

BILL: SB 261 (Allen, D-Santa Monica)

SUBJECT: SB 261 would revise the SB 375 (Chapter 728, Statutes of 2008) regional greenhouse gas emission reduction process in several ways, including adding vehicle miles traveled reduction targets

STATUS: Pending in Senate Environmental Quality Committee
Introduced January 27, 2021

SUMMARY AS OF MARCH 2, 2021:

SB 261 (Allen, D-Santa Monica) is a continuation of the author's previous efforts to expand upon SB 375's (Chapter 728, Statutes of 2008) requirements for a metropolitan planning organization (MPO) to develop a sustainable communities strategy (SCS) as part of their regional transportation plan (RTP), demonstrating the ability to meet regional greenhouse gas (GHG) emission reduction targets. Specifically, SB 261 would extend the SB 375 framework beyond 2035 and require that the SCS meet GHG emission and vehicle miles traveled (VMT) reduction targets in 2045 and 2050. SB 261 is substantially similar to a bill introduced by the same author last year, SB 1363 (Allen, D-Santa Monica), that the Orange County Transportation Authority (OCTA) opposed unless amended.

The author's initial bill on the subject, SB 150 (Chapter 646, Statutes of 2017), required the California Air Resources Board (CARB) to issue a report every four years assessing each MPOs' progress in meeting SB 375's GHG emission reduction goals. Based on the findings of the first SB 150 report, the author introduced legislation two years ago, SB 526 (Allen, D-Santa Monica), that would have required MPOs to report on VMT reductions achieved as part of the strategies implemented under the SCS. This bill would have also required CARB to complete progress reports to determine if each MPO was on track to meeting its respective GHG emission reduction targets. Finally, SB 526 would have established a state working group to develop strategies to further reduce regional GHG emissions, including the identification of an investment strategy. OCTA and the California Association of Councils of Government (CALCOG) opposed the bill. The author ultimately held SB 526, pledging to continue working on issues brought forward by the opposition.

Last year, the author introduced legislation, SB 1363, taking a slightly different approach than that of SB 526. SB 1363 would have required that MPOs meet VMT reduction targets in conjunction with SB 375's GHG emission reduction targets. SB 1363 would have required that MPOs meet GHG and VMT reduction targets in 2035, 2045, and 2050. Whereas the initial GHG targets for 2020 and 2035 were developed with public input, the new GHG and VMT reduction targets would be set by CARB, without input from the Regional Targets Advisory Committee established under SB 375. Under SB 1363, the VMT reduction targets could be expressed in miles per capita, percent reduction, or another metric set by CARB. Finally, the bill would have required that cities and counties report every other year to MPOs on housing production near transportation investments consistent with the SCS or applicable alternative planning strategy. Similar to SB 526 in

2019, OCTA and CALCOG both adopted oppose unless amended position on SB 1363. The bill, however, was ultimately held given the truncated legislative session in 2020.

This year's bill, SB 261, is substantially similar to SB 1363. In fact, SB 261 contains many of the provisions, almost word-for-word, from SB 1363, including identical language on VMT targets and target years, the same VMT metric, and similar reporting requirements. There are, however, two important differences. First, SB 261 contains much more detailed language specifying the circumstances under which CARB may reject a draft SCS. SB 261 extends the deadline by which MPOs must submit the draft SCS to CARB from the 60-day timeframe in current law to 90 days, and CARB has the option to comment within 45 days of receiving the draft SCS. CARB may also explicitly reject the SCS if it utilizes a technical methodology that will not yield accurate GHG and VMT estimates, has insufficient data or documentation to support the GHG and VMT estimates, contains GHG and VMT calculations do not demonstrate the region will meet the targets for all years, or does not include specific strategies that sufficiently demonstrate GHG and VMT reductions to achieve the targets. The second major change is that SB 261 expands the reporting requirements for localities, mandating that cities and counties also report on job growth near transportation investments.

EFFECTS ON ORANGE COUNTY:

The Southern California Association of Governments (SCAG) develops the RTP for a six-county area, which includes Orange County, every four years. The RTP outlines the region's transportation planning objectives for at least a 20-year period. OCTA develops a long-range transportation plan to detail transportation planning priorities in Orange County, which is then integrated into SCAG's RTP. In 2008, SB 375 required the development of the SCS as a new element of the RTP. The SCS serves as the region's plan for reducing regional GHG by better integrating transportation, land use, and planning decisions. The SCS must demonstrate the region's ability to meet GHG emission reduction targets, set by CARB, by 2020 and 2035. SB 375 provided a carve out for the SCAG region that recognizes the unique role of county transportation commissions in planning, programming, and selecting transportation projects for funding. In the SCAG region, county transportation commissions and subregional council of governments may jointly elect to do a subregional SCS, to be integrated into SCAG's regional SCS. In 2012, OCTA and the Orange County Council of Governments were one of two subregions within the SCAG region to elect to do a subregional SCS.

The intent behind SB 375 was to facilitate bottoms-up planning approach that maximized flexibility in the SCS development process in order to meet the region's specific needs, recognizing differences in geographic, demographic, and funding requirements while reflecting the fact that transportation agencies do not have control over land use decisions. SB 261, like SB 1363 last year, would add new VMT reduction requirements to the SCS, utilizing a process largely controlled by CARB without adequate input by MPOs and regional transportation agencies.

While many of OCTA's concerns with SB 261 mirror issues raised last year with regard to SB 1363, new language included in SB 261 creates further issues by outlining how and when CARB may reject a draft SCS. OCTA is concerned that this language will result in CARB prioritizing its own reasoning and policy goals over that of the localized, bottoms-up planning approach envisioned by SB 375, resulting in CARB more frequently rejecting a region's SCS and thereby further delaying the transportation planning process, and impacting the funding of transportation projects. SB 261 also increases the likelihood that CARB and MPOs disagree about modeling methodology. There is no way in which any entity, neither CARB nor any MPO, can perfectly forecast every outcome of every housing and transportation policy. If SB 261 is enacted, CARB could reject SCAG's RTP/SCS for failing to foresee the impacts of another global pandemic, natural disasters, other unforeseeable circumstances, or everchanging policy goals. Moreover, SB 261 gives CARB both more time to review a draft SCS and the option to comment on the MPO's draft SCS, making the language about rejecting a draft SCS unnecessary. If CARB has concerns about a draft SCS, SB 261 allows CARB to comment on such concerns. CARB should have little reason to reject a draft SCS on which an MPO has worked to address CARB's pre-submittal comments. Instead, SB 261 allows CARB to continue to move the goalposts on MPOs working to deliver housing and transportation improvements tailored to the needs of its communities.

Like SB 1363, SB 261 extends SB 375's GHG targets beyond the original dates, now requiring that both VMT and GHG reduction targets be met in 2035, 2045, and 2050. OCTA is specifically concerned that regions must meet the GHG and VMT targets in 2045 and 2050. Requiring targets this close together overburdens the SCS development process since there is not likely to be a measurable reduction in either metric in a period of just five years, especially since MPOs and subregions are forecasting the long-term impacts of GHG and VMT reduction strategies over the next two decades. Any differences over a five-year period that far into the forecast window are more likely to be a result of modeling variances and not meaningful GHG or VMT reduction. OCTA recommends that the bill be amended to set GHG and VMT targets for years 2030 and 2050, streamlining the effectiveness of the SCS in meeting SB 375's goals. This suggestion would also create a more regular target period of every 15 years after SB 375's enactment date.

Like SB 1363, SB 261 also fails to ensure adequate engagement from MPOs and subregional agencies in the development of the new GHG emission reduction or VMT targets. Under current law, the Regional Targets Advisory Committee, consisting of various stakeholders including SCAG and OCTA, was created to directly influence the creation of future targets. Unfortunately, SB 261 does not include a similar input mechanism in the development of VMT targets, instead giving CARB the authority to set VMT reduction targets that will go into each region's SCS without such input. OCTA recommends that the bill be amended to allow for greater public engagement from MPOs and subregional agencies, including regional transportation planning agencies, county transportation commissions, and councils of governments, in the development of VMT reduction targets to facilitate adequate input from the local leaders best-suited to speak to the needs of their communities.

Similar to last year's bill, OCTA is also concerned about the bill's definition of VMT, which does not specifically target a reduction in VMT that aligns with emission reduction requirements. Currently, the bill would include measurements of VMT associated with goods movement, transit service, and other vital sectors that often help reduce GHG emissions. The section of the bill that defines how VMT will be measured should explicitly clarify that the VMT targets only apply to passenger automobiles and light trucks, as is the case with the GHG reduction targets. The VMT metric should also account for significant changes in automobile markets, such as VMT by electric vehicles. The increase in zero-emission vehicles will only become more pronounced with the continued implementation of Executive Order N-79-20, which sets a goal that all new passenger vehicles sold in California be zero-emission starting in 2035. Another option, instead of requiring specific VMT reduction targets, would be to develop a suite of best practices that MPOs can choose from to adopt as part of the RTP, thereby maintaining a bottoms-up approach. The development of best practices should be done in the same manner as suggested for the setting of VMT targets, with involvement from transportation agencies, MPOs, and other responsible entities.

An OPPOSE UNLESS AMENDED position on SB 261 is consistent with OCTA's 2021-2022 State Legislative Platform principle to "Oppose proposals that reduce the rights and responsibilities of county transportation commissions in planning, funding, and delivering transportation programs."

OCTA POSITION:

Staff recommends: OPPOSE UNLESS AMENDED

Introduced by Senator Allen

January 27, 2021

An act to amend Section 65080 of the Government Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 261, as introduced, Allen. Regional transportation plans: sustainable communities strategies.

Existing law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Certain of these agencies are designated under federal law as metropolitan planning organizations. Existing law requires that each regional transportation plan include a sustainable communities strategy developed to achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2020 and 2035 established by the State Air Resources Board.

