before Measure money can be spent on various Transit components and the Transit Oriented Infrastructure program.

Work Element 124 Transit Professional Development - \$56,500 has been awarded to convene three workshops by experts in Transit Oriented Developments.

Work Element 152 High Speed Rail Planning - \$115,400 has been programmed to study High Speed Rail Planning now that voters have approved the bonds.

Work Element 153 Airport Land Use Commission - \$31,600 is programmed to administrate the Airport Land Use Commission.

Work Element 172 Congestion Management Program - Heightened federal interest in our Congestion Management Plan -increase this budget to \$21,500.

2. Transportation Program Development

WE 210 Measure "C" Extension - This \$220,200 work element continues work done previously to implement the Measure and develop an implementable Capital Projects Strategic Plan.

WE 211 Measure "C" – Oversight Committee - This work element provides \$10,500 to provide staff support for the Oversight Committee.

WE 212 Measure "C" – Rideshare/Van Pool This work element provides \$391,940 to cover the cost of the Rideshare/Van Pool program.

WE 214 Measure "C" – ADA/ Seniors - This work element provides \$191,100 to administrate the senior taxi script program.

WE 215 Measure "C" - Farmworker Van Pool - The Farmworker Van Pool program is budgeted for \$117,200.

WE 220 Transportation Program Development - This \$200,000 work element contains \$50,000 for leasing web based software to coordinate the various aspects of administering federal aid project applications with modeling air quality conformity, congestion management and financial constraint.

3. Services and General Coordination

Work Element 360 – "One Voice" Advocacy - This \$160,700 work element budgets the cost of the federal and state "One Voice" Advocacy programs at both the local and regional level. These activities are ineligible for state and federal participation and must be funded by local assessments.

4. Regional Coordination of Transportation, Land Use & Housing

Work Element 410 – Blueprint Planning - We have agreed to submit to the state and administrate a fourth year Blueprint application of \$2,500,000. This grant will be spread among the partner Valley Cogs, who will also share in the match.

Work Element 412 – Mid-Valley Metro Rural Loop - The City of Fresno applied for and was awarded a \$345,000 grant to explore the feasibility of forming a regional collaboration between the four counties of Fresno, Madera, Tulare and Kings to assess the concept of a high-capacity, mass transit based, multi modal corridor.

5. Valleywide Coordinated Activities

Work Element 820 Valley RTPA Coordination – A total of \$191,500 is included to cover the Valleywide planning activities. This amount includes a \$50,000 contract to coordinate the Valleywide planning effort. The cost of the contract is split among the Valley partners.

6. Administrative Activities

Work Element 940 Freeway Service Patrol - The Freeway Service Patrol is continued for a 17th year of operation. The service was bid out last year and again Curtis Towing was the successful bidder for this \$302,600 program.

Work Element 950 Abandoned Vehicle Abatement Program - FY 2009-10 marks the fifth year of operation for the Abandoned Vehicle Abatement Program. The COG has been designated the local Abandoned Vehicle Abatement Service Authority to administer the AVA Program and Plan. The program is funded by an assessment of a \$1 additional registration fee to be used exclusively for the purpose of abandoned vehicle abatement within Fresno County.

Staffing

The over all number of positions remains unchanged however the increase in staff cost is mitigated by holding a vacant Senior Level Planning position open and creating a Planner I position.

Office Overhead

Office overhead increased slightly (\$7,190) from 2008/09 reflecting operating expenses associated with the facility and an upgraded color copier. Audit cost increased \$1,800.

**BEFORE THE
COUNCIL OF FRESNO COUNTY GOVERNMENTS
RESOLUTION NO. 2009-05**

In the Matter of:)
)
OVERALL WORK PROGRAM)
AND LINE ITEM BUDGET)
_____)

**RESOLUTION ADOPTING
THE OVERALL WORK
PROGRAM AND LINE ITEM
BUDGET FOR FISCAL YEAR
2009-10**

WHEREAS, the Council of Fresno County Governments (Fresno COG) has been designated the Regional Transportation Planning Agency (RTPA) for Fresno County by the Secretary of the Business and Transportation Agency pursuant to Section 29532 of the California Code of Regulations (as amended by AB 402, 1977); and acting as the Metropolitan Planning Agency (MPO) (Federal Highway Act of 1974 and the Urban Mass Transportation Administration Act of 1964 as amended pursuant to the joint regulations - Code of Federal Regulations, Title 23, Part 450; Title 49, Part 613); and

WHEREAS, the Fresno COG is the State designated Areawide Clearinghouse to coordinate the evaluation and review of Federal and Federally assisted programs and projects as required by the Presidential Executive Order 12372; and

WHEREAS, the Fresno COG is required by Federal and State funding agencies to prepare and submit an Overall Work Program pursuant to the Department of Transportation, Intermodal Planning Group Region IX Guidelines for Metropolitan Planning Organizations; and

WHEREAS, Fresno COG staff has sought input from member agencies, including transit operators, and the State with respect to proposed work to be performed to satisfy Federal and State requirements, in addition to local priorities; and

WHEREAS, the Overall Work Program cites activities to which Fresno COG commits to satisfy various Federal regulations including equal opportunity and fair employment practices and Disadvantaged Business Enterprise requirements; and

WHEREAS, the proposed Overall Work Program has been prepared to meet Federal and State requirements; and

WHEREAS, the Overall Work Program is considered to be a guide for work activity and may be considered for amendment by the Fresno COG Policy Board during the 2009-10 fiscal year; and

WHEREAS, the Fresno COG has prepared a line item budget which is consistent with the Overall Work Program, and

WHEREAS, the Overall Work Program has been circulated through the Areawide Clearinghouse process.

NOW, THEREFORE, BE IT RESOLVED, that the Fresno COG adopts the 2009-10 Overall Work Program and Line Item Budget for 2009-10 including statements of commitment to satisfy all Federal and State requirements for grant approval.

BE IT FURTHER RESOLVED that the Fresno COG Executive Director and/or Policy Board Chairman are authorized to execute and submit certifications, applications for funding to State and Federal agencies identified as proposed sources of funding by the 2009-10 Overall Work Program; and execute and submit agreements with participating member agencies and auditors; and

BE IT FURTHER RESOLVED, that the Fresno COG will continue to work with State and Federal funding agencies in addition to member agencies on any adjustments to the Overall Work Program and Line Item Budget which may occur subsequent to July 1, 2009.

THE FOREGOING RESOLUTION was passed and adopted by the Council of Fresno County Governments this 21st day of May, 2009.

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Signed: _____
Trinidad M. Rodriguez, Chair

I hereby certify that the foregoing is a true copy of a resolution of the Council of Fresno County Governments duly adopted at a regular meeting thereof held on the 21st day of May, 2009.

Signed: _____
Tony Boren, Executive Director

POLICY ADVISORY COMMITTEE

ACTION/DISCUSSION ITEMS

AGENDA ITEM III. C.

BEFORE THE
COUNCIL OF FRESNO COUNTY GOVERNMENTS
RESOLUTION NO. 2009- 10

In the Matter of:)
)
FRESNO COG ENVIRONMENTAL)
JUSTICE PLAN)

RESOLUTION OF SUPPORT
FOR THE FRESNO COG
ENVIRONMENTAL JUSTICE
PLAN

WHEREAS, the Council of Fresno County Governments (Fresno COG) is the designated Regional Transportation Planning Agency (RTPA), the designated Metropolitan Planning Organization (MPO), and the designated Council of Governments (COG) for the Fresno County Region; and

WHEREAS, federal guidelines based on Title VI of the Civil Rights act, increasing attention has been placed on the need to incorporate environmental justice principles into the processes and products of transportation planning. Fresno COG, the Metropolitan Planning Organization for Fresno County examined the process of transportation planning within the context of environmental justice principles.

WHEREAS, Fresno COG, under the direction of the Fresno COG Environmental Justice Task Force; identified and mapped locations of low income and minority populations, reviewed existing COG processes for identifying needs of environmental justice populations, documented and evaluated the agency's public involvement process, and quantitatively assessed the benefits and burdens of transportation plans with respect to target populations.

WHEREAS, the proposed Environmental Justice Plan has undergone the required 45-day review and comment period; and

WHEREAS, the public hearing was held on May 21, 2009 to consider and hear comments on the draft Environmental Justice Plan; and

WHEREAS, the Environmental Justice Plan document is considered to be a guide for work activity and may be considered for amendment by the Fresno COG Policy Board at any time deemed appropriate by Fresno COG's management staff and Policy Board; and

NOW, THEREFORE, BE IT RESOLVED, that the Fresno COG adopts the Environmental Justice Plan.

BE IT FURTHER RESOLVED, that the adoption of the Environmental Justice Plan will become effective on May 21, 2009 and any comments received will be made available via the COG website and by mail upon request.

THE FOREGOING RESOLUTION was passed and adopted by the Council of Fresno County Governments this 21th day of May 2009.

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Signed: _____
Trinidad M. Rodriguez, Chairman

I hereby certify that the foregoing is a true copy of a resolution of the Council of Fresno County Governments duly adopted at a regular meeting thereof held on the 21st day of May 2009.

Signed: _____
Tony Boren, Executive Director

POLICY ADVISORY COMMITTEE

ACTION/DISCUSSION ITEMS

AGENDA ITEM III. D.

The first part of the paper discusses the importance of maintaining accurate records of all transactions. It is essential for the business to have a clear and concise record of all income and expenses. This will help in the preparation of the tax return and in the event of an audit. The second part of the paper discusses the importance of keeping up to date with the latest tax laws and regulations. This will help the business to avoid any penalties or interest charges. The third part of the paper discusses the importance of having a good understanding of the business's financial position. This will help the business to make informed decisions about its future.

Blueprints are being developed around the state by Metropolitan Planning Organizations to plan for the population growth that is anticipated in California over the next 40+ years. Blueprints are regional in scope and integrate land use, transportation and resource planning. The planning process considers the "Three Es" of sustainable communities: *prosperous economy, quality environment, and social equity*. Blueprint planning is a comprehensive undertaking that requires innovation, collaborative planning, thinking on a macro scale and a willingness to follow through to implementation.

The eight Valley COGs are committed to work with their member agencies – the 62 cities and 8 counties in the Valley - to integrate the Valley Blueprint principles into their general plans. The goal is to achieve the outcomes necessary for an improved quality of life for all who live here.

For more information go to:
www.valleyblueprint.org

www.valleyblueprint.org

These future leaders need your ideas today.

SAN JOAQUIN VALLEY
Blueprint
Planning Process

Submitted by:

- County of Fresno
- MA DERA CTC
Madera County Transportation Commission
- Kings County Association of Governments
- Kern Council of Governments
- MCAAG
Madera County Association of Governments
- TICAG
Tulare County Association of Governments

In early 2006 the eight Councils of Governments in the San Joaquin Valley came together in an unprecedented effort to develop a coordinated valley vision – the San Joaquin Valley Regional Blueprint. This eight county venture is being conducted in each county, and has recently been integrated to form a preferred vision for future development throughout the Valley to the year 2050.

Eight individual Valley COGs planning in unison.

