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THIRD READING

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Bill No: AB 1147  
Author: Friedman (D), et al.  
Amended: 8/16/21 in Senate  
Vote: 21

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SENATE ENVIRONMENTAL QUALITY COMMITTEE: 5-2, 7/1/21  
AYES: Allen, Gonzalez, Skinner, Stern, Wieckowski  
NOES: Bates, Dahle

SENATE TRANSPORTATION COMMITTEE: 11-4, 7/13/21  
AYES: Gonzalez, Allen, Becker, Cortese, Dodd, McGuire, Min, Newman, Rubio,  
Skinner, Wieckowski  
NOES: Bates, Dahle, Melendez, Wilk  
NO VOTE RECORDED: Archuleta, Umberg

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/26/21  
AYES: Portantino, Bradford, Kamlager, Laird, McGuire  
NOES: Bates, Jones

ASSEMBLY FLOOR: 56-19, 5/28/21 - See last page for vote

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**SUBJECT:** Regional transportation plan: Active Transportation Program

**SOURCE:** Author

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**DIGEST:** This bill makes numerous substantive changes to the required elements of metropolitan planning organizations' (MPOs') regional transportation plans (RTPs) to ensure effective implementation of sustainable communities strategies (SCSs) and alternative planning strategies (APSs), as specified. This bill also requires the Governor's Office of Planning and Research (OPR) to develop a guidance document to provide best practices for establishing "15-minute communities," as defined, and requires the California Department of Transportation (Caltrans) to develop a bicycle highway pilot program, as specified.

**ANALYSIS:** Existing federal law requires any urbanized area with a population greater than 50,000 to establish a metropolitan planning organization (MPO) that, among other things, is responsible to ensure that regional transportation planning is cohesive across local jurisdictions. (23 U.S.C. §134–135)

Existing state law:

- 1) Requires transportation planning agencies to prepare and adopt regional plans that, with specifications, achieve a coordinated and balanced regional transportation system. (Government Code (GOV) §65080 et seq.)
- 2) Requires, as a part of the regional transportation plan, a SCS with specifications, to be prepared by each MPO. (GOV §65080)
- 3) Allows, if the SCS is unable to reduce greenhouse gas (GHG) emissions to achieve the GHG emission reduction targets established by the California Air Resources Board (ARB), the MPO to instead prepare an APS to the SCS showing how those GHG emission reduction targets would be achieved through alternative development patterns, infrastructure, or additional measures or policies. (GOV §65080)
- 4) Establishes a process for, and requires, ARB to provide regional transportation planning agencies with GHG emissions reductions targets that must be included in their SCS. (GOV §65080)
- 5) Requires, under SB 150 (Allen, Chapter 646, Statutes of 2017), by September 1, 2018 and every four years thereafter, ARB to report to the Legislature on MPOs' progress towards meeting their GHG emission reduction targets in their SCS, including changes to emissions, metrics that support the strategies being used, a discussion of best practices, and an identification of challenges.
- 6) Requires Caltrans to produce (and update every five years) the California Transportation Plan (CTP), a long-range transportation planning document intended to integrate state and regional transportation planning while considering specified pertinent subject areas. (Government Code (GOV) § 65070 et seq.)
- 7) Requires, under AB 285 (Friedman, Chapter 605, Statutes of 2019), Caltrans to update the CTP, as specified, and requires SGC to, by January 31, 2022, submit a report to the Legislature on interactions of the CTP and SCS/APS plans, and a review of the potential impacts and opportunities for coordination between specified programs. (GOV § 65072.2)

This bill:

*With regards to the report required pursuant to AB 285:*

- 1) Requires SGC to include in the report the following:
  - a) A discussion and analysis of the differences between the CTP and the SCS/APS;
  - b) A description of key state agencies', MPOs', regional transportation planning agencies', and local governments' assessment of barriers to the achievement of state and regional GHG emissions reduction targets related to the CTP and all SCSs/APSs;
  - c) A summary of strategies that reduce VMT contained in the CTP and SCSs/APSs, an analysis of the impacts of VMT reduction strategies on air quality, equity, public health, economic activity, and employment, and recommendations to reduce barriers and unintended consequences when pursuing strategies to reduce VMT;
  - d) Recommendations for actions at the state, regional, and local levels to achieve state and regional GHG emission reduction targets related to the CTP and all SCSs/APSs; and,
  - e) Include the Regional Early Action Planning Grants Program of 2021 among the funding programs reviewed for potential impacts and opportunities for coordination.
- 2) Delays the deadline for the report to July 1, 2023.
- 3) Requires SGC to convene key state agencies, MPOs, and local governments to assist them in completing the report.

*With regards to ARB's reports produced pursuant to SB 150:*

- 4) Requires the report to include the following additional information:
  - a) The progress made on relevant recommendations related to the successful implementation of the SCS included in the report prepared by the SGC;
  - b) The difference, if any, between GHG emission reduction targets and the total needed reduction identified in the most recent Scoping Plan, and identification of public entities that could make contributions to achieving

those reductions, and an assessment of the progress toward achieving those reductions.

- 5) Requires consultation with CTC in developing the report, as specified.
- 6) Authorizes ARB to request data necessary to develop the report, and requires MPOs, the CTC, and affected stakeholders to provide the requested data, to the extent feasible.

*With regards to Regional Transportation Plans:*

- 7) Specifies that the outreach efforts related to the development of an SCS must include outreach to disadvantaged communities and low-income households to encourage comments and active participation.
- 8) Authorizes the MPO to request a consultation with the governing body of a city or county to discuss actions the local agency may take to assist in meeting GHG reduction targets.
- 9) Requires the financial element of the RTP to include specified costs for projects that directly support low-income households and communities among the categories of projects that are proposed for development during the 20-year life of the plan.

*With regards to cities and counties:*

- 10) Requires each city and county within a region, within one year of ARB accepting a region's SCS or APS, to submit a report to the MPO that does both of the following:
  - a) Describes the specified actions taken by the city or county to implement, and that are consistent with, its regions SCS or APS.
  - b) Identifies barriers to further implementation of the region's SCS or APS, as specified.
- 11) Requires each region's MPO to establish reporting guidelines consistent with its SCS or APS in consultation with local agencies while considering any local data requested in the reporting guidelines.
- 12) Defines "15-minute city" to mean an area where every resident has access, via at most a 15-minute bike or public transit ride, to specified services, and directs OPR to develop, in consultation with the Department of Housing and

Community Development, a guidance document to provide best practices for establishing 15-minute cities.

- 13) Requires Caltrans to, by January 1, 2023, submit a proposal for a pilot program to develop bicycle highways, as specified, to the California Transportation Commission, and subsequently to report by July 1, 2026, to the relevant policy committees of the Legislature on the status of that pilot project and additional recommendations for further bicycle highway networks.

## Background

- 1) *Regional Transportation Plans*. Long-term planning decisions about transit infrastructure by local governments are guided by 20-year RTPs. Federal and state requirements for the development of RTPs have been in law since the 1970's, with additional requirements added over the years.
- 2) *Sustainable Communities and Climate Protection Act of 2008 (SB 375)*. In 2008, the Legislature passed SB 375 (Steinberg, Chapter 728), a first-of-its-kind law to recognize the critical role of integrated transportation, land use, and housing decisions to meet state climate goals. The law requires each of California's 18 regional MPOs to include a new element in their RTPs – a SCS.

The key guiding metric in a SCS is a GHG emission reduction target, which is decided by ARB upon consideration of a district's specific challenges and capabilities. This target is supposed to guide long-term planning and local decision making on new transit, housing, and roadway projects.