This bill would require that the sustainable communities strategy be developed to additionally achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050 established by the board. The bill would make various conforming changes to integrate those additional targets into regional transportation plans.

Existing law requires each metropolitan planning organization to adopt a public participation plan for development of the sustainable communities strategy, and to submit to the state board a description of the technical methodology it intends to use to estimate the greenhouse gas emissions from its sustainable communities strategy. Existing law

encourages the metropolitan planning organization to work with the state board until the state board concludes that the technical methodology operates accurately.

This bill would require, rather than encourage, the metropolitan planning organization to work with the state board for that purpose. The bill would require the metropolitan planning organization to, at least 90 days before adopting a sustainable communities strategy, submit to the state board for review a draft sustainable communities strategy, and to respond to any comments on the draft it receives from the state board.

Existing law requires the metropolitan planning organization to submit its adopted sustainable communities strategy to the state board for review.

This bill would require that the sustainable communities strategy be submitted within 60 days of adoption. The bill would require the state board to reject the metropolitan planning organization's determination that the strategy submitted would achieve the greenhouse gas emission vehicle miles traveled reduction targets if it determines that certain criteria are met.

This bill would require each city, county, or city and county to biennially report to its metropolitan planning organization the number of housing and jobs, and transit supportive infrastructure, existing and planned, that demonstrates implementation of strategies included in the applicable sustainable communities strategy, as specified.

By imposing new requirements on local agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 65080 of the Government Code, as
2 amended by Section 1 of Chapter 177 of the Statutes of 2020, is
3 amended to read:

4 65080. (a) Each transportation planning agency designated
5 under Section 29532 or 29532.1 shall prepare and adopt a regional
6 transportation plan directed at achieving a coordinated and balanced
7 regional transportation system, including, but not limited to, mass
8 transportation, highway, railroad, maritime, bicycle, pedestrian,
9 goods movement, and aviation facilities and services. The plan
10 shall be action-oriented and pragmatic, considering both the
11 short-term and long-term future, and shall present clear, concise
12 policy guidance to local and state officials. The regional
13 transportation plan shall consider factors specified in Section 134
14 of Title 23 of the United States Code. Each transportation planning
15 agency shall consider and incorporate, as appropriate, the
16 transportation plans of cities, counties, districts, private
17 organizations, and state and federal agencies.

18 (b) The regional transportation plan shall be an internally
19 consistent document and shall include all of the following:

20 (1) A policy element that describes the transportation issues in
21 the region, identifies and quantifies regional needs, and describes
22 the desired short-range and long-range transportation goals, and
23 pragmatic objective and policy statements. The objective and policy
24 statements shall be consistent with the funding estimates of the
25 financial element. The policy element of transportation planning
26 agencies with populations that exceed 200,000 persons may
27 quantify a set of indicators including, but not limited to, all of the
28 following:

29 (A) Measures of mobility and traffic congestion, including, but
30 not limited to, daily vehicle hours of delay per capita and vehicle
31 miles traveled per capita.

32 (B) Measures of road and bridge maintenance and rehabilitation
33 needs, including, but not limited to, roadway pavement and bridge
34 conditions.

35 (C) Measures of means of travel, including, but not limited to,
36 percentage share of all trips (work and nonwork) made by all of
37 the following:

38 (i) Single occupant vehicle.

1 (ii) Multiple occupant vehicle or carpool.

2 (iii) Public transit including commuter rail and intercity rail.

3 (iv) Walking.

4 (v) Bicycling.

5 (D) Measures of safety and security, including, but not limited
6 to, total injuries and fatalities assigned to each of the modes set
7 forth in subparagraph (C).

8 (E) Measures of equity and accessibility, including, but not
9 limited to, percentage of the population served by frequent and
10 reliable public transit, with a breakdown by income bracket, and
11 percentage of all jobs accessible by frequent and reliable public
12 transit service, with a breakdown by income bracket.

13 (F) The requirements of this section may be met using existing
14 sources of information. No additional traffic counts, household
15 surveys, or other sources of data shall be required.

16 (2) A sustainable communities strategy prepared by each
17 metropolitan planning organization as follows:

18 (A) No later than September 30, 2010, the State Air Resources
19 Board shall provide each affected region with greenhouse gas
20 emission reduction targets for the automobile and light truck sector
21 for 2020 and 2035, respectively. *No later than December 31, 2024,*
22 *the state board shall provide each affected region with additional*
23 *greenhouse gas emission reduction targets for the automobile and*
24 *light truck sector for 2045 and 2050, respectively. No later than*
25 *December 31, 2024, the state board, in furtherance of achieving*
26 *the greenhouse gas emission reduction targets, shall provide each*
27 *affected region with vehicle miles traveled reduction targets for*
28 *2035, 2045, and 2050.*

29 (i) No later than January 31, 2009, the state board shall appoint
30 a Regional Targets Advisory Committee to recommend factors to
31 be considered and methodologies to be used for setting *2020 and*
32 *2035* greenhouse gas emission reduction targets for the affected
33 regions. The committee shall be composed of representatives of
34 the metropolitan planning organizations, affected air districts, the
35 League of California Cities, the California State Association of
36 Counties, local transportation agencies, and members of the public,
37 including homebuilders, environmental organizations, planning
38 organizations, environmental justice organizations, affordable
39 housing organizations, and others. The advisory committee shall
40 transmit a report with its recommendations to the state board no

1 later than September 30, 2009. In recommending factors to be
2 considered and methodologies to be used, the advisory committee
3 may consider any relevant issues, including, but not limited to,
4 data needs, modeling techniques, growth forecasts, the impacts of
5 regional jobs-housing balance on interregional travel and
6 greenhouse gas emissions, economic and demographic trends, the
7 magnitude of greenhouse gas reduction benefits from a variety of
8 land use and transportation strategies, and appropriate methods to
9 describe regional targets and to monitor performance in attaining
10 those targets. The state board shall consider the report before
11 setting the targets.

12 (ii) Before setting the *greenhouse gas emissions and vehicle*
13 *miles traveled reduction* targets for a region, the state board shall
14 exchange technical information with the metropolitan planning
15 organization and the affected air district. ~~The For purposes of~~
16 ~~setting the greenhouse gas emission reduction targets for 2020~~
17 ~~and 2035, the metropolitan planning organization may recommend~~
18 ~~a target for the region. The metropolitan planning organization~~
19 ~~shall hold at least one public workshop within the region after~~
20 ~~receipt of the report from the advisory committee. The state board~~
21 ~~shall release draft greenhouse gas emission targets for 2020 and~~
22 ~~2035 for each region no later than June 30, 2010, and for~~
23 ~~2045 and 2050, no later than September 30, 2024. The state board~~
24 ~~shall release draft vehicle miles traveled reduction targets for~~
25 ~~2035, 2045, and 2050 for each region no later than September 30,~~
26 ~~2024.~~

27 (iii) In establishing these targets, the state board shall take into
28 account greenhouse gas emission *and vehicle miles traveled*
29 reductions that will be achieved by *measures approved or proposed*
30 *by state agencies to reduce greenhouse gas emissions and vehicle*
31 *miles traveled and achieved by* improved vehicle emission
32 standards, changes in fuel composition, and other measures it has
33 approved that will reduce greenhouse gas emissions *or vehicle*
34 *miles traveled* in the affected regions, and prospective measures
35 the state board plans to adopt to reduce greenhouse gas emissions
36 from other greenhouse gas emission sources as that term is defined
37 in subdivision (i) of Section 38505 of the Health and Safety Code
38 and consistent with the regulations promulgated pursuant to the
39 California Global Warming Solutions Act of 2006 (Division 25.5

(commencing with Section 38500) of the Health and Safety Code), including Section 38566 of the Health and Safety Code.

(iv) The state board shall update the regional greenhouse gas emission *and vehicle miles traveled* reduction targets every eight years consistent with each metropolitan planning organization's timeframe for updating its regional transportation plan under federal law until 2050. The state board may revise the targets every four years based on changes in the factors considered under clause (iii). The state board shall exchange technical information with the Department of Transportation, metropolitan planning organizations, local governments, and affected air districts and engage in a consultative process with public and private stakeholders, before updating these targets.

(v) The greenhouse gas emission reduction targets may be expressed in gross tons, tons per capita, tons per household, or in any other metric deemed appropriate by the state board.

(vi) *The vehicle miles traveled reduction targets may be expressed in miles per capita, percent reduction, or in any other metric deemed appropriate by the state board.*

(B) Each metropolitan planning organization shall prepare a sustainable communities strategy, subject to the requirements of Part 450 of Title 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations, including the requirement to use the most recent planning assumptions considering local general plans and other factors. The sustainable communities strategy shall—~~(i) identify do all of the following:~~

~~(i) Identify the general location of uses, residential densities, and building intensities within the region, (ii) identify region.~~

~~(ii) Identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan taking into account net migration into the region, population growth, household formation and employment growth, (iii) identify growth.~~

~~(iii) Identify areas within the region sufficient to house an eight-year projection of the regional housing need for the region pursuant to Section 65584, (iv) identify 65584.~~

~~(iv) Identify a transportation network to service the transportation needs of the region, (v) gather region.~~

(v) *Gather* and consider the best practically available scientific information regarding resource areas and farmland in the region as defined in subdivisions (a) and (b) of Section ~~65080.01, (vi) consider 65080.01.~~

(vi) *Consider* the state housing goals specified in Sections 65580 and ~~65581, (vii) set 65581.~~

(vii) *Set* forth a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportation measures and policies, will reduce the greenhouse gas emissions *and vehicle miles traveled* from automobiles and light trucks to achieve, if there is a feasible way to do so, the greenhouse gas emission *and vehicle miles traveled* reduction targets approved by the state ~~board, and (viii) allow board.~~

(viii) *Allow* the regional transportation plan to comply with Section 176 of the federal Clean Air Act (42 U.S.C. Sec. 7506).