Phase 1: Values and Vision – gathered from community input

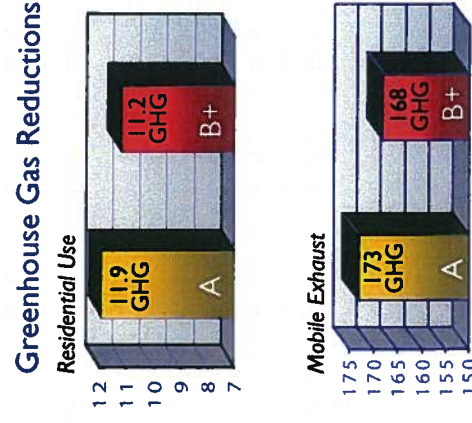
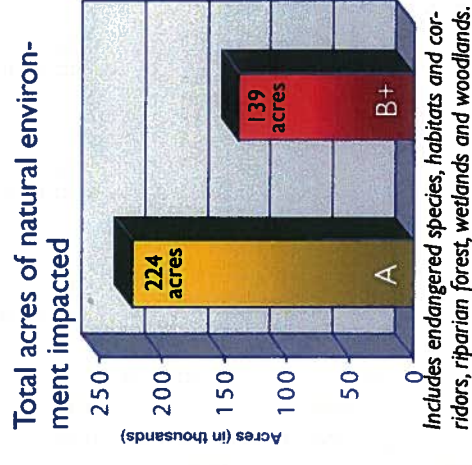
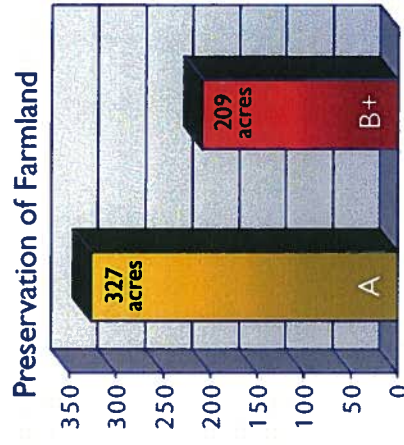
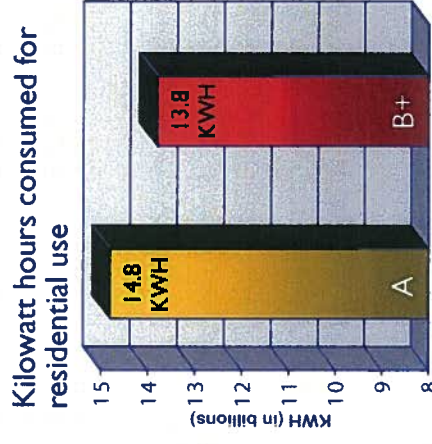
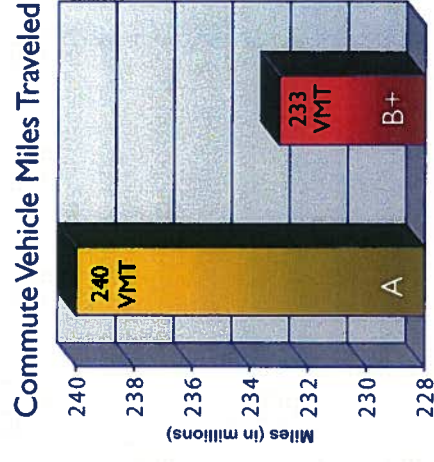
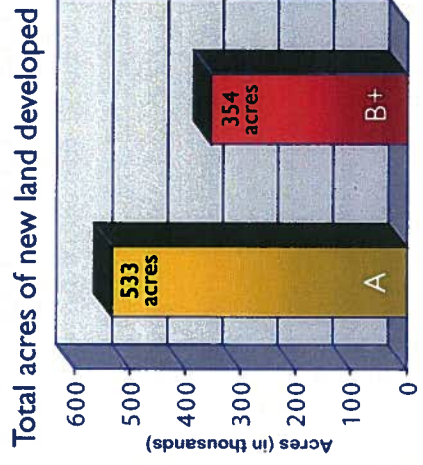
Phase 2: Goals, Objectives and Performance Measures based upon Values and Vision

Phase 3: Evaluation of alternative “what if” growth scenarios in each county.

- Selection of preferred county level scenarios for Valley-wide analysis.
- Evaluation of four Valleywide alternative scenarios
- Adoption of Smart Growth Principles and Preferred Growth Scenario for Valley

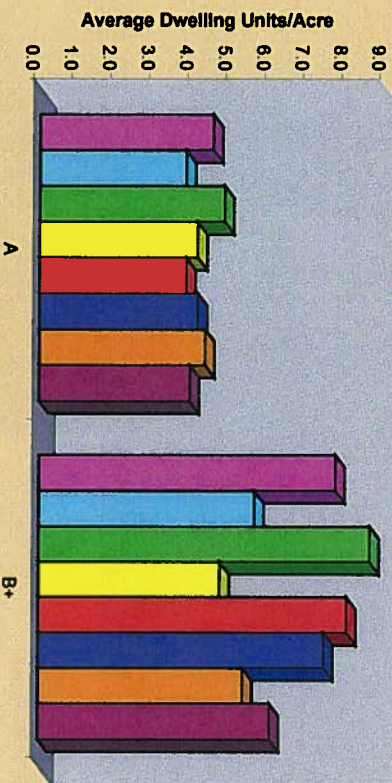
Next Steps:

Work with local agencies to integrate Blueprint principles into general plans.



County:

	Current Trends		Preferred Growth Scenario	
	A		B+	
San Joaquin	4.5		7.7	
Stanislaus	3.8		5.6	
Merced	4.8		8.6	
Madera	4.1		4.7	
Fresno	3.8		8.0	
Kings	4.1		7.4	
Tulare	4.3		5.3	
Kern	3.9		6.0	
Valley Averages:	4.3		6.8	



Comparing Scenario Outcomes:

(See the following pages)

How we choose to grow will result in different outcomes.

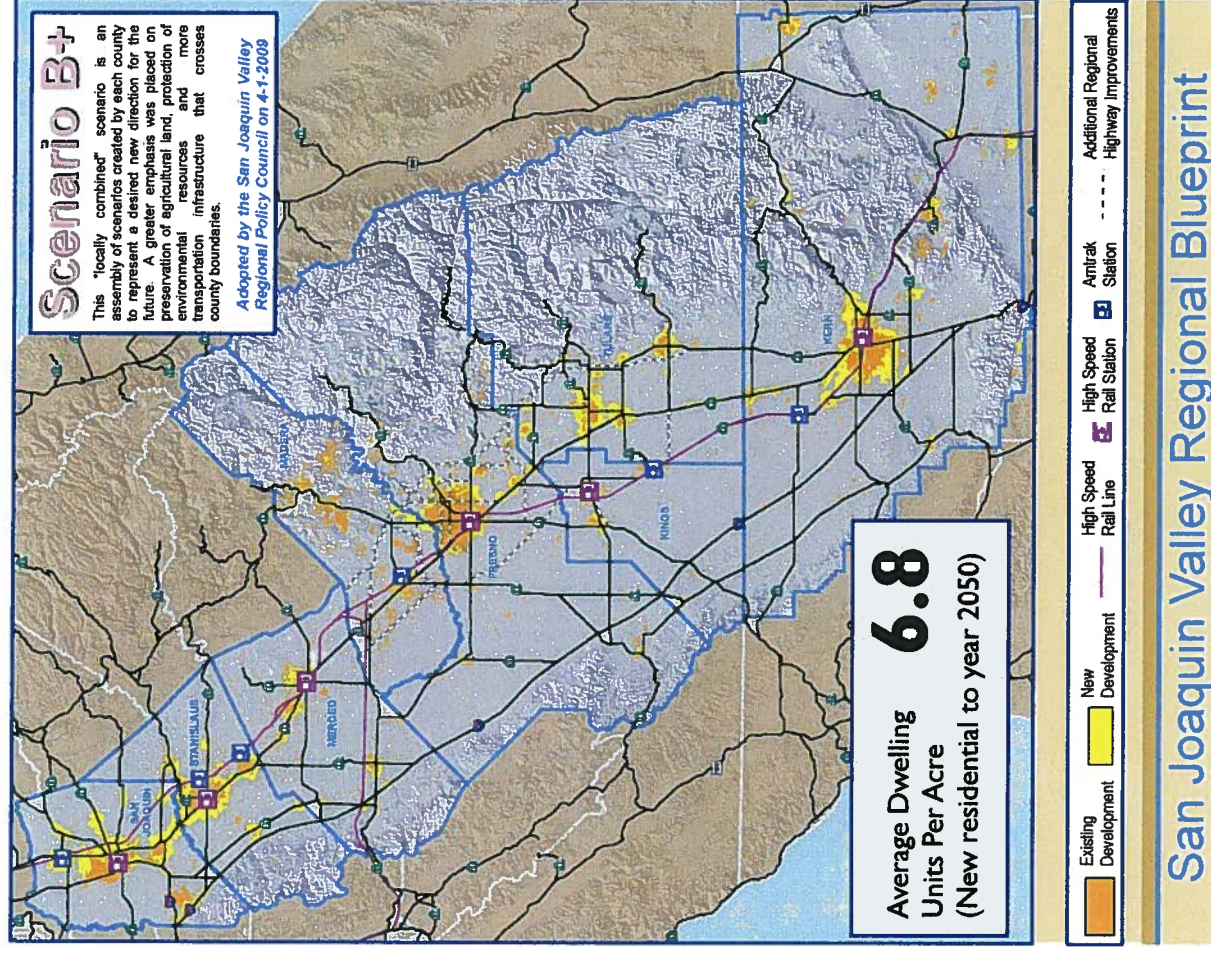
Scenario A represents current trends

Scenario B+ uses "Smart Growth" principles

On April 1, 2009 the San Joaquin Valley (SJV) Regional Policy Council reviewed the Valley COGs' collaborative work on the Blueprint and took the following actions:

- Adopted a list of Smart Growth Principles to be used as the basis of Blueprint planning in the San Joaquin Valley.
- Adopted Scenario B+ as the Preferred Blueprint Growth Scenario for the San Joaquin Valley to the year 2050. This preferred scenario will serve as guidance for the Valley's local jurisdictions with land use authority as they update their general plans.

1. Create a Range of Housing Opportunities & Choices
2. Create Walkable Neighborhoods
3. Encourage Community & Stakeholder Collaboration
4. Foster Distinctive, Attractive Communities with a Strong Sense of Place
5. Make Development Decisions Predictable, Fair & Cost Effective
6. Mix Land Uses
7. Preserve Open Space, Farmland, Natural Beauty & Critical Environmental Areas
8. Provide a Variety of Transportation Choices
9. Strengthen & Direct Development towards Existing Communities
10. Take Advantage of Compact Building Design
11. Enhance the Economic Vitality of the Region
12. Support Actions that Encourage Environmental Resource Management



POLICY ADVISORY COMMITTEE

ACTION/DISCUSSION ITEMS

AGENDA ITEM III. E.

the 'information' and 'communication' fields. The 'information' field is defined as:

...the study of the nature, uses and functions of information, and the ways in which it is created, communicated, evaluated and used. (p. 1)

The 'communication' field is defined as:

...the study of the nature, uses and functions of communication, and the ways in which it is created, communicated, evaluated and used. (p. 1)

The 'information science' field is defined as:

...the study of the nature, uses and functions of information science, and the ways in which it is created, communicated, evaluated and used. (p. 1)

The 'information studies' field is defined as:

...the study of the nature, uses and functions of information studies, and the ways in which it is created, communicated, evaluated and used. (p. 1)

The 'information research' field is defined as:

...the study of the nature, uses and functions of information research, and the ways in which it is created, communicated, evaluated and used. (p. 1)

The 'information theory' field is defined as:

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The 'information practice' field is defined as:

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The 'information law' field is defined as:

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The 'information ethics' field is defined as:

...the study of the nature, uses and functions of information ethics, and the ways in which it is created, communicated, evaluated and used. (p. 1)

MEMORANDUM OF UNDERSTANDING
BETWEEN
KERN COUNCIL OF GOVERNMENTS,
TULARE COUNTY ASSOCIATION OF GOVERNMENTS, AND
COUNCIL OF FRESNO COUNTY GOVERNMENTS

This Memorandum of Understanding (MOU) is entered into by and between the Kern Council of Governments (Kern COG), Tulare County Association of Governments (TCAG), and Council of Fresno County Governments (Fresno COG), collectively referred to herein as AGENCIES.

