



To: Members of the Executive Committee

From: Tom Kirk, CVAG Executive Director

Re: Updated information for Item 8A, CVAG Executive Committee meeting – RCTC and Assembly Bill 2237

In advance of your meeting at 4:30 pm, following is an update on Item 8A stemming from the discussion that was held at this morning's Transportation Committee meeting. The item involves a presentation, which you also will hear, by the Riverside County Transportation Commission as it pertains to AB 2237 and other concerning legislation. The item was presented in the agenda without a recommendation, but the Transportation Committee this morning recommended that CVAG take an official position to oppose, if not amended, the three pieces of legislation: AB 2237, AB 2438 and AB 1778. Because of the recommended action, and the fact that each bill wasn't detailed in the staff report, the Transportation Committee asked that additional background on each be provided to the Executive Committee in advance of this evening's vote.

AB 2237, which is discussed in the staff report, is authored by Assemblymember Laura Freidman, Chair of the Assembly Transportation Committee. The concern is that under AB 2237, transportation funding decisions would shift away from local control and the onus would be placed on the State to decide how and what projects should be funded based on how they align with state climate priorities. Additional background on AB 2237 is included in the agenda package. The bill text is here:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2237

AB 2438 is also authored by Assemblymember Friedman. It would require that state and local transportation funding be aligned with the California Transportation Plan and the Climate Action Plan for Transportation Infrastructure (CAPTI) adopted by the California State Transportation Agency. Although the aim of this legislation is to address climate change by reducing vehicle emissions, RCTC staff noted this morning that it could prove to be detrimental to areas like the Coachella Valley that is not built-out in comparison to large urban centers and is seeing growth in the freight and goods movements. Specifically, the bill would direct the Transportation Agency, the Department of Transportation, and the California Transportation Commission, to consult with the State Air Resources Control Board and the Strategic Growth Council, to jointly prepare and submit a report to the legislature by January 1, 2025, that reevaluates transportation funding programs away from projects that increase vehicle capacity. As such, many projects on CVAG's Transportation Project Prioritization Study would likely not be eligible for state and local funding, impacting the safety and economic development opportunities in the region. The bill text and additional background is available here:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2438

Similarly, AB 1778 by Assemblymember Christina Garcia would also prohibit the use of state funds or personnel time from being used for the funding or permitting of freeway projects. This bill specifically would impact freeway widening, extensions or lengthening projects, and interchange

expansion projects linked to existing future industrial or warehouse facilities. It would require the Department of Transportation to create a custom score using the California Healthy Places Index and would prohibit state funds from being used in areas that fall within the zero to 50th percentile score on the Index. RCTC staff noted this morning that this bill has larger potential impacts in the western part of the County. Through the rule promulgation proposed in the bill, this could create further uncertainty that state funds would flow to the Coachella Valley. The text of AB 1778 is available here:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1778

CVAG staff concurs with RCTC's analysis that a one-size-fits-all climate action approach on transportation funding will not work for the Coachella Valley. The Coachella Valley and the larger Riverside County region is experiencing rapid growth with a significant population commuting to job centers outside of the Coachella Valley. CVAG staff would note that legislation should not limit local flexibility and control over how transportation funds should be used locally.

All three bills narrowly made it out of the Assembly and will be debated in the Senate. RCTC has formally adopted an opposed position on these measures. The Transportation Committee's recommendation to oppose these three measures came with only one abstention (from the City of Palm Springs). RCTC and CVAG staff will provide additional information when the Executive Committee meets at 4:30 p.m.

Please let me know if you have any questions.

Thanks, Tom