(C) (i) Within the jurisdiction of the Metropolitan Transportation Commission, as defined by Section 66502, the Association of Bay Area Governments shall be responsible for clauses (i), (ii), (iii), (v), and (vi) of subparagraph (B); the Metropolitan Transportation Commission shall be responsible for clauses (iv) and (viii) of subparagraph (B); and the Association of Bay Area Governments and the Metropolitan Transportation Commission shall jointly be responsible for clause (vii) of subparagraph (B).

(ii) Within the jurisdiction of the Tahoe Regional Planning Agency, as defined in Sections 66800 and 66801, the Tahoe Metropolitan Planning Organization shall use the Regional Plan for the Lake Tahoe Region as the sustainable communities strategy, provided that it complies with clauses (vii) and (viii) of subparagraph (B).

(D) In the region served by the Southern California Association of Governments, a subregional council of governments and the county transportation commission may work together to propose the sustainable communities strategy and an alternative planning strategy, if one is prepared pursuant to subparagraph (I), for that subregional area. The metropolitan planning organization may adopt a framework for a subregional sustainable communities strategy or a subregional alternative planning strategy to address the intraregional land use, transportation, economic, air quality, and climate policy relationships. The metropolitan planning

1 organization shall include the subregional sustainable communities
2 strategy for that subregion in the regional sustainable communities
3 strategy to the extent consistent with this section and federal law
4 and approve the subregional alternative planning strategy, if one
5 is prepared pursuant to subparagraph (I), for that subregional area
6 to the extent consistent with this section. The metropolitan planning
7 organization shall develop overall guidelines, create a public
8 participation plan pursuant to subparagraph (F), ensure
9 coordination, resolve conflicts, make sure that the overall plan
10 complies with applicable legal requirements, and adopt the plan
11 for the region.

12 (E) The metropolitan planning organization shall conduct at
13 least two informational meetings in each county within the region
14 for members of the board of supervisors and city councils on the
15 sustainable communities strategy and alternative planning strategy,
16 if any. The metropolitan planning organization may conduct only
17 one informational meeting if it is attended by representatives of
18 the county board of supervisors and city council members
19 representing a majority of the cities representing a majority of the
20 population in the incorporated areas of that county. Notice of the
21 informational meeting or meetings shall be sent to the clerk of the
22 board of supervisors and to each city clerk. The purpose of the
23 meeting or meetings shall be to discuss the sustainable communities
24 strategy and the alternative planning strategy, if any, including the
25 key land use and planning assumptions with the members of the
26 board of supervisors and the city council members in that county
27 and to solicit and consider their input and recommendations. In
28 order to maximize the opportunity for participation by members
29 of the public throughout the region, these informational meetings
30 may be conducted by electronic means if a call-in telephonic option
31 is also provided and the informational meeting is not required to
32 be conducted pursuant to the Ralph M. Brown Act (Chapter 9
33 (commencing with Section 54950) of Part 1 of Division 2 of Title
34 5).

35 (F) Each metropolitan planning organization shall adopt a public
36 participation plan, for development of the sustainable communities
37 strategy and an alternative planning strategy, if any, that includes
38 all of the following:

39 (i) Outreach efforts to encourage the active participation of a
40 broad range of stakeholder groups in the planning process,

1 consistent with the agency's adopted Federal Public Participation
2 Plan, including, but not limited to, affordable housing advocates,
3 transportation advocates, neighborhood and community groups,
4 environmental advocates, home builder representatives,
5 broad-based business organizations, landowners, commercial
6 property interests, and homeowner associations.

7 (ii) Consultation with congestion management agencies,
8 transportation agencies, and transportation commissions.

9 (iii) Public engagement gatherings throughout the region to
10 provide the public with the information and tools necessary to
11 provide a clear understanding of the issues and policy choices. At
12 least one gathering shall be available to each county in the region
13 with outreach to residents of that county. For counties with a
14 population greater than 500,000, at least three public engagement
15 gatherings shall be held. In order to maximize the opportunity for
16 participation by members of the public throughout the region, these
17 public engagement gatherings may be conducted by electronic
18 means if a call-in telephonic option is also provided and the public
19 engagement gathering is not required to be conducted pursuant to
20 the Ralph M. Brown Act (Chapter 9 (commencing with Section
21 54950) of Part 1 of Division 2 of Title 5).

22 (iv) Preparation and circulation of a draft sustainable
23 communities strategy and an alternative planning strategy, if one
24 is prepared, not less than 55 days before adoption of a final regional
25 transportation plan.

26 (v) At least three public hearings on the draft sustainable
27 communities strategy in the regional transportation plan and
28 alternative planning strategy, if one is prepared. If the metropolitan
29 ~~transportation~~ *planning* organization consists of a single county,
30 at least two public hearings shall be held. To the maximum extent
31 feasible, the hearings shall be in different parts of the region. In
32 order to maximize the opportunity for participation by members
33 of the public throughout the region, these public hearings may be
34 conducted by electronic means if a call-in telephonic option is also
35 provided and the public hearing is not required to be conducted
36 pursuant to the Ralph M. Brown Act (Chapter 9 (commencing
37 with Section 54950) of Part 1 of Division 2 of Title 5).

38 (vi) A process for enabling members of the public to provide a
39 single request to receive notices, information, and updates.

1 (G) In preparing a sustainable communities strategy, the
2 metropolitan planning organization shall consider spheres of
3 influence that have been adopted by the local agency formation
4 commissions within its region.

5 (H) Before adopting a sustainable communities strategy, the
6 metropolitan planning organization shall quantify the ~~reduction~~
7 *reductions* in greenhouse gas emissions *and vehicle miles traveled*
8 projected to be achieved by the sustainable communities strategy
9 and set forth the difference, if any, between the amount of ~~that~~
10 ~~reduction~~ *those reductions* and the ~~target~~ *targets* for the region
11 established by the state board.

12 (I) If the sustainable communities strategy, prepared in
13 compliance with subparagraph (B) or (D), is unable to reduce
14 greenhouse gas emissions *and vehicle miles traveled* to achieve
15 the greenhouse gas emission *and vehicle miles traveled* reduction
16 targets established by the state board, the metropolitan planning
17 organization shall prepare an alternative planning strategy to the
18 sustainable communities strategy showing how those greenhouse
19 gas emission *and vehicle miles traveled* targets would be achieved
20 through alternative development patterns, infrastructure, or
21 additional transportation measures or policies. The alternative
22 planning strategy shall be a separate document from the regional
23 transportation plan, but it may be adopted concurrently with the
24 regional transportation plan. In preparing the alternative planning
25 strategy, the metropolitan planning organization:

26 (i) Shall identify the principal impediments to achieving the
27 targets within the sustainable communities strategy.

28 (ii) May include an alternative development pattern for the
29 region pursuant to subparagraphs (B) to (G), inclusive.

30 (iii) Shall describe how the greenhouse gas emission *and vehicle*
31 *miles traveled* reduction targets would be achieved by the
32 alternative planning strategy, and why the development pattern,
33 measures, and policies in the alternative planning strategy are the
34 most practicable choices for achievement of the greenhouse gas
35 emission *and vehicle miles traveled* reduction targets.

36 (iv) An alternative development pattern set forth in the
37 alternative planning strategy shall comply with Part 450 of Title
38 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations,
39 except to the extent that compliance will prevent achievement of

1 the greenhouse gas emission *and vehicle miles traveled* reduction
2 targets approved by the state board.

3 (v) For purposes of the California Environmental Quality Act
4 (Division 13 (commencing with Section 21000) of the Public
5 Resources Code), an alternative planning strategy shall not
6 constitute a land use plan, policy, or regulation, and the
7 inconsistency of a project with an alternative planning strategy
8 shall not be a consideration in determining whether a project may
9 have an environmental effect.

10 (J) (i) Before starting the public participation process adopted
11 pursuant to subparagraph (F), the metropolitan planning
12 organization shall submit a description to the state board of the
13 technical methodology it intends to use to estimate the greenhouse
14 gas emissions from its sustainable communities strategy and, if
15 appropriate, its alternative planning strategy. The state board shall
16 *review and* respond to the metropolitan planning organization in
17 a timely manner with written comments about the technical
18 methodology, including specifically describing any aspects of that
19 methodology it concludes will not yield accurate estimates of
20 greenhouse gas ~~emissions~~; *emissions and vehicle miles traveled*,
21 and suggested remedies. The metropolitan planning organization
22 ~~is encouraged to~~ *shall* work with the state board until the state
23 board concludes that the technical methodology operates
24 accurately.