RECITALS

- (1) The AGENCIES were established pursuant to California Government Code Section 6500 et. seq. and are designated Metropolitan Planning Organizations for their respective regions.
- (2) The AGENCIES wish to cooperate, seek common goals, and facilitate the study, planning and development of intermodal corridors between the regions.
- (3) These corridors shall include, but not be limited to, state highway, major regionally significant local routes, and rail corridors.
- (4) The San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) has identified that 80% of the San Joaquin Valley air pollution is from mobile sources: cars, buses, trucks and trains.
- (5) The SJVUAPCD notes that 50% of mobile sources of air pollution come from heavy-duty trucks.
- (6) By improving the movement of freight and goods through the southern San Joaquin Valley will reduce congestion on local roads and highways, improve highway safety and improve the air quality.

ROLES AND RESPONSIBILITIES

- (1) Under this MOU, the Agencies agree to advocate and support planning studies and development of intermodal corridors common to and between the regions.
- (2) The AGENCIES agree to work with Caltrans District 6 to develop and fund projects on the identified corridors.
- (3) The AGENCIES agree to meet and confer upon request of any party to the MOU or by Caltrans to discuss corridor studies, plans, or projects.

EFFECTIVITY AND AMENDMENT

This MOU can be modified or amended by mutual written consent of all parties. This MOU does not replace or modify any other preexisting MOU between any or all parties. Likewise, future MOUs may be entered into between the partners not withstanding this MOU.

TERMINATION

This MOU becomes effective when fully executed by all parties. The terms and conditions of this MOU shall remain in effect until any one of the parties of this agreement provides 180 days notice to the other parties of their withdrawal from the MOU.

KERN COUNCIL OF GOVERNMENTS

Cherylee Wegman
Chair

Patricia Randolph
Deputy County Counsel

Ronald E. Brummett
Executive Director

TULARE COUNTY ASSOCIATION OF GOVERNMENTS

Mike Ennis
Chair

Counsel

COUNCIL OF FRESNO COUNTY GOVERNMENTS

Tony Boren
Executive Director

Janelle E. Kelley
Deputy County Counsel

TO
SAN FRANCISCO
TO
SAN FRANCISCO,
PORTLAND

BNSF

UP



Oxalis

Firebaugh

Mendota

Ingle

Kerman

Pratton

Crayold

FRESNO

Goldleaf

Helm

Burrell

Lemoore

Cimarron

Rossi

Vanguard

Westhaven

Huron

Hammer Field

Clotho

Ivesta

Sanger

Uva

Lacjac

Reedley

Dinuba

Monson

Ivanhoe

Rector

Goshen

Visalia

Tulare

Loma

Vance

UP

BNSF

Strathmore

Porterville

Elmco

Ultra

Terra Bella

Jovista

Trocha

Ducor

Vestal

Richgrove

Hollis

Famoso

Oil Jct.

Mattha

Gosford

Magunden

Harbertown

W. Lamont

Lamont

Patch

Di Giorgio

Arvin

Strader

Wible Orchard

Garinthee

Lyla

Levee

Embargoed Levee to Taft

Taft

Pentland

Buttonwillow

Kilowatt

Bower Bank

Rio Bravo

Rogas

Strand

Stevens

Del Kern

Levee

Embargoed Levee to Taft

Exeter

BAKERSFIELD

UP/BNSF

TO
LOS ANGELES
and EASTERN
POINTS

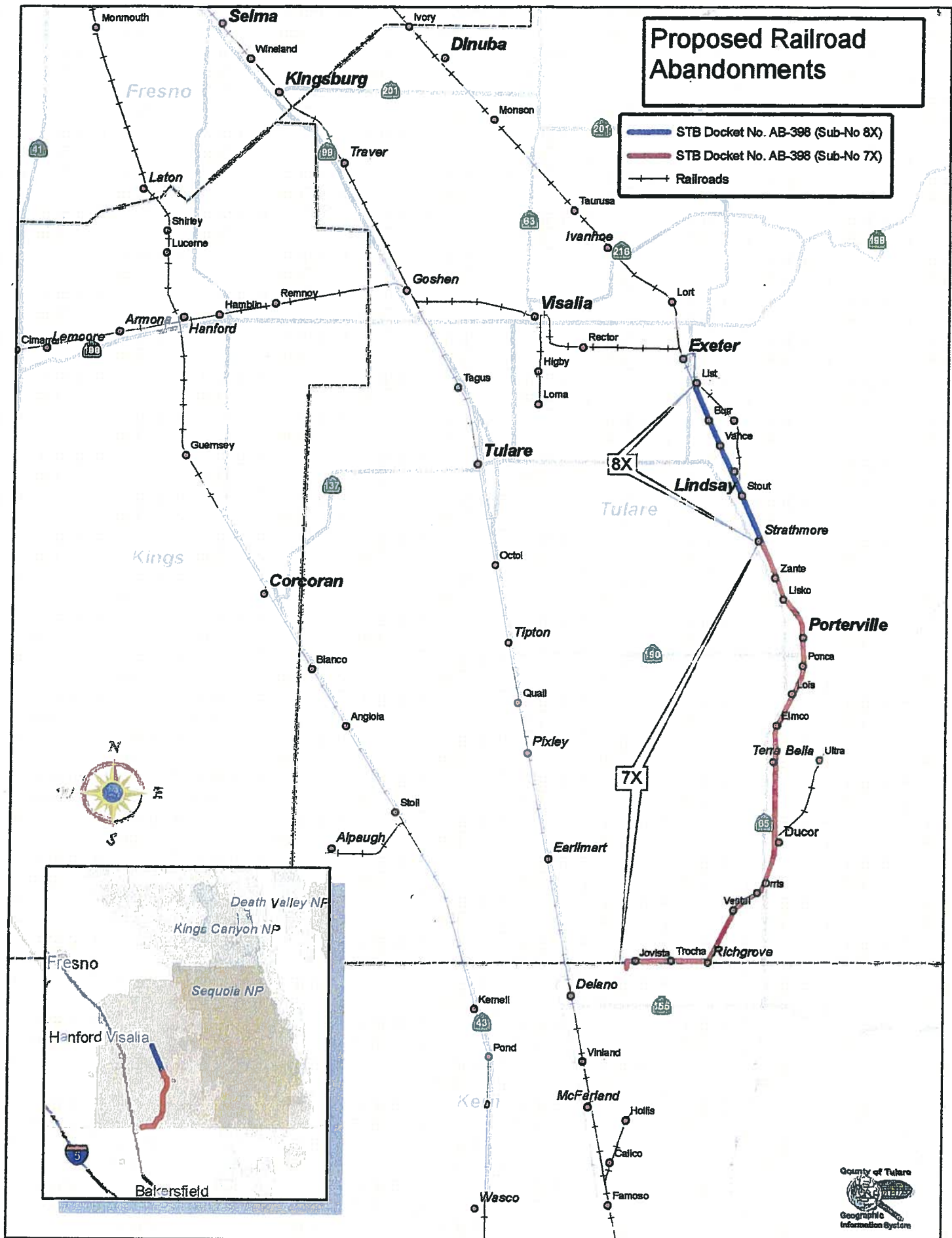
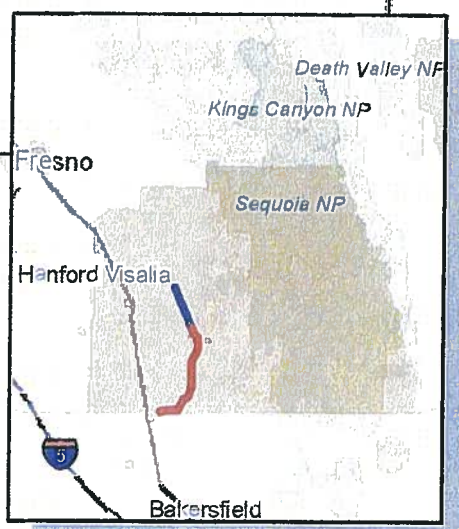
CALIFORNIA

SAN JOAQUIN VALLEY RAILROAD
BNSF RAILWAY
UNION PACIFIC RAILROAD



Proposed Railroad Abandonments

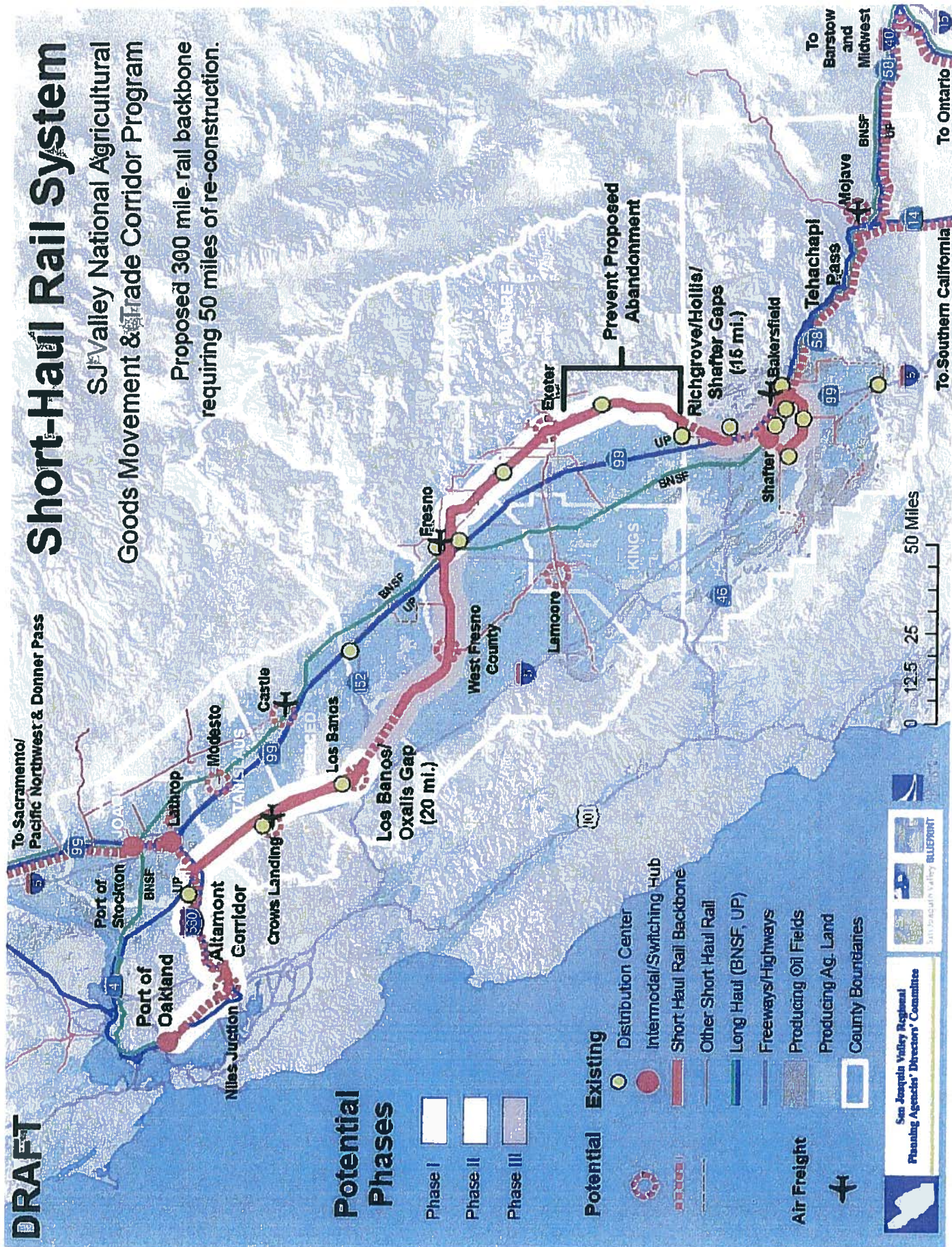
- STB Docket No. AB-398 (Sub-No 8X)
- STB Docket No. AB-398 (Sub-No 7X)
- Railroads