- 3) *Updated regional plan targets*. In an update to the SB 375 targets originally set in 2010, ARB staff proposed new targets for 2020 and 2035, which were approved in 2018. These more stringent targets again varied by MPO, but still represented a compromise between what the MPOs believed possible, and what ARB deemed necessary to achieve SB 32 targets. Specifically, the original 2010 targets would cumulatively contribute a 13% reduction in GHG emissions, and the updated targets would get to 19%. According to the 2017 Scoping Plan update, this reduction needs to be 25% - well above even the increased targets.
- 4) *SCS progress report to the Legislature*. As required by SB 150 (Allen, 2017), ARB prepared a report describing the MPOs' progress towards achieving the GHG emission reductions contained in their SCS documents. That report found that California is not on track to meet the GHG reductions expected under

SB 375 for 2020, with emissions from statewide passenger vehicle travel per capita actually increasing. It is unlikely that any MPO achieved their 2020 GHG emission reduction goals. Without substantial changes, it will be unlikely they will achieve the currently set 2035 goals either. In the report, ARB concluded, “Structural changes and additional work by all levels of government are still necessary to achieve state climate goals and other expected benefits”.

- 5) *Active Transportation Program*. California’s Active Transportation Program (ATP) was created in 2013 through SB 99 and AB 101, which consolidated a number of existing federal and state transportation programs. The goals of the ATP are to increase the proportion of trips done by biking or walking, increase the safety and mobility of non-motorized users, advance GHG emission reduction goals, enhance public health, ensure that disadvantaged communities share in the benefits, and to provide a broad spectrum of projects benefiting many types of active transportation users.
- 6) *CTP 2050*. Approved in February of 2021, the latest update of the California Transportation Plan—CTP 2050—is the state’s statutorily fiscally unconstrained long-range transportation roadmap for policy change. CTP 2050 is designed to provide a unifying and foundational policy framework for making effective, transparent, and transformational transportation decisions in California and identify a timeline, roles, and responsibilities for each plan recommendation. The CTP does not contain specific projects, but rather policies and strategies to close the gap between what RTPs aim to achieve and how much more is required to meet 2050 goals.

## Comments

- 1) *Purpose of Bill*. According to the author, “AB 1147 takes a multifaceted approach to set California on the course to meet its GHG emission reduction targets expected under SB 375 by making changes at the state, local, and regional levels to provide tools, accountability, and incentives for MPOs to meet their 2035 regional GHG emission target. AB 1147 requires each MPO to create a 2035 Target Action Plan, develops a new block grant program to ensure MPOs achieve their 2035 goals, and requires local governments to make a good faith effort to take actions that support their MPO’s SCS.

“Active transportation must play a vital role in California's goal to reduce GHG and VMT. Walking and bicycling also have many positive benefits associated with public health, strong local economies, and sustainable and equitable development. AB 1147 assists in the development of transformative

active transportation projects that other cities and countries have embraced, but have not been done in California, such as bicycle highways and 15 minute cities. AB 1147 will improve the sustainability and quality of California’s communities.”

- 2) *SGC report.* AB 285, stated the Legislature’s intent that “subsequent transportation plans improve transparency, interagency coordination, and the impact of California’s transportation investments and planning to meet the objectives set forth in this section.” The bill, in part, sought to accomplish this by tasking SGC with completing a report that would compare the options for California’s transportation future as envisioned by the CTP, as well as MPOs’ SCS/APSs. AB 1147 delays the deadline for that report by one year, and adds further direction in line with the initial intent.
- 3) *Data sharing provisions.* One of the changes AB 1147 proposes to make to the SCS process itself is to allow ARB, in preparing the SB 150 report, to request necessary data from MPOs, CTC, and stakeholders. This data, to be provided to the extent feasible, could include information like the amount of transportation funding committed and spent for each transportation mode and the correlation between transportation spending and any increase or decrease in VMT. Given the fact that MPOs are not on track to meet SCS goals, understanding to what extent projects either further or obstruct progress towards GHG emissions reductions could provide important transparency.
- 4) *Righting the ship.* As the Legislature contemplates amending the RTP/SCS process, it will be important to remember the scale of the real-world changes that need to be made. While the current SCS GHG emission reduction targets could still prove to be unachievably high, they fall short of what is needed all the same. Achieving the state’s GHG emission reduction goals will likely require a broad portfolio of solutions, touching upon land use decisions, active transportation support, transit infrastructure, and many other services. The suite of policies within AB 1147 reflect that. This bill will be a step in the right direction but will still leave significant work to be done in ensuring the state’s implementation of SB 375 leads to truly less polluting, safer, more thriving communities.