25 ~~(ii) After~~

26 *(ii) At least 90 days before adopting a sustainable communities*
27 *strategy, a metropolitan planning organization shall submit to the*
28 *state board for review a draft sustainable communities strategy*
29 *or, if one is prepared, a draft alternative planning strategy. The*
30 *state board may within 45 days of receipt of the draft provide*
31 *written comment to the metropolitan planning organization*
32 *identifying issues affecting the strategy's ability to produce*
33 *accurate estimates of greenhouse gas emissions and vehicle miles*
34 *traveled before the state board's evaluation of the final sustainable*
35 *communities strategy or, if one is prepared, the final alternative*
36 *planning strategy. The draft sustainable communities strategy*
37 *shall contain information consistent with subparagraph (B) and*
38 *available modeling results and supporting policies that implement*
39 *strategies to reduce greenhouse gas emissions and vehicle miles*
40 *traveled. The metropolitan planning organization shall consider*

1 *comments it receives from the state board on the draft sustainable*
2 *communities strategy or, if one has been prepared, draft alternative*
3 *planning strategy, and provide the state board with a written*
4 *response to comments in its final sustainable communities strategy*
5 *or, if one is prepared, final alternative planning strategy. The*
6 *responses should indicate and explain how the metropolitan*
7 *planning organization incorporates or rejects particular state*
8 *board comments. To provide more meaningful public disclosure,*
9 *a copy of responses to the state board's comments shall be made*
10 *available to the public on the metropolitan planning organization's*
11 *internet website.*

12 (iii) *Within 60 days of adoption, a metropolitan planning*
13 *organization shall submit a sustainable communities strategy or*
14 *an alternative planning strategy, if one has been adopted, to the*
15 *state board for review, including the quantification of the*
16 *greenhouse gas emission and vehicle miles traveled reductions the*
17 *strategy would achieve and a description of the technical*
18 *methodology used to obtain that result. Review by the state board*
19 *shall be limited to acceptance or rejection of the metropolitan*
20 *planning organization's determination that the strategy submitted*
21 *would, if implemented, would achieve the greenhouse gas emission*
22 *and vehicle miles traveled reduction targets established by the state*
23 *board. In reviewing that determination, the state board may*
24 *consider the reasonable progress toward achieving the region's*
25 *greenhouse gas emission and vehicle miles traveled reduction*
26 *targets based on its review of data supported metrics for the*
27 *strategies used to meet the targets. The state board shall complete*
28 *its review within 60 120 business days.*

29 (iv) *The state board shall reject the metropolitan planning*
30 *organization's determination that the strategy submitted would*
31 *achieve the targets if, based on evidence, it determines that any*
32 *of the following criteria are met: the technical methodology will*
33 *not yield accurate estimates of greenhouse gas emissions and*
34 *vehicle miles traveled; the data or documentation provided to*
35 *support the estimates of greenhouse gas emissions and vehicle*
36 *miles traveled is insufficient for the state board's review; the*
37 *calculations to estimate greenhouse gas emissions and vehicle*
38 *miles traveled do not demonstrate the region achieving greenhouse*
39 *gas emissions and vehicle miles traveled reduction targets for all*
40 *target years; or, the sustainable communities strategy does not*

1 *include strategies that sufficiently demonstrate reductions in*
 2 *greenhouse gas emissions or vehicle miles traveled to achieve the*
 3 *region's greenhouse gas emissions and vehicle miles traveled*
 4 *targets.*

5 ~~(iii)~~

6 (v) If the state board determines that the strategy submitted
 7 ~~would not, if implemented,~~ *not* achieve the greenhouse gas
 8 emission *and vehicle miles traveled* reduction targets, the
 9 metropolitan planning organization shall revise its strategy or adopt
 10 an alternative planning strategy, if not previously adopted, and
 11 submit the strategy for review pursuant to clause ~~(ii)~~ *(iii)*. At a
 12 minimum, the metropolitan planning organization must obtain
 13 state board acceptance that an alternative planning strategy would,
 14 if implemented, achieve the greenhouse gas emission *and vehicle*
 15 *miles traveled* reduction targets established for that region by the
 16 state board.

17 ~~(iv)~~

18 (vi) On or before September 1, 2018, and every four years
 19 thereafter to align with target setting, notwithstanding Section
 20 10231.5, the state board shall prepare a report that assesses progress
 21 made by each metropolitan planning organization in meeting the
 22 regional greenhouse gas emission *and vehicle miles traveled*
 23 reduction targets set by the state board. The report shall include
 24 changes to greenhouse gas emissions in each region and
 25 data-supported metrics for the strategies used to meet the targets.
 26 The report shall also include a discussion of best practices and the
 27 challenges faced by the metropolitan planning organizations in
 28 meeting the targets, including the effect of state policies and
 29 funding. The report shall be developed in consultation with the
 30 metropolitan planning organizations and affected stakeholders.
 31 The report shall be submitted to the Assembly Committee on
 32 Transportation and the Assembly Committee on Natural Resources,
 33 and to the Senate Committee on Transportation, the Senate
 34 Committee on Housing, and the Senate Committee on
 35 Environmental Quality.

36 (vii) *Each city, county, or city and county shall biennially report*
 37 *to its metropolitan planning organization on the number of housing*
 38 *and jobs, and transit supportive infrastructure, existing and*
 39 *planned, that demonstrates implementation of strategies included*
 40 *in the applicable sustainable communities strategy or, if one is*

1 *prepared, alternative planning strategy. The report should include*
2 *both of the following metrics:*
3 *(I) The number of existing and planned housing units and jobs*
4 *within one-half mile of any of the following:*
5 *(ia) A major transit stop, as defined in Section 21064.3 of the*
6 *Public Resources Code.*
7 *(ib) A planned major transit stop included in the applicable*
8 *regional transportation plan, sustainable communities strategy,*
9 *or alternative planning strategy, if any.*
10 *(ic) A high-quality transit corridor, as defined in Section 21155*
11 *of the Public Resources Code.*
12 *(id) A planned high-quality transit corridor in the applicable*
13 *regional transportation plan, sustainable communities strategy,*
14 *or alternative planning strategy, if any.*
15 *(II) The number of existing and planned housing units and jobs*
16 *in areas of the city, county, or city and county that correspond*
17 *with areas the sustainable communities strategy or alternative*
18 *planning strategy identifies as priority geographies for*
19 *accommodating new housing and jobs growth, if any, and identifies*
20 *as having per capita vehicle miles traveled below the regional*
21 *average and at least 15 percent below the regional average.*
22 *(K) Neither a sustainable communities strategy nor an alternative*
23 *planning strategy regulates the use of land, nor, except as provided*
24 *by subparagraph (J), shall either one be subject to any state*
25 *approval. Nothing in a sustainable communities strategy shall be*
26 *interpreted as superseding the exercise of the land use authority*
27 *of cities and counties within the region. Nothing in this section*
28 *shall be interpreted to limit the state board's authority under any*
29 *other law. Nothing in this section shall be interpreted to authorize*
30 *the abrogation of any vested right whether created by statute or*
31 *by common law. Nothing in this section shall require a city's or*
32 *county's land use policies and regulations, including its general*
33 *plan, to be consistent with the regional transportation plan or an*
34 *alternative planning strategy. Nothing in this section requires a*
35 *metropolitan planning organization to approve a sustainable*
36 *communities strategy that would be inconsistent with Part 450 of*
37 *Title 23 of, or Part 93 of Title 40 of, the Code of Federal*
38 *Regulations and any administrative guidance under those*
39 *regulations. Nothing in this section relieves a public or private*

1 entity or any person from compliance with any other local, state,
2 or federal law.

3 (L) Nothing in this section requires projects programmed for
4 funding on or before December 31, 2011, to be subject to the
5 provisions of this paragraph if they (i) are contained in the 2007
6 or 2009 Federal Statewide Transportation Improvement Program,
7 (ii) are funded pursuant to the Highway Safety, Traffic Reduction,
8 Air Quality, and Port Security Bond Act of 2006 (Chapter 12.49
9 (commencing with Section 8879.20) of Division 1 of Title 2), or
10 (iii) were specifically listed in a ballot measure before December
11 31, 2008, approving a sales tax increase for transportation projects.
12 Nothing in this section shall require a transportation sales tax
13 authority to change the funding allocations approved by the voters
14 for categories of transportation projects in a sales tax measure
15 adopted before December 31, 2010. For purposes of this
16 subparagraph, a transportation sales tax authority is a district, as
17 defined in Section 7252 of the Revenue and Taxation Code, that
18 is authorized to impose a sales tax for transportation purposes.

19 (M) A metropolitan planning organization, or a regional
20 transportation planning agency not within a metropolitan planning
21 organization, that is required to adopt a regional transportation
22 plan not less than every five years, may elect to adopt the plan not
23 less than every four years. This election shall be made by the board
24 of directors of the metropolitan planning organization or regional
25 transportation planning agency no later than June 1, 2009, or
26 thereafter 54 months before the statutory deadline for the adoption
27 of housing elements for the local jurisdictions within the region,
28 after a public hearing at which comments are accepted from
29 members of the public and representatives of cities and counties
30 within the region covered by the metropolitan planning
31 organization or regional transportation planning agency. Notice
32 of the public hearing shall be given to the general public and by
33 mail to cities and counties within the region no later than 30 days
34 before the date of the public hearing. Notice of election shall be
35 promptly given to the Department of Housing and Community
36 Development. The metropolitan planning organization or the
37 regional transportation planning agency shall complete its next
38 regional transportation plan within three years of the notice of
39 election.

1 (N) Two or more of the metropolitan planning organizations
2 for Fresno County, Kern County, Kings County, Madera County,
3 Merced County, San Joaquin County, Stanislaus County, and
4 Tulare County may work together to develop and adopt
5 multiregional goals and policies that may address interregional
6 land use, transportation, economic, air quality, and climate
7 relationships. The participating metropolitan planning organizations
8 may also develop a multiregional sustainable communities strategy,
9 to the extent consistent with federal law, or an alternative planning
10 strategy for adoption by the metropolitan planning organizations.
11 Each participating metropolitan planning organization shall
12 consider any adopted multiregional goals and policies in the
13 development of a sustainable communities strategy and, if
14 applicable, an alternative planning strategy for its region.

15 (3) An action element that describes the programs and actions
16 necessary to implement the plan and assigns implementation
17 responsibilities. The action element may describe all transportation
18 projects proposed for development during the 20-year or greater
19 life of the plan. The action element shall consider congestion
20 management programming activities carried out within the region.

21 (4) (A) A financial element that summarizes the cost of plan
22 implementation constrained by a realistic projection of available
23 revenues. The financial element shall also contain
24 recommendations for allocation of funds. A county transportation
25 commission created pursuant to the County Transportation
26 Commissions Act (Division 12 (commencing with Section 130000)
27 of the Public Utilities Code) shall be responsible for recommending
28 projects to be funded with regional improvement funds, if the
29 project is consistent with the regional transportation plan. The first
30 five years of the financial element shall be based on the five-year
31 estimate of funds developed pursuant to Section 14524. The
32 financial element may recommend the development of specified
33 new sources of revenue, consistent with the policy element and
34 action element.