**To Sacramento/
Pacific Northwest & Donner Pass**

SJValley National Agricultural Goods Movement & Trade Corridor Program

**Proposed 300 mile rail backbone
requiring 50 miles of re-construction.**



POLICY ADVISORY COMMITTEE

ACTION/DISCUSSION ITEMS

AGENDA ITEM III. F.

FINANCIAL OPERATIONS																		
	Clarks	Coalinga	Firebaugh	Fowler	Fresno City	Huron	Kerman	Kingsburg	Mendota	Orange Cove	Parlier	Reedley	Sanger	San Joaquin	Selma	Fresno County	Administration	Total
YTD REVENUES																		
Registration Fees																		\$381,578.58
Interest																		\$8,154.11
Other																		
TOTAL REVENUES																		\$389,732.69
COSTS (3rd QUARTER)																		
Personnel	4,340.00		3,968.00	248.00	93,200.00		2,356.00	620.00				6,944.00	2,962.00	868.00	4,712.00	38,001.24	2,375.00	160,624.24
Services and Supplies			175.00					50.00				258.75	561.36	80.00				1,125.11
Major Purchases (\$2,500+)																		0.00
TOTAL COSTS	4,340.00		4,143.00	248.00	93,200.00		2,356.00	670.00				7,202.75	3,553.36	948.00	4,712.00	38,001.24	2,375.00	161,749.35
YTD COSTS	18,220.00	3,100.00	5,790.00	2,976.00	186,200.00		3,224.00	2,680.00				14,901.50	10,757.61	948.00	9,652.00	78,553.80	4,750.00	342,152.81
UNEXPENDED REVENUES																		
VEHICLES ABATED																		
VOLUNTARY ABATEMENTS																		
PUBLIC	10		4	2				1										17
PRIVATE	11		18		466		19	2				52	22	3	38	253		884
TOWNS (ABATEMENTS)																		
PUBLIC	3																	3
PRIVATE	4		5					1				2		2		15		29
TOTAL ABATEMENTS																		
PUBLIC	13		4	2				1							0	0		20
PRIVATE	15		23		466		19	3				54	22	5	38	268		913
GRAND TOTAL ABATEMENTS	28		27	2	466		19	4				54	22	5	38	268		933

POLICY ADVISORY COMMITTEE

ACTION/DISCUSSION ITEMS

AGENDA ITEM III. G.

the 1990s, the number of people in the UK who are employed in the public sector has increased by 1.5 million, from 2.5 million in 1980 to 4 million in 1999. The public sector has grown from 12% of the economy to 18% of the economy.

There is a growing emphasis on the need to improve the efficiency of the public sector. This has led to a number of initiatives, including the introduction of competition, the restructuring of public services, and the introduction of performance targets. The aim of these initiatives is to reduce the cost of public services and to improve the quality of the services provided.

One of the main challenges facing the public sector is the need to reduce the cost of services. This is a difficult task, as the public sector is often a monopoly. However, there are a number of ways in which the cost of public services can be reduced. These include the introduction of competition, the restructuring of public services, and the introduction of performance targets.

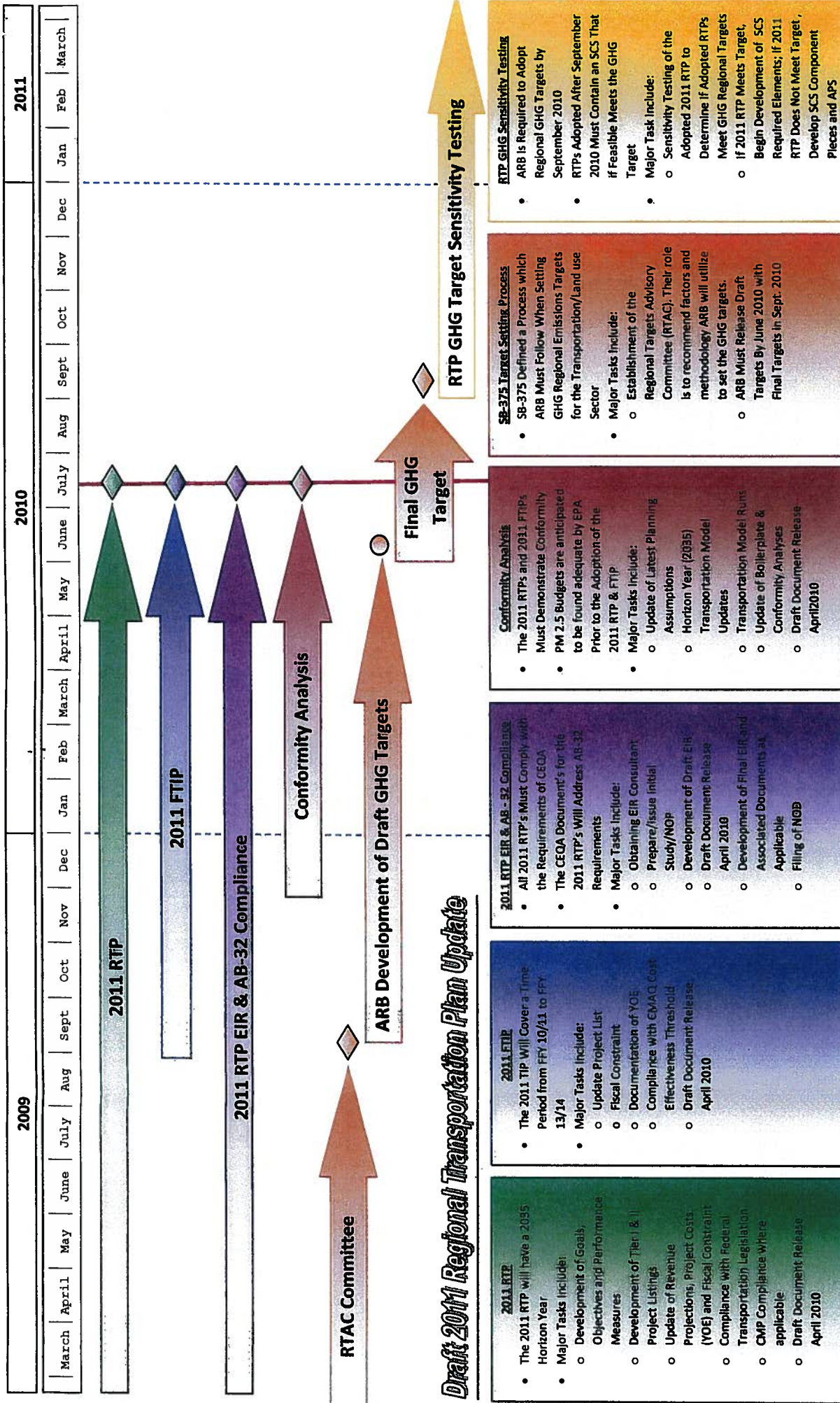
Another challenge facing the public sector is the need to improve the quality of services. This is a difficult task, as the public sector is often a monopoly. However, there are a number of ways in which the quality of public services can be improved. These include the introduction of competition, the restructuring of public services, and the introduction of performance targets.

The public sector is a complex and challenging environment. It is a sector that is constantly changing and evolving. It is a sector that is facing a number of challenges, including the need to reduce the cost of services and the need to improve the quality of services. However, there are a number of ways in which these challenges can be met.

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POLICY ADVISORY COMMITTEE

ACTION/DISCUSSION ITEMS

AGENDA ITEM III. H.

Fresno COG Implementation of ARRA
Updated 4/28/09

SAFETEA-LU Programming Steering Committee-Meeting held 2/17/09
Proposed- provide a base amount of \$160,000 to each member agencies with all additional funds divided up on a prorate basis based on population.
On 2/26/09-Proposal endorsed by Fresno COG Policy Board

Amendment 4: Adding ARRA revenue into the FTIP

Public Review-2/10/09-2/23/09

MPO Approval-2/25/09

Caltrans Approval-3/12/09

FHWA Approval-3/17/09

Amendment 5: Adding ARRA Transit Projects

FAX eligible to receive 5307-Self selection of projects

FCRTA eligible to receive 5311-Self selection of projects

List endorsed by COG Board on 3/26/09, routed through PAC

Public Review-3/9/09-3/23/09

MPO Approval-3/24/09

Caltrans Approval- 4/10/09

FHWA Approval- 4/10/09

Administrative Modification 6: Adding 1 ARRA Highway Maintenance and 1 ARRA Transit Project

Caltrans selection of HM project

FAX eligible to receive 5307-Self selection of projects

MPO Approval-3/19/09

Caltrans Approval-3/25/09

Amendment 7: Adding ARRA RSTP and STP Projects

List endorsed by COG Board on 3/26/09, routed through PAC

Public Review-3/20/09-4/3/09

MPO Approval-4/3/09

Caltrans Approval-pending

FHWA Approval-pending

Administrative Modification 8: Adding 1 ARRA SHOPP Project

Caltrans selection of SHOPP project

MPO Approval-4/22/09

Caltrans Approval-4/24/09

POLICY ADVISORY COMMITTEE

ACTION/DISCUSSION ITEMS

AGENDA ITEM III. I.



COMMUNITIES TACKLE GLOBAL WARMING

***A Guide to California's
SB 375 (Steinberg, 2008)***

***Cutting Global Warming Pollution with New
Transportation and Land Use Planning***

Tom Adams, California League of Conservation Voters
Amanda Eaken and Ann Notthoff, Natural Resources Defense Council

April 2009
(Working Draft April 15, 2009)



SB 375

*The Sustainable Communities and Climate Protection Act*¹

INTRODUCTION

Where we live, how we get to work, take our kids to school and go about our daily business, matters, maybe more than we think - a lot more. We can affect the fight against global warming: household transportation in California is the single largest and the fastest growing source of global warming pollution. Locating housing closer to jobs and transportation choices can reduce commute times and cut millions of tons of greenhouse gas pollution. If the development patterns between now and 2020 emphasized more compact single family, attached housing and multi-family housing and if new developments were served by good, reliable transit, California could reduce climate pollution by 30% or more just from reduced fuel use.²

Better land use patterns can accomplish even more. SB 375, *the nation's first bill to link transportation and land use planning with global warming*, is intended to foster development patterns that will reduce the need to drive. And there are multiple benefits beyond climate that the successful implementation of SB 375 can achieve.