**FISCAL EFFECT:**      Appropriation:      No      Fiscal Com.:Yes      Local:Yes

According to the Senate Appropriations Committee:

- The Governor’s Office of Planning and Research (OPR) estimates costs of approximately \$377,000 in 2022-23 for 2.0 PY of temporary staff to develop a

15-minute community guidance document, and for the Strategic Growth Council (SGC) to manage the extended report on the CTP. In addition, the SGC would incur approximately \$240,000 in one-time consulting costs to assist with the supplemental assessments required as part of the updated report. (General Fund)

- Caltrans estimates costs in the range of \$75,000 to \$150,000 for 0.5 to 1.0 PY of staff time to prepare a bicycle highway pilot program proposal. Caltrans would incur additional administrative costs to implement a bicycle highway pilot program, although this bill does not explicitly require implementation. (State Highway Account)
- Unknown, potentially significant cost pressures for Caltrans to implement a bicycle highway pilot project, including planning, design, and construction of networks of bicycle highways in two of California's major metropolitan areas, as specified. (various special funds, federal funds, local funds, General Fund)
- Unknown, potentially significant local mandate costs for cities and counties to report specified information to MPOs regarding actions taken to implement the SCS and identified barriers to further implementation. Local costs could be reimbursable from the state General Fund, subject to a determination by the Commission on State Mandates. (General Fund)
- The California Transportation Commission and the ARB both report minor and absorbable costs related to specified duties in this bill. (special funds)

**SUPPORT:** (Verified 8/26/21)

350 Bay Area Action  
350 Silicon Valley  
Abundant Housing Los Angeles  
Active San Gabriel Valley  
American Lung Association in California  
California Interfaith Power & Light  
California League of Conservation Voters  
California Native Plant Society  
California Walks  
California YIMBY  
Center for Climate Change & Health  
Central California Asthma Collaborative  
ClimatePlan  
Coalition for Clean Air



Council of Infill Builders  
Defenders of Wildlife  
Elders Climate Action, NorCal and SoCal Chapters  
Endangered Habitats League  
Environmental Working Group  
Greenbelt Alliance  
New Way Homes  
NextGen California  
NRDC  
Physicians for Social Responsibility - San Francisco Bay Area Chapter  
Planning and Conservation League  
Safe Routes Partnership  
Streets for All  
The Climate Reality Project Orange County Chapter  
The Greenlining Institute

**OPPOSITION:** (Verified 8/26/21)

None received

**ASSEMBLY FLOOR:** 56-19, 5/28/21

**AYES:** Aguiar-Curry, Arambula, Bauer-Kahan, Bennett, Berman, Bloom, Boerner Horvath, Bryan, Burke, Calderon, Carrillo, Cervantes, Chau, Chiu, Cooley, Cooper, Daly, Friedman, Gabriel, Eduardo Garcia, Gipson, Lorena Gonzalez, Gray, Grayson, Holden, Irwin, Jones-Sawyer, Kalra, Lee, Levine, Low, McCarty, Medina, Mullin, Muratsuchi, Nazarian, O'Donnell, Petrie-Norris, Quirk, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Stone, Ting, Villapudua, Ward, Akilah Weber, Wicks, Wood, Rendon

**NOES:** Bigelow, Chen, Choi, Cunningham, Megan Dahle, Davies, Flora, Fong, Gallagher, Kiley, Lackey, Mathis, Nguyen, Patterson, Seyarto, Smith, Valladares, Voepel, Waldron

**NO VOTE RECORDED:** Frazier, Cristina Garcia, Maienschein, Mayes

Prepared by: Eric Walters / E.Q. / (916) 651-4108  
8/28/21 12:31:09

\*\*\*\* END \*\*\*\*