35 (B) The financial element of transportation planning agencies
36 with populations that exceed 200,000 persons may include a project
37 cost breakdown for all projects proposed for development during
38 the 20-year life of the plan that includes total expenditures and
39 related percentages of total expenditures for all of the following:

40 (i) State highway expansion.

- 1 (ii) State highway rehabilitation, maintenance, and operations.
- 2 (iii) Local road and street expansion.
- 3 (iv) Local road and street rehabilitation, maintenance, and
- 4 operation.
- 5 (v) Mass transit, commuter rail, and intercity rail expansion.
- 6 (vi) Mass transit, commuter rail, and intercity rail rehabilitation,
- 7 maintenance, and operations.
- 8 (vii) Pedestrian and bicycle facilities.
- 9 (viii) Environmental enhancements and mitigation.
- 10 (ix) Research and planning.
- 11 (x) Other categories.

12 (C) The metropolitan planning organization or county
13 transportation agency, whichever entity is appropriate, shall
14 consider financial incentives for cities and counties that have
15 resource areas or farmland, as defined in Section 65080.01, for
16 the purposes of, for example, transportation investments for the
17 preservation and safety of the city street or county road system
18 and farm-to-market and interconnectivity transportation needs.
19 The metropolitan planning organization or county transportation
20 agency, whichever entity is appropriate, shall also consider
21 financial assistance for counties to address countywide service
22 responsibilities in counties that contribute toward the greenhouse
23 gas emission *and vehicle miles traveled* reduction targets by
24 implementing policies for growth to occur within their cities.

25 (c) Each transportation planning agency may also include other
26 factors of local significance as an element of the regional
27 transportation plan, including, but not limited to, issues of mobility
28 for specific sectors of the community, including, but not limited
29 to, senior citizens.

30 (d) (1) Except as otherwise provided in this subdivision, each
31 transportation planning agency shall adopt and submit, every four
32 years, an updated regional transportation plan to the California
33 Transportation Commission and the Department of Transportation.
34 A transportation planning agency located in a federally designated
35 air quality attainment area or that does not contain an urbanized
36 area may at its option adopt and submit a regional transportation
37 plan every five years. When applicable, the plan shall be consistent
38 with federal planning and programming requirements and shall
39 conform to the regional transportation plan guidelines adopted by
40 the California Transportation Commission. Before adoption of the

1 regional transportation plan, a public hearing shall be held after
2 the giving of notice of the hearing by publication in the affected
3 county or counties pursuant to Section 6061.

4 (2) (A) Notwithstanding subdivisions (b) and (c), and paragraph
5 (1), inclusive, the regional transportation plan, sustainable
6 communities strategy, and environmental impact report adopted
7 by the San Diego Association of Governments on October 9, 2015,
8 shall remain in effect for all purposes, including for purposes of
9 consistency determinations and funding eligibility for the San
10 Diego Association of Governments and all other agencies relying
11 on those documents, until the San Diego Association of
12 Governments adopts its next update to its regional transportation
13 plan.

14 (B) The San Diego Association of Governments shall adopt and
15 submit its update to the 2015 regional transportation plan on or
16 before December 31, 2021.

17 (C) After the update described in subparagraph (B), the time
18 period for San Diego Association of Governments' updates to its
19 regional transportation plan shall be reset and shall be adopted and
20 submitted every four years.

21 (D) Notwithstanding clause (iv) of subparagraph (A) of
22 paragraph (2) of subdivision (b), the State Air Resources Board
23 shall not update the greenhouse gas emission reduction targets for
24 the region within the jurisdiction of the San Diego Association of
25 Governments before the adoption of the update to the regional
26 transportation plan pursuant to subparagraph (B).

27 (E) The update to the regional transportation plan adopted by
28 the San Diego Association of Governments on October 9, 2015,
29 which will be prepared and submitted to federal agencies for
30 purposes of compliance with federal laws applicable to regional
31 transportation plans and air quality conformity and which is due
32 in October 2019, shall not be considered a regional transportation
33 plan pursuant to this section and shall not constitute a project for
34 purposes of the California Environmental Quality Act (Division
35 13 (commencing with Section 21000) of the Public Resources
36 Code).

37 (F) In addition to meeting the other requirements to nominate
38 a project for funding through the Solutions for Congested Corridors
39 Program (Chapter 8.5 (commencing with Section 2390) of Division
40 3 of the Streets and Highways Code), the San Diego Association

1 of Governments, until December 31, 2021, shall only nominate
2 projects for funding through the Solutions for Congested Corridors
3 Program that are consistent with the eligibility requirements for
4 projects under any of the following programs:

5 (i) The Transit and Intercity Rail Capital Program (Part 2
6 (commencing with Section 75220) of Division 44 of the Public
7 Resources Code).

8 (ii) The Low Carbon Transit Operations Program (Part 3
9 (commencing with Section 75230) of Division 44 of the Public
10 Resources Code).

11 (iii) The Active Transportation Program (Chapter 8
12 (commencing with Section 2380) of Division 3 of the Streets and
13 Highways Code).

14 (G) Commencing January 1, 2020, and every two years
15 thereafter, the San Diego Association of Governments shall begin
16 developing an implementation report that tracks the implementation
17 of its most recently adopted sustainable communities strategy. The
18 report shall discuss the status of the implementation of the strategy
19 at the regional and local level, and any successes and barriers that
20 have occurred since the last report. The San Diego Association of
21 Governments shall submit the implementation report to the state
22 board by including it in its sustainable communities strategy
23 implementation review pursuant to clause (ii) of subparagraph (J)
24 of paragraph (2) of subdivision (b).

25 (e) This section shall remain in effect only until January 1, 2023,
26 and as of that date is repealed.

27 SEC. 2. Section 65080 of the Government Code, as added by
28 Section 2 of Chapter 177 of the Statutes of 2020, is amended to
29 read:

30 65080. (a) Each transportation planning agency designated
31 under Section 29532 or 29532.1 shall prepare and adopt a regional
32 transportation plan directed at achieving a coordinated and balanced
33 regional transportation system, including, but not limited to, mass
34 transportation, highway, railroad, maritime, bicycle, pedestrian,
35 goods movement, and aviation facilities and services. The plan
36 shall be action-oriented and pragmatic, considering both the
37 short-term and long-term future, and shall present clear, concise
38 policy guidance to local and state officials. The regional
39 transportation plan shall consider factors specified in Section 134
40 of Title 23 of the United States Code. Each transportation planning

1 agency shall consider and incorporate, as appropriate, the
2 transportation plans of cities, counties, districts, private
3 organizations, and state and federal agencies.

4 (b) The regional transportation plan shall be an internally
5 consistent document and shall include all of the following:

6 (1) A policy element that describes the transportation issues in
7 the region, identifies and quantifies regional needs, and describes
8 the desired short-range and long-range transportation goals, and
9 pragmatic objective and policy statements. The objective and policy
10 statements shall be consistent with the funding estimates of the
11 financial element. The policy element of transportation planning
12 agencies with populations that exceed 200,000 persons may
13 quantify a set of indicators including, but not limited to, all of the
14 following:

15 (A) Measures of mobility and traffic congestion, including, but
16 not limited to, daily vehicle hours of delay per capita and vehicle
17 miles traveled per capita.

18 (B) Measures of road and bridge maintenance and rehabilitation
19 needs, including, but not limited to, roadway pavement and bridge
20 conditions.

21 (C) Measures of means of travel, including, but not limited to,
22 percentage share of all trips (work and nonwork) made by all of
23 the following:

24 (i) Single occupant vehicle.

25 (ii) Multiple occupant vehicle or carpool.

26 (iii) Public transit including commuter rail and intercity rail.

27 (iv) Walking.

28 (v) Bicycling.

29 (D) Measures of safety and security, including, but not limited
30 to, total injuries and fatalities assigned to each of the modes set
31 forth in subparagraph (C).

32 (E) Measures of equity and accessibility, including, but not
33 limited to, percentage of the population served by frequent and
34 reliable public transit, with a breakdown by income bracket, and
35 percentage of all jobs accessible by frequent and reliable public
36 transit service, with a breakdown by income bracket.

37 (F) The requirements of this section may be met using existing
38 sources of information. No additional traffic counts, household
39 surveys, or other sources of data shall be required.

1 (2) A sustainable communities strategy prepared by each
2 metropolitan planning organization as follows:

3 (A) No later than September 30, 2010, the State Air Resources
4 Board shall provide each affected region with greenhouse gas
5 emission reduction targets for the automobile and light truck sector
6 for 2020 and 2035, respectively. *No later than December 31, 2024,*
7 *the state board shall provide each affected region with additional*
8 *greenhouse gas emission reduction targets for the automobile and*
9 *light truck sector for 2045 and 2050, respectively. No later than*
10 *December 31, 2024, the state board, in furtherance of achieving*
11 *the greenhouse gas emission reduction targets, shall provide each*
12 *affected region with vehicle miles traveled reduction targets for*
13 *2035, 2045, and 2050.*

14 (i) No later than January 31, 2009, the state board shall appoint
15 a Regional Targets Advisory Committee to recommend factors to
16 be considered and methodologies to be used for setting *2020 and*
17 *2035* greenhouse gas emission reduction targets for the affected
18 regions. The committee shall be composed of representatives of
19 the metropolitan planning organizations, affected air districts, the
20 League of California Cities, the California State Association of
21 Counties, local transportation agencies, and members of the public,
22 including homebuilders, environmental organizations, planning
23 organizations, environmental justice organizations, affordable
24 housing organizations, and others. The advisory committee shall
25 transmit a report with its recommendations to the state board no
26 later than September 30, 2009. In recommending factors to be
27 considered and methodologies to be used, the advisory committee
28 may consider any relevant issues, including, but not limited to,
29 data needs, modeling techniques, growth forecasts, the impacts of
30 regional jobs-housing balance on interregional travel and
31 greenhouse gas emissions, economic and demographic trends, the
32 magnitude of greenhouse gas reduction benefits from a variety of
33 land use and transportation strategies, and appropriate methods to
34 describe regional targets and to monitor performance in attaining
35 those targets. The state board shall consider the report before
36 setting the targets.