It can reduce air pollution; 50% of air pollution comes from car exhaust.³ It can conserve billions of gallons of petroleum per year by 2020. It can conserve water; compact development patterns can save 20% more water.⁴ It can protect farmland and habitat, saving over 360 square miles of open space from development in the Sacramento region alone.⁵

The high cost of sprawl. The recession we are in now really kicked in to gear when gasoline hit \$4 a gallon in the summer of 2008. It is notable that the recession hit far flung sprawl communities the first and the hardest. For example, transportation

The Recession Hits the Exurbs First and Hardest

In August of 2008, 75% of the existing home sales in Merced County were of foreclosed properties. By October, 2008 the average home prices in the Central Valley towns of Manteca and Los Banos had fallen 50% and 66% respectively. Both communities are far—upwards of 75 miles—from the job centers in the San Francisco Bay Area; but, incredibly enough they had become sites of commuter subdivisions. By November, 2008, 90% of the houses in the huge commuter subdivision in western San Joaquin County, Mountain House, were worth less than the mortgages on them. By the time of this writing (April, 2009), defaults, foreclosures and price declines are more widespread. Nevertheless, the effects in the urbanized core of the San Francisco Bay Area, for example, are much more muted than in the distant exurbs.

¹ Authored by California Senate Pro Tem Darrell Steinberg and cosponsored by the California League of Conservation Voters (CLCV) and the Natural Resources Defense Council (NRDC). Signed in to law by Governor Arnold Schwarzenegger September 30, 2008.

² Ewing, Bartholomew, Winkelman, Walters & Chen, "Growing Cooler" September, 2007.

³ California Air Resources Board.

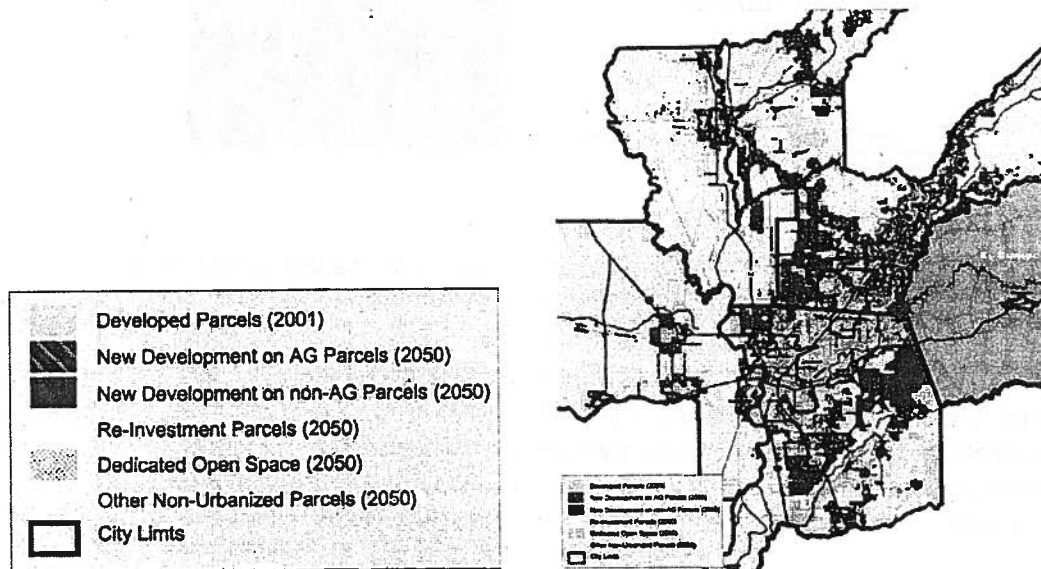
⁴ http://www.epa.gov/dced/pdf/growing_water_use_efficiency.pdf.

⁵ "Preferred Blueprint Alternative" Sacramento Area Council of Governments, June 2007.

Innovative techniques to help people picture what new growth patterns would look like are increasingly available. Here's a link to a new tool developed by NRDC and Urban Advantage. See for yourself how communities in California and across the country can revitalize neighborhoods and build vibrant new streetscapes:
<http://www.nrdc.org/smartGrowth/visions/default.asp>.

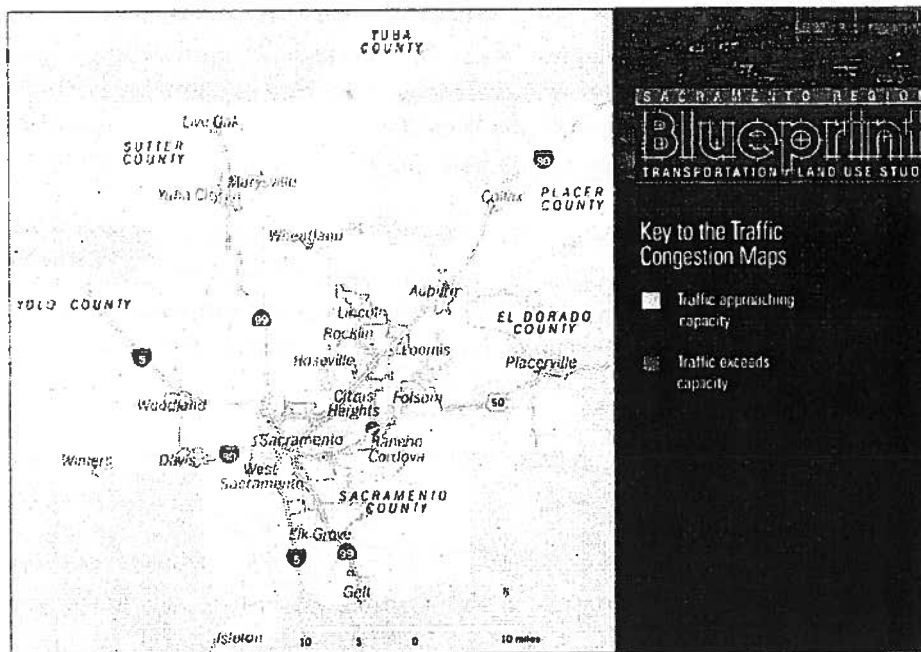
SB 375 builds upon the leadership of the Sacramento Region. With extensive public participation, the Sacramento Area Council of Governments (SACOG) designed a regional blueprint that provided the same number of housing units, the same number of jobs, and served the same population as did the business as usual scenario yet with a much smaller urban footprint.

The map below shows the business as usual urban footprint forecasted for 2050:



Source: Sacramento Area Council of Governments.

This map shows reduced congestion resulting from better planning:



Source: Sacramento Area Council of Governments.

Putting the pieces together. Getting to a better, more sustainable future is no easy matter. In developing SB 375 we had to confront several serious barriers. First, it was essential to create the link between global warming, transportation and land use. Second, we had to align several major programs that were pushing the state's growth patterns in inconsistent ways. Finally, if growth patterns were going to be designed that would locate housing closer to employment centers, closer to transportation opportunities and away from resource lands, it was essential to move planning to a regional scale.

Making the global warming link. SB 375 links land use and transportation patterns to greenhouse gas emissions by adding a new element to existing regional transportation plans, the sustainable communities strategy (SCS). The California Air Resources Board (Air Board) is authorized to set regional greenhouse gas emission reduction targets to be achieved from the household transportation sector (cars and light trucks) for each of the metropolitan planning regions in California. The regions are then obligated to design an integrated land use and transportation network within the regional transportation plan that achieves the targets if there is a feasible way to do so

gasoline consumption. The exact opposite of the conclusion reached by an analysis at the regional scale.

Balancing regional and local authority. In California local governments are essentially the only entities with land use authority. Development will only occur when and where it is approved by local government. Implementation of SB 375 ultimately depends on the land use approvals of local governments. Striking a balance between local authority and regional planning is essential.

SB 375 starts with the existing regional transportation planning process, which is conducted by representatives of local governments within the region. The bill is also explicit: metropolitan planning organizations do not have land use authority, only local governments do. The role of the regional transportation plan will be what it has always been: transportation projects are eligible for funding only if they are contained in the regional transportation plan.

Local governments have long recognized the importance of the regional transportation plan. They obviously want transportation infrastructure for the land use developments they approve. They already have an incentive to approve developments that will be eligible for transportation infrastructure funding. SB 375 does not change either the role of the regional transportation plan or the role of local governments. What SB 375 does do is make the regional transportation planning process much more robust. Now it must include specific steps to address the global warming impacts of land use and transportation planning.

Making process work. SB 375 does not create a mandate that the SCS achieve greenhouse gas reduction targets. Instead it is designed to achieve its goals through a process in which regions are required to examine the relationship between land-use transportation policy on the one hand, and greenhouse gas reduction targets on the other.

There are many reasons to believe that SB 375 will achieve its goals. There is strong bipartisan support for addressing global warming pollution. There are also the multiple other benefits to be gained:

- Savings to household budgets.
- More housing choice.
- Housing closer to work.
- Cheaper transportation infrastructure.
- Shorter commutes.
- Greater mobility.
- More walkable commercial and civic amenities.
- Better air quality.

SNAPSHOT OF SB 375

SB 375 changes California planning and transportation law in four basic ways:

1. It adds new state content to the Regional Transportation Plan (RTP) – a sustainable communities strategy – linking climate policy with transportation/land use planning.
2. It aligns the program for the regional distribution of housing to be consistent with the sustainable communities strategy.
3. It adds new provisions to the California Environmental Quality Act to assist land use decisions that implement the sustainable communities strategy.
4. It adds new modeling provisions to accurately account for the transportation impacts of land use decisions.

The Sustainable Communities Strategy - Regional GHG Targets:

- The Air Resources Board, after an interactive process with the regions, sets greenhouse gas (GHG) emission reduction targets for each region from the car and light truck sector.
- The Air Board must take into account other strategies for reducing GHG emissions such as fuel efficiency standards and low carbon fuels.

The Sustainable Communities Strategy – Contents:

- Identify areas for housing and development for all of the region's population.
- Identify and consider significant resource areas and farmland.
- Set forth an integrated development pattern and transportation network that will achieve the GHG reduction targets if there is a feasible way to do so.
- If it is not feasible to achieve the targets within the SCS, prepare an Alternative Planning Strategy showing the most practicable way to achieve the targets if, for example, more funding for transit was available.
- Comply with the federal clean air and transportation laws.

Aligning the Regional Distribution of Housing with the Sustainable Communities Strategy:

- Councils of Governments must allocate housing within a region to be consistent with the sustainable communities strategy.
- Housing elements will now be updated every 8 years, instead of 5, consistent with every other adoption of the RTP.

ELEMENTS OF SB 375

1. THE SUSTAINABLE COMMUNITIES STRATEGY

The sustainable communities strategy is the heart of SB 375. Prior to SB 375, the regional transportation plan consisted of three elements: a policy element, an action element and a financial element. SB 375 added a new element to the plan, a sustainable communities strategy. SB 375 makes it explicitly clear that the regional transportation plan “shall be an internally consistent document.” (§65080(b)). Thus the list of projects in the action element, the funding for transportation projects, and the sustainable communities strategy will have to be consistent one with the other.

A. *Setting Regional Greenhouse Gas Emission Reduction Targets.*

SB 375 creates a link between global warming policy and land use – transportation planning through regional greenhouse gas reduction targets which become a design parameter for the regional transportation plan. Setting these targets is the responsibility of the Air Board, which is the lead agency for the implementation of AB 32, California’s landmark Global Warming Solutions Act of 2006.

The Air Board is required to provide each of California’s 18 federally designated metropolitan planning regions with greenhouse gas emission reduction targets for 2020 and 2035 by September 30, 2010. These targets are aimed at reducing greenhouse gas emissions from cars and light trucks only. Greenhouse gas emissions associated with other sectors such as industrial and energy production are beyond the scope of SB 375 and will be addressed by the Air Board under the provisions of AB 32.

Other vehicle emission reduction strategies. SB 375 is not the exclusive strategy for addressing the emissions from cars and light trucks. The Air Board has already approved standards to increase vehicle efficiency under AB 1493, the landmark bill by (now) Senator Fran Pavley. The Air Board has also adopted rules to reduce the carbon content of fuels. However, as noted earlier, fuel efficiency and better fuels will not by themselves be enough. Unless other measures are taken to reduce the growth in VMT, California will be unable to achieve its climate goals. In setting the targets for the regions, the Air Board is required to consider how much can be achieved through fuel efficiency, better fuels and other possible strategies (§65080(b)(2)(A)(iii)).

Target setting process. Giving the Air Board a role, any role at all, in land use and transportation planning is one of the innovations of SB 375, and understandably it

Target adjustment. Finally, the bill recognizes that adjustments may be needed to these targets. Every 4 years the Board can adjust the targets because of changes in the fuel efficiency of vehicles, changes in fuel composition, or other policies that will reduce greenhouse gas emissions. Every 8 years, the Board can also adjust the targets to make sure that the region is on schedule to achieve its goals for 2050, at which time California is supposed to have reduced statewide greenhouse gas emissions to a level that is 80% below the 1990 levels (Executive Order S-3-05).

B. Developing a Sustainable Communities Strategy

The RTP - federal land use and transportation planning requirements. Existing federal law already requires regional transportation plans to include a land use component. These plans must have a minimum 20 year planning horizon during all parts of their useful life (23 USC §134(g)(2)). It is simply impossible to do responsible transportation planning, especially for such a long time period, without understanding how and where a region is growing. Further these plans must consider how to "protect and enhance the environment" and "promote energy conservation" (23 USC §134(f)). Federal regulations require that the RTP:

Reflect, to the extent that they exist, consideration of: the area's comprehensive long-range land use plan and metropolitan development objectives; national, State, and local housing goals and strategies, community development and employment plans and strategies, and *environmental resource plans*; local, State, and national goals and objectives such as linking low income households with employment opportunities; and the area's overall social, economic, *environmental, and energy conservation goals and objectives*¹¹ (23 CFR §450.322(b)(9))(emphasis added).

Under existing federal regulations, the plan must also explicitly consider and analyze:

The likely effect of transportation policy decisions on land use and development and the consistency of transportation plans and programs with the provisions of all applicable short- and long-term land use and development plans (the analysis should include projections of metropolitan planning area economic, demographic, *environmental protection*, growth management, and land use activities consistent with metropolitan and local/central city development goals (community,

¹¹ These references to environmental and energy conservation goals and objectives are sufficiently broad that a region with the political will to do so might have been able to incorporate greenhouse gas reduction goals in the RTP even without SB 375.

RTP, sometimes on a community-wide basis, sometimes in response to an individual development application.

It is also essential to recognize the limitations of local land use *planning*. Funding for comprehensive planning has been almost non-existent since the passage of Prop 13 in 1978. Not surprisingly, many local governments struggle to keep their general plans up to date. According to the 2009 Planners Book of Lists published by the Governor's Office of Planning and Research, 55% of general plans have at least one mandatory element that is more than 10 years out of date. The plans that do exist are often unrealistic. For example, they include far more tax revenue generating land uses (hotels, auto dealerships, regional shopping centers) than the market will support and frequently do not identify enough land to meet medium and long term housing demand.

Federal and local rules work together. The balance struck in the federal regulations is that existing local planning must be *considered*, but along with local, state and national goals *linking low income households with employment opportunities and overall social, economic, environmental, and energy conservation goals and objectives*. Federal regulations provide that planning assumptions *must be derived from the estimates of current and future population, employment, travel, and congestion* either most recently developed *by the MPO* or, if by another agency, *approved by the MPO*. Out of date local plans or plans that have no realistic market basis would presumably not qualify under this language.

SB 375 creates a vital opportunity for local governments, the MPOs, and multiple stakeholders to take a realistic look at the future of their region. This should include an examination of changing demographics over the planning horizon and the consequences of those changes on housing demand. These changes could be dramatic. The Wall Street Journal reports that in 2007, 25% of the homes in the Denver area were in the central city as opposed to 5% in the early 1990s. In Chicago, it had increased to 40% from 5%.¹²

In the 1960's 48% of households consisted of couples with at least one child, today that number is 33%. By 2030, 73% of households will consist of single adults or couples without at least one child.¹³

SB 375 doesn't mandate how any particular sustainable communities plan should look. That is left to the region and the local governments to decide. The regional process will identify the locations for growth that will help achieve our vitally important climate goals. Local governments will design the communities.

¹² "Oil Industry Braces for Drop in U.S. Thirst for Gasoline" Wall Street Journal, April 13, 2009, Page 1,12. <http://online.wsj.com/services/article/SB123957686061311925>.

¹³ "Preparing for the Next Building Boom" Arthur C. Nelson, Ph.D. FAICP. February 2007. <http://www.mi.vt.edu/uploads/Nelson%20Smart%20Growth%20Conf%202-9-07.ppt#290,1>, Preparing for the Next Building Boom.

development pattern. That pattern must be integrated with the transportation network and other transportation measures and policies (parking, employer shuttles, etc.). The plan must reduce GHG emissions from cars and light trucks to achieve, *if there is a feasible way to do so*, the GHG targets approved by the Air Resources Board. SB 375 does not require a region to achieve the targets if, for example, it would cause a violation of federal regulations and jeopardize federal transportation funding. "Feasible" is broadly defined, using the same definition that is currently found in CEQA (§65080.01(c)).

Alternative planning strategy (APS). If a MPO cannot feasibly achieve the targets within its sustainable communities strategy, it must show how it would do so in another document, an alternative planning strategy (APS) (§65080(b)(2)(H)). SB 375 specifically provides that the APS is not part of the RTP. In that way, the APS is not subject to the federal regulations. It can thus show, for example, greater levels of transit service than would be allowed under a fiscally constrained analysis.

However, the APS is not purely aspirational. First, it must be adopted by the MPO; and, as such, represents an institutional statement about how a region could achieve its climate targets. Second, it must set forth the principal impediments to achieving the climate targets within the SCS. Third it must also show why the development pattern, transportation measures and policies it presents are the "most practicable choices for achievement" of the targets (§65080(b)(2)(H)(iii)).¹⁶

SCS or APS Review. The determination of whether either an SCS or an APS actually would, if implemented, achieve the targets is not left solely to the MPO. The MPO must submit its strategy to the Air Board for review. This is a crucial step for many reasons, not the least of which is transparency. The determinations of how well a strategy works will necessarily rely on modeling. As discussed later, SB 375 reforms how state transportation models are generated to better capture the benefits of close-in development. Additionally, the Air Board, with its substantial modeling expertise, will review the regional modeling, to provide additional transparency. Still, there was concern that the Board might require specific changes in land use or transportation policy in order to achieve the climate targets.

As a result, SB 375 attempts to create an open, interactive process with the Air Board. Prior to developing a SCS, a region must submit to the Board its technical methodology for estimating the effects of its strategy on greenhouse gas reductions. The Board must respond to this submittal in writing with its specific concerns and suggested remedies.

¹⁶ In addition, the CEQA benefits of SB 375 are only available for projects consistent with a strategy that would achieve the regional targets. See Public Resource Code §§21155, 21159.28. Even if a region adopts an APS, these CEQA provisions should create incentives for developers to proceed with projects that would help implement the APS.

achieve the regional targets, there may very well be several development projects that will not be eligible for the improved environmental review SB 375 allows. It is reasonable to expect that developers will want both the transportation funding and the CEQA benefits. The only way to get both is to have the development project set forth in an SCS that achieves the state assigned target. This provides a meaningful incentive for project developers to advocate on behalf of an SCS that will achieve the targets.

C. *Special Circumstances*

1. Southern California

The Southern California region is an especially large and diverse area, including the City of Los Angeles as well as Orange County and the Inland Empire. The MPO for the region is the Southern California Association of Governments (SCAG). Several of the counties in SCAG are themselves larger than most of the rest of the MPOs in California. This region contains almost 50% of the population of the state¹⁸ including some of its poorest as well as richest neighborhoods. There are significant interregional relationships among many of the entities within SCAG. The creation of a single SCS for this enormous area is particularly challenging. No region of the state will be more challenging and no region is more complex.

SB 375 contains a special provision for the SCAG area (§65080(b)(2)(C)) which allows for the initial development of the SCS and APS to be done by the subregional Councils of Government (COGS) within the region. There are 14 subregional COGS.¹⁹ SCAG itself would be required to adopt a framework for the subregional planning process. This framework would provide guidance for how the subregional COGS would address the intraregional land use, transportation, economic, air quality and climate policy relationships. SCAG must also develop overall guidelines, create public participation plans, ensure coordination, resolve conflicts, and make sure that the overall plan complies with applicable legal requirements. SCAG retains a significant role.

Nothing requires a subregional COG to prepare its own SCS. The option is left to the subregional COG. Some of these COGs may not have the staff or other institutional capacity to prepare their own SCS. However, if the COG elects to proceed to prepare an SCS or an APS, it must be prepared in conjunction with the county transportation commission. SCAG must include any prepared subregional SCS or APS in the

¹⁸ http://www.dof.ca.gov/research/demographic/reports/estimates/e-5_2001-06/.

¹⁹ Arroyo Verdugo Cities, City of Los Angeles, Coachella Valley Association of Governments (CVAG), Gateway Cities Council of Governments (GCCOG), Imperial Valley Association of Governments (IVAG), Las Virgenes Malibu Council of Governments, North Los Angeles County, Orange County Council of Governments (OCCOG), San Bernardino Associated Governments (SANBAG), San Gabriel Valley Council of Governments (SGVCOG), South Bay Cities Council of Governments (SBCCOG), Ventura Council of Governments (VCOG), Western Riverside Council of Governments (WRCOG), Westside Cities Council of Governments (WCCOG).

it commits funds for projects and schedules the expenditures of those funds. This does not require that all the funds on a project be spent prior to December 31, 2011; it merely requires that the CTC has taken the action to program those funds.

Finally, a transportation sales tax authority is not required to change the funding allocations for "categories" of transportation projects that are approved by voters before December 31, 2010. How this will work will depend, of course, on the project categories identified by the voters. Funds may be dedicated to local streets and roads, interchanges, transit, parkways or other categories. Under this provision, no individual projects are exempted from the SCS process; but if, for example, 30% of the funds raised were designated by the voters for transit, SB 375 could not require a change in that percentage. Nothing in SB 375 would prevent a transportation sales tax authority from altering the percentages dedicated to a category if the voters gave it that authority.