37 (ii) Before setting the *greenhouse gas emissions and vehicle*
38 *miles traveled reduction* targets for a region, the state board shall
39 exchange technical information with the metropolitan planning
40 organization and the affected air district. ~~The~~ *For purposes of*

1 *setting the greenhouse gas emission reduction targets for 2020*
2 *and 2035, the metropolitan planning organization may recommend*
3 *a target for the region. The metropolitan planning organization*
4 *shall hold at least one public workshop within the region after*
5 *receipt of the report from the advisory committee. The state board*
6 *shall release draft greenhouse gas emission targets for 2020 and*
7 *2035 for each region no later than June 30, 2010, and for*
8 *2045 and 2050, no later than September 30, 2024. The state board*
9 *shall release draft vehicle miles traveled reduction targets for*
10 *2035, 2045, and 2050 for each region no later than September 30,*
11 *2024.*

12 (iii) In establishing these targets, the state board shall take into
13 account greenhouse gas emission *and vehicle miles traveled*
14 reductions that will be achieved by *measures approved or proposed*
15 *by state agencies to reduce greenhouse gas emissions and vehicle*
16 *miles traveled and achieved by* improved vehicle emission
17 standards, changes in fuel composition, and other measures it has
18 approved that will reduce greenhouse gas emissions *or vehicle*
19 *miles traveled* in the affected regions, and prospective measures
20 the state board plans to adopt to reduce greenhouse gas emissions
21 from other greenhouse gas emission sources as that term is defined
22 in subdivision (i) of Section 38505 of the Health and Safety Code
23 and consistent with the regulations promulgated pursuant to the
24 California Global Warming Solutions Act of 2006 (Division 25.5
25 (commencing with Section 38500) of the Health and Safety Code),
26 including Section 38566 of the Health and Safety Code.

27 (iv) The state board shall update the regional greenhouse gas
28 emission *and vehicle miles traveled* reduction targets every eight
29 years consistent with each metropolitan planning organization's
30 timeframe for updating its regional transportation plan under
31 federal law until 2050. The state board may revise the targets every
32 four years based on changes in the factors considered under clause
33 (iii). The state board shall exchange technical information with
34 the Department of Transportation, metropolitan planning
35 organizations, local governments, and affected air districts and
36 engage in a consultative process with public and private
37 stakeholders, before updating these targets.

38 (v) The greenhouse gas emission reduction targets may be
39 expressed in gross tons, tons per capita, tons per household, or in
40 any other metric deemed appropriate by the state board.

(vi) *The vehicle miles traveled reduction targets may be expressed in miles per capita, percent reduction, or in any other metric deemed appropriate by the state board.*

(B) Each metropolitan planning organization shall prepare a sustainable communities strategy, subject to the requirements of Part 450 of Title 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations, including the requirement to use the most recent planning assumptions considering local general plans and other factors. The sustainable communities strategy shall—~~(i) identify~~ *do all of the following:*

(i) *Identify the general location of uses, residential densities, and building intensities within the region,* ~~(ii) identify region.~~

(ii) *Identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan taking into account net migration into the region, population growth, household formation and employment growth,* ~~(iii) identify growth.~~

(iii) *Identify areas within the region sufficient to house an eight-year projection of the regional housing need for the region pursuant to Section 65584,* ~~(iv) identify 65584.~~

(iv) *Identify a transportation network to service the transportation needs of the region,* ~~(v) gather region.~~

(v) *Gather and consider the best practically available scientific information regarding resource areas and farmland in the region as defined in subdivisions (a) and (b) of Section 65080.01,* ~~(vi) consider 65080.01.~~

(vi) *Consider the state housing goals specified in Sections 65580 and 65581,* ~~(vii) set 65581.~~

(vii) *Set forth a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportation measures and policies, will reduce the greenhouse gas emissions and vehicle miles traveled from automobiles and light trucks to achieve, if there is a feasible way to do so, the greenhouse gas emission and vehicle miles traveled reduction targets approved by the state board, and* ~~(viii) allow board.~~

(viii) *Allow the regional transportation plan to comply with Section 176 of the federal Clean Air Act (42 U.S.C. Sec. 7506).*

(C) (i) Within the jurisdiction of the Metropolitan Transportation Commission, as defined by Section 66502, the

1 Association of Bay Area Governments shall be responsible for
2 clauses (i), (ii), (iii), (v), and (vi) of subparagraph (B); the
3 Metropolitan Transportation Commission shall be responsible for
4 clauses (iv) and (viii) of subparagraph (B); and the Association of
5 Bay Area Governments and the Metropolitan Transportation
6 Commission shall jointly be responsible for clause (vii) of
7 subparagraph (B).

8 (ii) Within the jurisdiction of the Tahoe Regional Planning
9 Agency, as defined in Sections 66800 and 66801, the Tahoe
10 Metropolitan Planning Organization shall use the Regional Plan
11 for the Lake Tahoe Region as the sustainable communities strategy,
12 provided that it complies with clauses (vii) and (viii) of
13 subparagraph (B).

14 (D) In the region served by the Southern California Association
15 of Governments, a subregional council of governments and the
16 county transportation commission may work together to propose
17 the sustainable communities strategy and an alternative planning
18 strategy, if one is prepared pursuant to subparagraph (I), for that
19 subregional area. The metropolitan planning organization may
20 adopt a framework for a subregional sustainable communities
21 strategy or a subregional alternative planning strategy to address
22 the intraregional land use, transportation, economic, air quality,
23 and climate policy relationships. The metropolitan planning
24 organization shall include the subregional sustainable communities
25 strategy for that subregion in the regional sustainable communities
26 strategy to the extent consistent with this section and federal law
27 and approve the subregional alternative planning strategy, if one
28 is prepared pursuant to subparagraph (I), for that subregional area
29 to the extent consistent with this section. The metropolitan planning
30 organization shall develop overall guidelines, create a public
31 participation plan pursuant to subparagraph (F), ensure
32 coordination, resolve conflicts, make sure that the overall plan
33 complies with applicable legal requirements, and adopt the plan
34 for the region.

35 (E) The metropolitan planning organization shall conduct at
36 least two informational meetings in each county within the region
37 for members of the board of supervisors and city councils on the
38 sustainable communities strategy and alternative planning strategy,
39 if any. The metropolitan planning organization may conduct only
40 one informational meeting if it is attended by representatives of

1 the county board of supervisors and city council members
2 representing a majority of the cities representing a majority of the
3 population in the incorporated areas of that county. Notice of the
4 meeting or meetings shall be sent to the clerk of the board of
5 supervisors and to each city clerk. The purpose of the meeting or
6 meetings shall be to discuss the sustainable communities strategy
7 and the alternative planning strategy, if any, including the key land
8 use and planning assumptions with the members of the board of
9 supervisors and the city council members in that county and to
10 solicit and consider their input and recommendations.

11 (F) Each metropolitan planning organization shall adopt a public
12 participation plan, for development of the sustainable communities
13 strategy and an alternative planning strategy, if any, that includes
14 all of the following:

15 (i) Outreach efforts to encourage the active participation of a
16 broad range of stakeholder groups in the planning process,
17 consistent with the agency's adopted Federal Public Participation
18 Plan, including, but not limited to, affordable housing advocates,
19 transportation advocates, neighborhood and community groups,
20 environmental advocates, home builder representatives,
21 broad-based business organizations, landowners, commercial
22 property interests, and homeowner associations.

23 (ii) Consultation with congestion management agencies,
24 transportation agencies, and transportation commissions.

25 (iii) Workshops throughout the region to provide the public with
26 the information and tools necessary to provide a clear
27 understanding of the issues and policy choices. At least one
28 workshop shall be held in each county in the region. For counties
29 with a population greater than 500,000, at least three workshops
30 shall be held. Each workshop, to the extent practicable, shall
31 include urban simulation computer modeling to create visual
32 representations of the sustainable communities strategy and the
33 alternative planning strategy.

34 (iv) Preparation and circulation of a draft sustainable
35 communities strategy and an alternative planning strategy, if one
36 is prepared, not less than 55 days before adoption of a final regional
37 transportation plan.

38 (v) At least three public hearings on the draft sustainable
39 communities strategy in the regional transportation plan and
40 alternative planning strategy, if one is prepared. If the metropolitan

1 ~~transportation~~ *planning* organization consists of a single county,
2 at least two public hearings shall be held. To the maximum extent
3 feasible, the hearings shall be in different parts of the region to
4 maximize the opportunity for participation by members of the
5 public throughout the region.

6 (vi) A process for enabling members of the public to provide a
7 single request to receive notices, information, and updates.

8 (G) In preparing a sustainable communities strategy, the
9 metropolitan planning organization shall consider spheres of
10 influence that have been adopted by the local agency formation
11 commissions within its region.

12 (H) Before adopting a sustainable communities strategy, the
13 metropolitan planning organization shall quantify the ~~reduction~~
14 *reductions* in greenhouse gas emissions *and vehicle miles traveled*
15 projected to be achieved by the sustainable communities strategy
16 and set forth the difference, if any, between the amount of ~~that~~
17 ~~reduction~~ *those reductions* and the ~~target~~ *targets* for the region
18 established by the state board.