Overall, we do not expect these exemptions to alter significantly the ability of the SCS to meet the goals of SB 375. Since the Air Board will not have designated regional targets until September of 2010, the SCS process will commence for regional transportation plans adopted after that. Assuming that a project has not yet commenced construction but that it is programmed for funding prior to December 31, 2011, it could be included in the regional transportation plan, but not within the SCS. Presumably the climate impacts of this project would not need to be included with the SCS to determine if the SCS meets the regional targets.

However, as was pointed out by numerous transportation officials during the development of SB 375, the entire regional transportation plan is and will continue to be subject to CEQA. Under the law prior to the adoption of SB 375, the CEQA analysis will need to address the impacts of all the projects, including the SB 375 exempt projects, on climate. If the exempt projects cause the RTP to have a significant effect on climate, the region will have to examine whether there is a feasible way of mitigating that effect. All of this will have to be done in the context of CEQA and outside of the benefits of the regional target process.

5. Resource Areas and Farmlands

SB 375 requires increased attention to protection of natural resource lands. MPOs in California have creatively used various funds to support fundamental transportation investments, such as subsidies for transit oriented development projects. SB 375 recognizes that there is another side to the same coin: decisions to keep farmlands and resource areas in open space. Financial incentives should be considered for transportation investments that encourage, for example, farm to market transportation needs. SB 375 also requires MPOs to consider financial assistance to counties that contribute to greenhouse gas emission reductions by implementing policies that encourage growth in cities.

accuracy. New models will show that investment in higher density development and transit will lead to more lasting congestion relief and emissions reduction.

Transportation Commission Guidelines. Recognizing the importance of accurate transportation models, in January 2007, Senate President Pro Tempore Don Perata requested that the California Transportation Commission (CTC) --which maintains guidelines that MPOs use to create their regional transportation plans (RTP) -- review its RTP Guidelines in order to ensure that MPOs utilize models that accurately measure the benefits of land use strategies aimed at reducing vehicle trips.

In response to Senator Perata's request, in the fall of 2007, the CTC convened a multi-stakeholder working group to examine the CTC RTP guidelines to determine whether regions were receiving proper direction on the ability of their models. The group included representatives from Congestion Management Agencies, academic institutions, state agencies, MPOs, cities and counties, and environmental organizations. After a six month process, this stakeholder group agreed to recommend that the CTC amend their guidelines to provide clearer direction to MPOs on the models they use to make investment decisions.

Existing models need refinement. The CTC process concluded that many regions currently lack the capacity to accurately predict the trips generated by different types of development, and further lack the ability to model the impacts of other policies regions might use to improve air quality and reduce greenhouse gas emissions. A recent in-progress study by the MPOs under the auspices of the RTAC provides detailed confirmation of this finding.

Some of the models are insensitive to the type of land use projected for the region, and instead simply use a formula where a certain number of trips are generated for each new housing unit, regardless of location, proximity to transit, or density of surrounding uses. Clearly the shortcomings of the models are a disservice to the regions. If a region invests heavily in a new light rail system for example, its model should be able to predict whether the residents of new housing units around the stations, complemented by a pedestrian infrastructure and a mix of commercial amenities, are very likely to drive less than would the residents in a sprawl development. But in many cases the model would predict exactly the same amount of vehicle miles traveled from these two very different types of development.

The models also fell short in their inability to predict land use changes that result from certain types of transportation investments. There is no question that government transportation investments drive land use development. An owner of a parcel of land at the urban fringe may be interested in developing the land, but is unable to do so, because residents of the new development would lack transportation infrastructure. If the transportation agency chooses to build a new arterial or extend a freeway through this piece of land, the developer is more likely to develop the land. Most models have

2. CALIFORNIA ENVIRONMENTAL QUALITY ACT

The California Environmental Quality Act (CEQA) is California's premier environmental disclosure statute. It requires public officials to identify and consider the environmental impacts of projects in a structured and enforceable process. CEQA has a long history of environmental achievement. Not surprisingly, it is not without controversy.

Looking at the regional picture. Since enactment of the California Global Warming Solutions Act of 2006 (AB 32), it is now generally acknowledged that CEQA requires consideration of a project's potential impacts on global warming. Project proponents attempt to identify a wide variety of measures to mitigate or avoid a project's contribution to global warming. CEQA now plays an important role imposing global warming mitigations prior to adoption of the final set of policies by the Air Board pursuant to AB 32. Yet, because CEQA is focused on "projects," it faces limitations, especially for achieving effective mitigation of the global warming impacts associated with VMT.

As an example, suppose that a greenhouse gas reduction strategy is devised at the regional level and that strategy includes locating 10,000 residential units in the urban core to significantly reduce VMT and avoid many tons of emissions. However, when the projects to provide those housing units come to the local government for approval, CEQA is triggered. Typically a specific analysis of the automobile trips generated by the project would be done. Those trips would generate a number of tons of greenhouse gas emissions and air pollution. When viewed from the perspective of the project alone, it would seem that reducing the density would result in fewer trips and reduced emissions. Yet that is exactly the opposite of the conclusion reached by examining VMT from the regional scale. From the regional perspective, greenhouse gas reductions are best achieved by maintaining the density of the project.

Not all projects are the same when it comes to their global warming impacts. Because CEQA is focused on projects and on mitigating the impacts of those projects, it is not suited to the type of large scale, comprehensive analysis required to effectively reduce VMT. In fact, in the hands of opponents to a high density project, CEQA could threaten the implementation of an effective greenhouse gas reduction strategy.

Even CEQA review of a citywide general plan is not sufficient. That is mainly because, even at the city level, the perspective is not broad enough to design land use and transportation policy that will effectively address global warming impacts. As discussed earlier, the principal way to reduce VMT is to locate housing closer to transportation choices and closer to employment centers, thereby reducing the need to drive. A city that is primarily a bedroom community, for example, probably doesn't have enough options to accomplish such a strategy. Challenging the environmental impact report on the city's general plan based on its analysis or proposed mitigation of the VMT

CEQA will still analyze other global warming issues associated with the project such as building efficiency, water consumption, electricity consumption and others.

2. Regional transportation network impacts. SB 375 also relieves these projects of the obligation to discuss either project specific or cumulative impacts on the regional transportation network. Once again, this avoids duplication since these issues will have already been thoroughly analyzed in the regional transportation plan. However, this provision also avoids another set of perverse consequences. A strategy that would reduce greenhouse gas emissions will not necessarily eliminate congestion at all locations on the regional transportation network, even though it is very likely to reduce congestion overall. It will, however, locate congestion. It would be inconsistent with a VMT greenhouse gas reduction policy if CEQA forced different choices on congestion mitigation than the choices made in the regional transportation plan. Analysis under CEQA of a project's impact on local streets and roads is not affected by SB 375.

3. Growth inducing impacts. Additionally, CEQA relieves these residential and mixed use projects of the requirement to consider their growth inducing impacts. This analysis is not needed at the project level because a decision will have already been made at the regional level that it is important for climate policy to put growth in these locations. CEQA should not be a tool to undermine these important climate decisions. However, it is worth noting that this relief only applies to residential and mixed use residential projects. It does not apply to the construction, for example, of a sewage treatment plant or a new freeway, either of which might have very significant growth inducing impacts.

Transit priority projects. Increasing housing development with access to transit will be central to achieving reduced GHG emissions from vehicles. SB 375 enlists CEQA in this effort by creating special provisions for review of transit priority projects.

Consistent with regional strategy. A transit priority project must be consistent with a strategy adopted by the region that would, if implemented, achieve the regional targets set by the Air Board. The project must be residential or mixed use residential,²² at a density of at least 20 units per acre, and within a half mile of a major transit stop or a high-quality transit corridor.²³

²² These are defined as being 50% residential based on total building square footage, a floor area ratio of no less than 0.75 (§21155(b)).

²³ A high-quality transit corridor is a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. A transit stop has the same definition that is does under current CEQA except that it also includes stops that are included in the RTP. Since the transit stops in the RTP are subject to the "fiscally constrained analysis" requirements of federal law, these stops are not merely "planned." Funding for them has been identified and programmed.

applied properly SB 375 imposes a requirement not found in the urban infill exemption, namely that the transit priority exemption can only be approved at a public hearing.

There are also other provisions in the transit priority exemption that are more rigorous than the current infill exemption. The transit priority project must be at least 20 units to the acre. In addition, the buildings must achieve energy efficiency and water conservation standards. The natural resource protection provisions have been reworded to reflect current terminology.

2. The Sustainable Communities Environmental Assessment

SB 375 creates a new CEQA document, the sustainable communities environmental assessment (§21155.2)). It generally parallels the process for a mitigated negative declaration. Thus it only applies to projects that are able to completely mitigate their environmental impacts. The new environmental assessment is subject to a longer public comment period (30 days instead of 20 days). It also requires that the assessment be considered at a public hearing. There is a \$500 limit on the fee that can be charged for an appeal to the local legislative body. Currently appeal fees can be thousands of dollars. By reducing the fee, it is more likely that these issues will be heard by elected and politically accountable leaders.

However, the major change is in the standard of review on a challenge to approval. In the case of the mitigated negative declaration, the standard of review is the fair argument standard. In contrast, the standard of review for a sustainable communities environmental assessment is the substantial evidence standard. This means that transit priority projects that are able to mitigate all their environmental impacts will be subject to the same standard of review as is a full environmental impact report. Project opponents will still be able to sue; but the suit will be more like a challenge to a full environmental impact report.

3. The Transit Priority Project Environmental Impact Report

In the event the project cannot mitigate all its impacts, an environmental impact report will have to be prepared so that the lead agency can decide whether there are overriding considerations that justify approving the project despite its significant effect on the environment.

In the case of a transit priority project, SB 375 recognizes the value of projects with good transit proximity and relieves these projects of analyzing any off-site alternatives to the project. These projects also do not have to consider cumulative impacts that were addressed and mitigated in a prior EIR (§21155.2(c)(1) and (2)).

forecast of the regional transportation plan. Thus without aligning the two programs, it would have been possible for the RHNA program to require local governments to approve housing under one growth forecast and to fund transportation infrastructure under a different growth forecast. Even worse, there was concern that this system was being gamed. Local governments could project significant population gains in order to get more transportation funding; but claim they could not support larger populations when it came to receiving an allocation of housing units. These competing forecasts needed to be aligned. SB 375 aims to adjust this system for the purpose of aligning the regional transportation and regional housing allocation programs.

Linking housing and employment. First, there is an elaborate process for determining the number of housing units to be assigned to a region, including information exchange between the region and HCD. However, if that process does not result in an agreed upon number, HCD assigns a number to the region anyway. HCD based that number on Department of Finance projections, which are—somewhat problematically—basically trend lines developed from past growth patterns. In particular the Department of Finance methodology did not explicitly take into account the housing demand generated by employment growth within a region. SB 375 addresses this by requiring HCD to assign the regional housing need to achieve a jobs housing balance within a region to the extent feasible using the employment projections contained in the regional transportation plans (§65584.01(d)(1)).

Aligning the housing forecasts in the regional transportation plan. As noted earlier, SB 375 requires the housing forecast for the first horizon year of the RTP to be consistent with the housing need identified through the RHNA process.