19 (I) If the sustainable communities strategy, prepared in
20 compliance with subparagraph (B) or (D), is unable to reduce
21 greenhouse gas emissions *and vehicle miles traveled* to achieve
22 the greenhouse gas emission *and vehicle miles traveled* reduction
23 targets established by the state board, the metropolitan planning
24 organization shall prepare an alternative planning strategy to the
25 sustainable communities strategy showing how those greenhouse
26 gas emission *and vehicle miles traveled* targets would be achieved
27 through alternative development patterns, infrastructure, or
28 additional transportation measures or policies. The alternative
29 planning strategy shall be a separate document from the regional
30 transportation plan, but it may be adopted concurrently with the
31 regional transportation plan. In preparing the alternative planning
32 strategy, the metropolitan planning organization:

33 (i) Shall identify the principal impediments to achieving the
34 targets within the sustainable communities strategy.

35 (ii) May include an alternative development pattern for the
36 region pursuant to subparagraphs (B) to (G), inclusive.

37 (iii) Shall describe how the greenhouse gas emission *and vehicle*
38 *miles traveled* reduction targets would be achieved by the
39 alternative planning strategy, and why the development pattern,
40 measures, and policies in the alternative planning strategy are the

1 most practicable choices for achievement of the greenhouse gas
2 emission *and vehicle miles traveled* reduction targets.

3 (iv) An alternative development pattern set forth in the
4 alternative planning strategy shall comply with Part 450 of Title
5 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations,
6 except to the extent that compliance will prevent achievement of
7 the greenhouse gas emission *and vehicle miles traveled* reduction
8 targets approved by the state board.

9 (v) For purposes of the California Environmental Quality Act
10 (Division 13 (commencing with Section 21000) of the Public
11 Resources Code), an alternative planning strategy shall not
12 constitute a land use plan, policy, or regulation, and the
13 inconsistency of a project with an alternative planning strategy
14 shall not be a consideration in determining whether a project may
15 have an environmental effect.

16 (J) (i) Before starting the public participation process adopted
17 pursuant to subparagraph (F), the metropolitan planning
18 organization shall submit a description to the state board of the
19 technical methodology it intends to use to estimate the greenhouse
20 gas emissions from its sustainable communities strategy and, if
21 appropriate, its alternative planning strategy. The state board shall
22 *review and* respond to the metropolitan planning organization in
23 a timely manner with written comments about the technical
24 methodology, including specifically describing any aspects of that
25 methodology it concludes will not yield accurate estimates of
26 greenhouse gas ~~emissions~~, *emissions and vehicle miles traveled*,
27 and suggested remedies. The metropolitan planning organization
28 ~~is encouraged to~~ *shall* work with the state board until the state
29 board concludes that the technical methodology operates
30 accurately.

31 ~~(ii) After~~

32 *(ii) At least 90 days before adopting a sustainable communities*
33 *strategy, a metropolitan planning organization shall submit to the*
34 *state board for review a draft sustainable communities strategy*
35 *or, if one is prepared, a draft alternative planning strategy. The*
36 *state board may within 45 days of receipt of the draft provide*
37 *written comment to the metropolitan planning organization*
38 *identifying issues affecting the strategy's ability to produce*
39 *accurate estimates of greenhouse gas emissions and vehicle miles*
40 *traveled before the state board's evaluation of the final sustainable*

1 *communities strategy or, if one is prepared, the final alternative*
2 *planning strategy. The draft sustainable communities strategy*
3 *shall contain information consistent with subparagraph (B) and*
4 *available modeling results and supporting policies that implement*
5 *strategies to reduce greenhouse gas emissions and vehicle miles*
6 *traveled. The metropolitan planning organization shall consider*
7 *comments it receives from the state board on the draft sustainable*
8 *communities strategy or, if one has been prepared, draft alternative*
9 *planning strategy, and provide the state board with a written*
10 *response to comments in its final sustainable communities strategy*
11 *or, if one is prepared, final alternative planning strategy. The*
12 *responses should indicate and explain how the metropolitan*
13 *planning organization incorporates or rejects particular state*
14 *board comments. To provide more meaningful public disclosure,*
15 *a copy of responses to the state board's comments shall be made*
16 *available to the public on the metropolitan planning organization's*
17 *internet website.*

18 *(iii) Within 60 days of adoption, a metropolitan planning*
19 *organization shall submit a sustainable communities strategy or*
20 *an alternative planning strategy, if one has been adopted, to the*
21 *state board for review, including the quantification of the*
22 *greenhouse gas emission and vehicle miles traveled reductions the*
23 *strategy would achieve and a description of the technical*
24 *methodology used to obtain that result. Review by the state board*
25 *shall be limited to acceptance or rejection of the metropolitan*
26 *planning organization's determination that the strategy submitted*
27 *would, if implemented, would achieve the greenhouse gas emission*
28 *and vehicle miles traveled reduction targets established by the state*
29 *board. In reviewing that determination, the state board may*
30 *consider the reasonable progress toward achieving the region's*
31 *greenhouse gas emission and vehicle miles traveled reduction*
32 *targets based on its review of data supported metrics for the*
33 *strategies used to meet the targets. The state board shall complete*
34 *its review within 60 120 business days.*

35 *(iv) The state board shall reject the metropolitan planning*
36 *organization's determination that the strategy submitted would*
37 *achieve the targets if, based on evidence, it determines that any*
38 *of the following criteria are met: the technical methodology will*
39 *not yield accurate estimates of greenhouse gas emissions and*
40 *vehicle miles traveled; the data or documentation provided to*

1 *support the estimates of greenhouse gas emissions and vehicle*
2 *miles traveled is insufficient for the state board's review; the*
3 *calculations to estimate greenhouse gas emissions and vehicle*
4 *miles traveled do not demonstrate the region achieving greenhouse*
5 *gas emissions and vehicle miles traveled reduction targets for all*
6 *target years; or, the sustainable communities strategy does not*
7 *include strategies that sufficiently demonstrate reductions in*
8 *greenhouse gas emissions or vehicle miles traveled to achieve the*
9 *region's greenhouse gas emissions and vehicle miles traveled*
10 *targets.*

11 ~~(iii)~~

12 (v) If the state board determines that the strategy submitted
13 ~~would not, if implemented,~~ *not* achieve the greenhouse gas
14 *emission and vehicle miles traveled* reduction targets, the
15 metropolitan planning organization shall revise its strategy or adopt
16 an alternative planning strategy, if not previously adopted, and
17 submit the strategy for review pursuant to clause ~~(ii)~~ *(iii)*. At a
18 minimum, the metropolitan planning organization must obtain
19 state board acceptance that an alternative planning strategy would,
20 if implemented, achieve the greenhouse gas emission *and vehicle*
21 *miles traveled* reduction targets established for that region by the
22 state board.

23 ~~(iv)~~

24 (vi) On or before September 1, 2018, and every four years
25 thereafter to align with target setting, notwithstanding Section
26 10231.5, the state board shall prepare a report that assesses progress
27 made by each metropolitan planning organization in meeting the
28 regional greenhouse gas emission *and vehicle miles traveled*
29 reduction targets set by the state board. The report shall include
30 changes to greenhouse gas emissions in each region and
31 data-supported metrics for the strategies used to meet the targets.
32 The report shall also include a discussion of best practices and the
33 challenges faced by the metropolitan planning organizations in
34 meeting the targets, including the effect of state policies and
35 funding. The report shall be developed in consultation with the
36 metropolitan planning organizations and affected stakeholders.
37 The report shall be submitted to the Assembly Committee on
38 Transportation and the Assembly Committee on Natural Resources,
39 and to the Senate Committee on Transportation, the Senate

1 Committee on Housing, and the Senate Committee on
2 Environmental Quality.

3 (vii) *Each city, county, or city and county shall biennially report*
4 *to its metropolitan planning organization on the number of housing*
5 *and jobs, and transit supportive infrastructure, existing and*
6 *planned, that demonstrates implementation of strategies included*
7 *in the applicable sustainable communities strategy or, if one is*
8 *prepared, alternative planning strategy. The report should include*
9 *both of the following metrics:*

10 (I) *The number of existing and planned housing units and jobs*
11 *within one-half mile of any of the following:*

12 (ia) *A major transit stop, as defined in Section 21064.3 of the*
13 *Public Resources Code.*

14 (ib) *A planned major transit stop included in the applicable*
15 *regional transportation plan, sustainable communities strategy,*
16 *or alternative planning strategy, if any.*

17 (ic) *A high-quality transit corridor, as defined in Section 21155*
18 *of the Public Resources Code.*

19 (id) *A planned high-quality transit corridor in the applicable*
20 *regional transportation plan, sustainable communities strategy,*
21 *or alternative planning strategy, if any.*

22 (II) *The number of existing and planned housing units and jobs*
23 *in areas of the city, county, or city and county that correspond*
24 *with areas the sustainable communities strategy or alternative*
25 *planning strategy identifies as priority geographies for*
26 *accommodating new housing and jobs growth, if any, and identifies*
27 *as having per capita vehicle miles traveled below the regional*
28 *average and at least 15 percent below the regional average.*

29 (K) Neither a sustainable communities strategy nor an alternative
30 planning strategy regulates the use of land, nor, except as provided
31 by subparagraph (J), shall either one be subject to any state
32 approval. Nothing in a sustainable communities strategy shall be
33 interpreted as superseding the exercise of the land use authority
34 of cities and counties within the region. Nothing in this section
35 shall be interpreted to limit the state board's authority under any
36 other law. Nothing in this section shall be interpreted to authorize
37 the abrogation of any vested right whether created by statute or
38 by common law. Nothing in this section shall require a city's or
39 county's land use policies and regulations, including its general
40 plan, to be consistent with the regional transportation plan or an

1 alternative planning strategy. Nothing in this section requires a
2 metropolitan planning organization to approve a sustainable
3 communities strategy that would be inconsistent with Part 450 of
4 Title 23 of, or Part 93 of Title 40 of, the Code of Federal
5 Regulations and any administrative guidance under those
6 regulations. Nothing in this section relieves a public or private
7 entity or any person from compliance with any other local, state,
8 or federal law.

9 (L) Nothing in this section requires projects programmed for
10 funding on or before December 31, 2011, to be subject to the
11 provisions of this paragraph if they (i) are contained in the 2007
12 or 2009 Federal Statewide Transportation Improvement Program,
13 (ii) are funded pursuant to the Highway Safety, Traffic Reduction,
14 Air Quality, and Port Security Bond Act of 2006 (Chapter 12.49
15 (commencing with Section 8879.20) of Division 1 of Title 2), or
16 (iii) were specifically listed in a ballot measure before December
17 31, 2008, approving a sales tax increase for transportation projects.
18 Nothing in this section shall require a transportation sales tax
19 authority to change the funding allocations approved by the voters
20 for categories of transportation projects in a sales tax measure
21 adopted before December 31, 2010. For purposes of this
22 subparagraph, a transportation sales tax authority is a district, as
23 defined in Section 7252 of the Revenue and Taxation Code, that
24 is authorized to impose a sales tax for transportation purposes.

25 (M) A metropolitan planning organization, or a regional
26 transportation planning agency not within a metropolitan planning
27 organization, that is required to adopt a regional transportation
28 plan not less than every five years, may elect to adopt the plan not
29 less than every four years. This election shall be made by the board
30 of directors of the metropolitan planning organization or regional
31 transportation planning agency no later than June 1, 2009, or
32 thereafter 54 months before the statutory deadline for the adoption
33 of housing elements for the local jurisdictions within the region,
34 after a public hearing at which comments are accepted from
35 members of the public and representatives of cities and counties
36 within the region covered by the metropolitan planning
37 organization or regional transportation planning agency. Notice
38 of the public hearing shall be given to the general public and by
39 mail to cities and counties within the region no later than 30 days
40 before the date of the public hearing. Notice of election shall be

1 promptly given to the Department of Housing and Community
2 Development. The metropolitan planning organization or the
3 regional transportation planning agency shall complete its next
4 regional transportation plan within three years of the notice of
5 election.

6 (N) Two or more of the metropolitan planning organizations
7 for Fresno County, Kern County, Kings County, Madera County,
8 Merced County, San Joaquin County, Stanislaus County, and
9 Tulare County may work together to develop and adopt
10 multiregional goals and policies that may address interregional
11 land use, transportation, economic, air quality, and climate
12 relationships. The participating metropolitan planning organizations
13 may also develop a multiregional sustainable communities strategy,
14 to the extent consistent with federal law, or an alternative planning
15 strategy for adoption by the metropolitan planning organizations.
16 Each participating metropolitan planning organization shall
17 consider any adopted multiregional goals and policies in the
18 development of a sustainable communities strategy and, if
19 applicable, an alternative planning strategy for its region.

20 (3) An action element that describes the programs and actions
21 necessary to implement the plan and assigns implementation
22 responsibilities. The action element may describe all transportation
23 projects proposed for development during the 20-year or greater
24 life of the plan. The action element shall consider congestion
25 management programming activities carried out within the region.

26 (4) (A) A financial element that summarizes the cost of plan
27 implementation constrained by a realistic projection of available
28 revenues. The financial element shall also contain
29 recommendations for allocation of funds. A county transportation
30 commission created pursuant to the County Transportation
31 Commissions Act (Division 12 (commencing with Section 130000)
32 of the Public Utilities Code) shall be responsible for recommending
33 projects to be funded with regional improvement funds, if the
34 project is consistent with the regional transportation plan. The first
35 five years of the financial element shall be based on the five-year
36 estimate of funds developed pursuant to Section 14524. The
37 financial element may recommend the development of specified
38 new sources of revenue, consistent with the policy element and
39 action element.

1 (B) The financial element of transportation planning agencies
2 with populations that exceed 200,000 persons may include a project
3 cost breakdown for all projects proposed for development during
4 the 20-year life of the plan that includes total expenditures and
5 related percentages of total expenditures for all of the following:

- 6 (i) State highway expansion.
- 7 (ii) State highway rehabilitation, maintenance, and operations.
- 8 (iii) Local road and street expansion.
- 9 (iv) Local road and street rehabilitation, maintenance, and
10 operation.
- 11 (v) Mass transit, commuter rail, and intercity rail expansion.
- 12 (vi) Mass transit, commuter rail, and intercity rail rehabilitation,
13 maintenance, and operations.
- 14 (vii) Pedestrian and bicycle facilities.
- 15 (viii) Environmental enhancements and mitigation.
- 16 (ix) Research and planning.
- 17 (x) Other categories.

18 (C) The metropolitan planning organization or county
19 transportation agency, whichever entity is appropriate, shall
20 consider financial incentives for cities and counties that have
21 resource areas or farmland, as defined in Section 65080.01, for
22 the purposes of, for example, transportation investments for the
23 preservation and safety of the city street or county road system
24 and farm-to-market and interconnectivity transportation needs.
25 The metropolitan planning organization or county transportation
26 agency, whichever entity is appropriate, shall also consider
27 financial assistance for counties to address countywide service
28 responsibilities in counties that contribute toward the greenhouse
29 gas emission *and vehicle miles traveled* reduction targets by
30 implementing policies for growth to occur within their cities.

31 (c) Each transportation planning agency may also include other
32 factors of local significance as an element of the regional
33 transportation plan, including, but not limited to, issues of mobility
34 for specific sectors of the community, including, but not limited
35 to, senior citizens.

36 (d) (1) Except as otherwise provided in this subdivision, each
37 transportation planning agency shall adopt and submit, every four
38 years, an updated regional transportation plan to the California
39 Transportation Commission and the Department of Transportation.
40 A transportation planning agency located in a federally designated

1 air quality attainment area or that does not contain an urbanized
2 area may at its option adopt and submit a regional transportation
3 plan every five years. When applicable, the plan shall be consistent
4 with federal planning and programming requirements and shall
5 conform to the regional transportation plan guidelines adopted by
6 the California Transportation Commission. Before adoption of the
7 regional transportation plan, a public hearing shall be held after
8 the giving of notice of the hearing by publication in the affected
9 county or counties pursuant to Section 6061.

10 (2) (A) Notwithstanding subdivisions (b) and (c), and paragraph
11 (1), inclusive, the regional transportation plan, sustainable
12 communities strategy, and environmental impact report adopted
13 by the San Diego Association of Governments on October 9, 2015,
14 shall remain in effect for all purposes, including for purposes of
15 consistency determinations and funding eligibility for the San
16 Diego Association of Governments and all other agencies relying
17 on those documents, until the San Diego Association of
18 Governments adopts its next update to its regional transportation
19 plan.

20 (B) The San Diego Association of Governments shall adopt and
21 submit its update to the 2015 regional transportation plan on or
22 before December 31, 2021.

23 (C) After the update described in subparagraph (B), the time
24 period for San Diego Association of Governments' updates to its
25 regional transportation plan shall be reset and shall be adopted and
26 submitted every four years.

27 (D) Notwithstanding clause (iv) of subparagraph (A) of
28 paragraph (2) of subdivision (b), the State Air Resources Board
29 shall not update the greenhouse gas emission reduction targets for
30 the region within the jurisdiction of the San Diego Association of
31 Governments before the adoption of the update to the regional
32 transportation plan pursuant to subparagraph (B).

33 (E) The update to the regional transportation plan adopted by
34 the San Diego Association of Governments on October 9, 2015,
35 which will be prepared and submitted to federal agencies for
36 purposes of compliance with federal laws applicable to regional
37 transportation plans and air quality conformity and which is due
38 in October 2019, shall not be considered a regional transportation
39 plan pursuant to this section and shall not constitute a project for
40 purposes of the California Environmental Quality Act (Division

1 13 (commencing with Section 21000) of the Public Resources
2 Code).

3 (F) In addition to meeting the other requirements to nominate
4 a project for funding through the Solutions for Congested Corridors
5 Program (Chapter 8.5 (commencing with Section 2390) of Division
6 3 of the Streets and Highways Code), the San Diego Association
7 of Governments, until December 31, 2021, shall only nominate
8 projects for funding through the Solutions for Congested Corridors
9 Program that are consistent with the eligibility requirements for
10 projects under any of the following programs:

11 (i) The Transit and Intercity Rail Capital Program (Part 2
12 (commencing with Section 75220) of Division 44 of the Public
13 Resources Code).

14 (ii) The Low Carbon Transit Operations Program (Part 3
15 (commencing with Section 75230) of Division 44 of the Public
16 Resources Code).

17 (iii) The Active Transportation Program (Chapter 8
18 (commencing with Section 2380) of Division 3 of the Streets and
19 Highways Code).

20 (G) Commencing January 1, 2020, and every two years
21 thereafter, the San Diego Association of Governments shall begin
22 developing an implementation report that tracks the implementation
23 of its most recently adopted sustainable communities strategy. The
24 report shall discuss the status of the implementation of the strategy
25 at the regional and local level, and any successes and barriers that
26 have occurred since the last report. The San Diego Association of
27 Governments shall submit the implementation report to the state
28 board by including it in its sustainable communities strategy
29 implementation review pursuant to clause (ii) of subparagraph (J)
30 of paragraph (2) of subdivision (b).

31 (e) This section shall become operative on January 1, 2023.

32 SEC. 3. If the Commission on State Mandates determines that
33 this act contains costs mandated by the state, reimbursement to
34 local agencies and school districts for those costs shall be made
35 pursuant to Part 7 (commencing with Section 17500) of Division
36 4 of Title 2 of the Government Code.