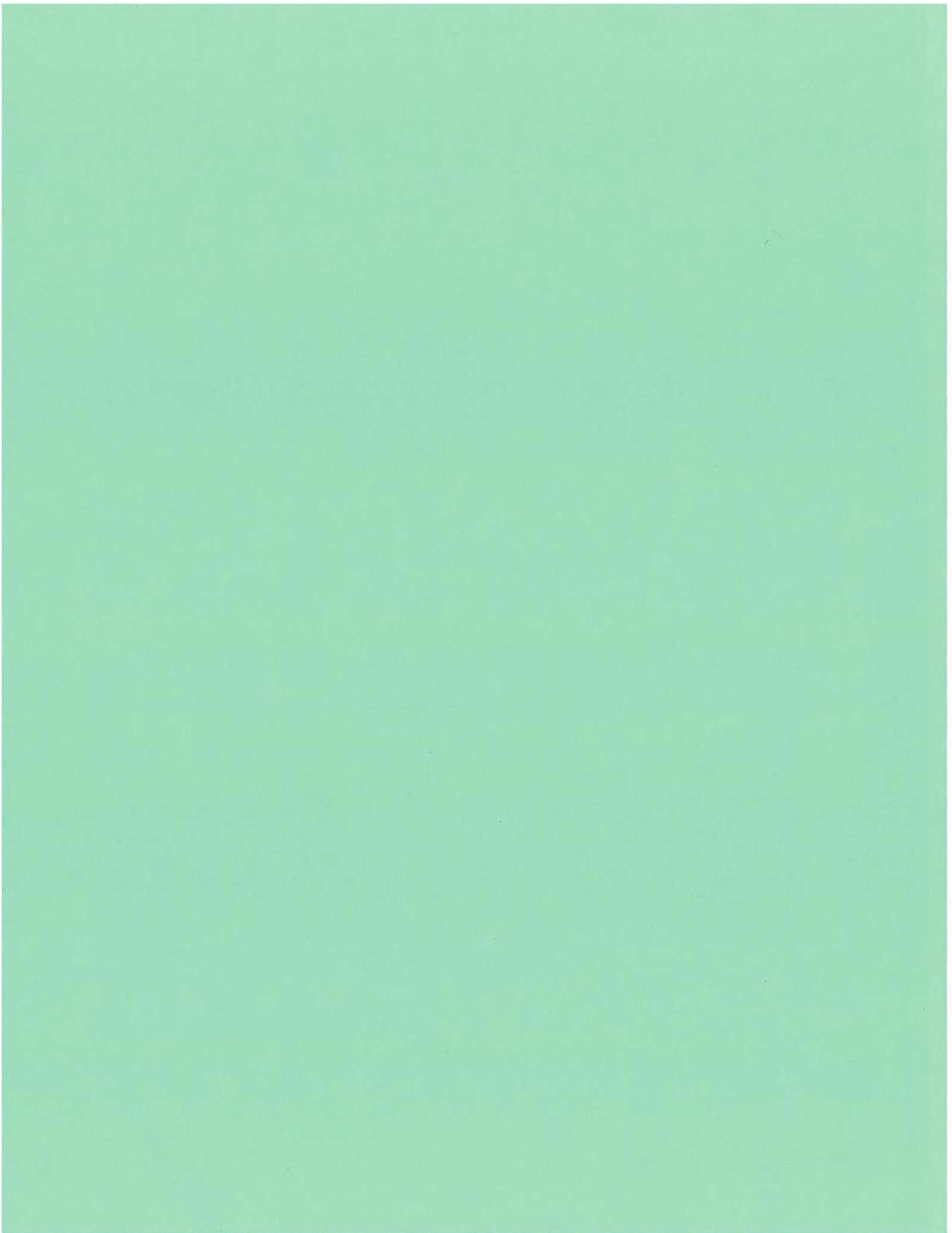
Aligning the distribution of housing within a region with the regional transportation plan. There is a complex process for the regions to distribute housing needs to the local governments. Numerous factors including infrastructure availability and environmental issues must be considered. Prior to SB 375 there was no specific requirement that the housing units be distributed to be consistent with the development pattern in the regional transportation plan. SB 375 changes that by requiring the region to demonstrate that the final housing need allocation plan is consistent with the sustainable communities strategy in the regional transportation plan (§65584.04(i)(3)).

Aligning planning schedules. There was also no coordination in the schedule for adoption of the regional housing need allocation and the regional transportation plan. The housing need allocation was done every five years on a schedule that varied according to region. For regions that are in federal clean air act non-attainment areas, the regional transportation plan must be updated not less than every four years. The regions around the state are all on different four year RTP schedules. For attainment areas, the plan must be updated not less than every five years. SB 375 makes several changes to adjust these schedules. It changes the schedule for housing need allocations so that they are made every eight years instead of every five years. It also adjusts all the

POLICY ADVISORY COMMITTEE

ACTION/DISCUSSION ITEMS

AGENDA ITEM III. J.



STATE SECTION 190 GRADE SEPARATION PROGRAM

The Section 190 Grade Separation Program is a State-funded safety program that provides for the elimination of existing at-grade railroad crossings. Most projects funded under this program are grade separations. However, consolidations or track removal projects that eliminate grade crossings can also be considered. Eligible projects are identified on the basis of the priority list established by the California Public Utilities Commission (CPUC). This list is developed every two years, and becomes effective in July of even numbered years. Local agencies, railroad companies or the Department can nominate projects. Nominated projects are prioritized on the basis of a formula that incorporates such factors as traffic volumes (both roadway and railroad), projected State contribution, accident history, and physical conditions at the crossing to be eliminated.

Once the CPUC list has been established, the Department administers the program. The annual amount of State funding for the program is \$15 million, with a maximum amount of \$5 million annually per project. In general, the State contribution for any one project is limited to 80 percent or \$5 million, whichever is less, of the project cost if the grade crossing to be eliminated has been in existence for at least ten years prior to the date of allocation of the funds. The railroad must contribute a minimum of ten percent of the total cost of the project, and the lead agency must cover the rest. (Note: if the lead agency elects to use Federal funding for a portion of the project, the railroad contribution is subject to statutory requirements which may reduce the railroad contribution to five percent).

The total project cost includes design, right-of-way (ROW) acquisition, utility relocation, and environmental clearance. In addition, it includes all construction elements (structures, approaches, ramps, connections, drainage, etc.) required to make the grade separation operable.

Requests for allocations are due to the Department on April 1 of each fiscal year. Within the limits of available funding, allocations are made by the Department, pursuant to a delegation from the California Transportation Commission (Commission), in priority order for all projects that meet the requirements. If a project only receives a partial allocation because of limited funding, it will be automatically eligible for the balance of its funding in the following fiscal year. Projects that do not receive an allocation within the two-year life of the CPUC priority list must be renominated in order to remain eligible. Grade separation projects are also eligible for STIP funding.

PROPOSITION 1B HIGHWAY-RAILROAD CROSSING PROGRAM

Proposition 1B includes \$250 million for high priority grade separation and railroad crossing safety improvements from the new Highway-Railroad Crossing Safety Account. One hundred and fifty million dollars of these funds will

supplement the existing Section 190 Grade Separation Program. However, a dollar for dollar match will be required for these funds (unlike the existing Section 190 Program). One hundred million dollars of the funds will be used for high priority grade crossings. The 2007-08 Budget Act includes \$122.5 million from the Highway-Railroad Crossing Safety Account for grade crossing and grade separation projects.

FEDERAL SECTION 130 CROSSING IMPROVEMENT PROGRAM

Section 14036.4 of the Government Code requires the Department to report on the amount of funds available to the State under the Federal rail-highway crossing program (23 U.S.C. 130), including the cash balance, funds encumbered during the last year, and amounts anticipated to be received during the subsequent year. This information is included in *Figure 2F*.

Prior to Federal Fiscal Year (FFY) 2005-06, the Federal Section 130 Program provided about \$10.2 million per year in Federal highway funds for grade crossing safety projects. Beginning in FFY 2005-06 however, additional funds were made available. Pursuant to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: a Legacy for Users (SAFETEA-LU), this amount increased to \$16.2 million. The Department supplements this program each year with other Federal funds to pay for grade crossing improvements on State routes. With the supplemental Federal funds, the total statewide financial commitment to grade crossing improvements will range from about \$19 million to \$21 million per year, with \$16 million allocated to projects to eliminate hazards at rail crossings on local streets and roads and the balance (\$3 to \$5 million) allocated to projects on State routes. Improvements include any treatment contained in the California Manual for Uniform Traffic Control Devices as determined by an engineering study at sites where data show a high hazard index.

Figure 2F

Section 130 Federal Crossing Improvement Program Funding Status Federal Fiscal Year 2006-07 – 2007-08 (\$ in thousands)			
Obligated/ Encumbered	2006-07 Entitlement	Expected in 2007-08	Cash Balance 10/1/07 (Includes prior entitlements)
\$12,500	\$16,000	\$16,000	\$29,128

Based on available funds, the Department selects projects from the priorities identified by the data for inclusion in the Section 130 Program Funding Plan programmed in the Federal STIP. Under Federal law, the annual grade crossing improvement program must be included in the Federal Transportation Improvement Programs (FTIPs) of the appropriate Metropolitan Planning Organizations and the statewide FSTIP prior to obligation of funding.

The Department administers Section 130 funding for projects involving railroad crossings of both State highways and local streets and roads. Program staff develops the financing for the construction of eligible projects; ensures that Federal and State law, policies, practices and standards are observed; issues agreements to railroad companies and local agencies; provides follow up on project delivery for grade crossing projects; and monitors Section 130 expenditures.

FEDERAL SECTION 1010/1103(C) RAILWAY-HIGHWAY CROSSING HAZARD ELIMINATION IN HIGH SPEED RAIL CORRIDORS PROGRAM

Section 1010 of the Intermodal Surface Transportation Efficiency Act (ISTEA) (23 U.S.C. 104(d)), which was enacted in 1991, provides \$5 million per year for elimination of hazards at railway-highway crossings. When ISTEA was reauthorized in 1998 as the Transportation Efficiency Act for the 21st Century, or TEA-21, Section 1010 was revised as Section 1103(c). In order for rail corridors to be eligible to compete for Section 1010 funding, they must include rail lines where railroad speeds of 90 mph are occurring or can reasonably be expected to occur in the future. California's existing State-supported intercity passenger rail routes, plus the Coast Route between San Jose and San Luis Obispo, together comprise one of the nationally designated corridors eligible to compete for the Section 1010 funding. Since FY 1992-93, the Department has received \$6.3 million in Federal funds from the program. The Department uses the Section 1010 funds for improvements in signaling at grade crossings, private grade crossing closures, and other grade crossing safety improvements.

STATION PROGRAMS

PARKING FACILITIES AT INTERCITY RAIL STATIONS

Section 14036.2 of the Government Code requires the identification of those rail passenger stations which require upgraded parking facilities to encourage automobile drivers to utilize available rail passenger service. Following is a description of the status of parking facilities at stations on the three intercity passenger rail routes.

Much progress has been made, and continues to be made, in providing additional parking at stations on the *San Joaquin* Route. Projects were completed in conjunction with the construction of new stations at Modesto in 1999, Bakersfield and Merced in 2000, and Martinez in 2001. A new parking structure was completed at Lodi in 2002. A new station was completed at Wasco in 2006 with 36 parking spaces. At Fresno, parking improvements include new paving and security fencing.

