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Resolution No. 3000  
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**GUIDANCE FOR CONSISTENCY OF**  
**CONGESTION MANAGEMENT PROGRAMS**  
**WITH THE REGIONAL TRANSPORTATION PLAN**

Metropolitan Transportation Commission

January 2023

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## Abbreviations

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AB.....	Assembly Bill
ABAG.....	Association of Bay Area Governments
BAAQMD.....	Bay Area Air Quality Management District
BCDC.....	Bay Conservation and Development Commission
CFR.....	Code of Federal Regulations
CIP.....	Capital Improvement Program
CMA.....	Congestion Management Agency
CMP.....	Congestion Management Program
CTC.....	California Transportation Commission
GHG.....	Greenhouse Gas (CO <sub>2</sub> )
HRA.....	High-Resource Area
ITIP.....	Interregional Transportation Improvement Program
MPO.....	Metropolitan Planning Organization
MTC.....	Metropolitan Transportation Commission
MTP.....	Metropolitan Transportation Plan
PDA.....	Priority Development Area
PPA.....	Priority Production Area
RMWG.....	Regional Model Working Group
RTIP.....	Regional Transportation Improvement Program
RTP/SCS.....	Regional Transportation Plan/Sustainable Communities Strategy
RTPA.....	Regional Transportation Planning Agency
SB.....	Senate Bill
STIP.....	State Transportation Improvement Program
TCM.....	Transportation Control Measures
TOC.....	Transit-Oriented Communities
TRA.....	Transit-Rich Area

## **INTRODUCTION**

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### **A. Purpose of This Guidance**

The Congestion Management Program (CMP) statutes establish specific requirements for the content and development process for CMPs; the relationship between CMPs and the regional transportation planning process; Congestion Management Agency (CMA) monitoring and other responsibilities; and, the responsibilities of the Metropolitan Transportation Commission (MTC) as the Bay Area's Regional Transportation Planning Agency (RTPA) and Metropolitan Planning Organization (MPO). CMPs are not required to be prepared in counties where a majority of local governments representing a majority of the county's population and the Board of Supervisors adopt resolutions requesting to be exempt from this requirement (AB 2419 (Bowler) Chapter 293, Statutes of 1996). The following Guidance is for those counties that prepare a CMP following state statutes. For counties that opt out of preparing a CMP, MTC will work directly with the appropriate county transportation agencies to establish project priorities for funding.

CMP statutes specify responsibilities for MTC as the Bay Area's RTPA/MPO. These responsibilities include reviewing the consistency between each CMP and the Regional Transportation Plan (RTP) – which encompasses the Bay Area's Sustainable Communities Strategy (SCS) demonstrating how the region could achieve state greenhouse gas (GHG) emission reduction targets; evaluating the consistency and compatibility of the CMPs in the Bay Area; and, including CMP projects into the Regional Transportation Improvement Program (RTIP).

The purpose of this Guidance is to focus on MTC's role in making a consistency finding between the CMPs and the region's RTP/SCS (herein also referred to as "Plan Bay Area 2050").

### **B. Legislative Requirement for Congestion Management Programs**

CMPs were established as part of a bi-partisan legislative package in 1989 and approved by the voters in 1990. This legislation also increased transportation revenues and changed state transportation planning and programming processes. The specific CMP provisions were originally chartered by the Katz-Kopp-Baker-Campbell Transportation Blueprint for the Twenty-First Century by AB 471 (Katz); (Chapter 106, Statutes 1989). They were revised by AB 1791 (Katz) (Chapter 16, Statutes of 1990), AB 3093 (Katz) (Chapter 2.6, Statutes of 1992), AB 1963 (Katz) (Chapter 1146, Statutes of 1994), AB 2419 (Bowler) (Chapter 293, Statutes of 1996), AB 1706 (Chapter 597, Statutes of 2001), and SB 1636 (Figueroa) (Chapter 505, Section 4, Statutes of 2002), which defines and incorporates "infill opportunity zones." The provisions regarding establishing new "infill opportunity zones" have now expired, but established infill opportunities zones are still subject to the statutes.

CMP statutes establish requirements for local jurisdictions to receive certain gas tax subvention funds. Additionally, CMPs play a role in the development of specific project proposals for the RTIP.

## **C. The Role of CMPs in the Regional Transportation Planning Process**

CMPs can play a role in the countywide and regional transportation planning processes (although these functions can be achieved without an official CMP as well):

- CMPs can be used to identify near-term projects to implement the long-range vision established in a countywide transportation plan.
- Through CMPs, the transportation investment priorities of the multiple jurisdictions in each county can be addressed in a countywide context.
- CMPs can be used to establish a link between local land use decision making and the transportation planning process.
- CMPs can be used as a building block for the federally required Congestion Management Process<sup>1</sup>.

## **I. MTC'S ROLE & RESPONSIBILITIES**

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### **A. MTC's Responsibilities Regarding CMPs**

MTC's direct responsibilities under CMP statutes are concentrated in the following provisions:

*“The regional agency shall evaluate the consistency between the program (i.e., the CMP) and the regional transportation plans required pursuant to Section 65080. In the case of a multicounty regional transportation planning agency, that agency shall evaluate the consistency and compatibility of the programs within the region. (Section 65089.2 (a))*

*The regional agency, upon finding that the program is consistent, shall incorporate the program into the regional transportation improvement program as provided for in Section 65082. If the regional agency finds the program is inconsistent, it may exclude any project in the congestion management program from inclusion in the regional transportation improvement program. (Section 65089.2(b))*

*It is the intent of the Legislature that the regional agency, when its boundaries include areas in more than one county, should resolve inconsistencies and mediate disputes which arise between agencies related to congestion management programs adopted for those areas.”  
Section 65089.2.(d)(1))*

### **B. The RTP Regulatory Setting**

#### Federal Requirements

The primary federal requirements regarding RTPs are addressed in the metropolitan transportation planning rules in Title 23 of the Code of Federal Regulations (CFR) Part 450 (Planning and Assistance Standards) and Part 500 (Management and Monitoring Systems) and

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<sup>1</sup>See the following link for more information on the federal Congestion Management Process, [https://ops.fhwa.dot.gov/plan4ops/focus\\_areas/cmp.htm](https://ops.fhwa.dot.gov/plan4ops/focus_areas/cmp.htm)

Title 49 CFR Part 613 (Metropolitan Transportation Planning and Programming). These federal regulations have been updated to reflect the metropolitan transportation planning regulations called out in the 2021 Infrastructure Investment and Jobs Act (H. R. 3684) — known as the Bipartisan Infrastructure Law. Under the Bipartisan Infrastructure Law, the U.S. Department of Transportation requires MPOs, such as MTC, to adopt long-range Metropolitan Transportation Plans (MTP) every four years if they are in designated “nonattainment” or “maintenance” areas for federal air quality standards.

### State Requirements

California Government Code Section 65080 sets forth the state’s requirements for RTPs. Section 65080 requires MPOs located in air quality nonattainment regions update their RTPs at least every four years.

The regional agencies, the Association of Bay Area Governments (ABAG), the Bay Area Air Quality Management District (BAAQMD), and the Bay Conservation and Development Commission (BCDC), assist MTC in addressing the requirements flowing from California’s Sustainable Communities and Climate Protection Act (Sustainable Communities Act, SB 375, Chapter 728, Statutes of 2008), which requires each of the state’s 18 metropolitan areas, including the Bay Area, to reduce GHG emissions from cars and light-duty trucks. The mechanism for achieving these reductions is the preparation of an SCS.

### State RTP Guidelines

The California Transportation Commission (CTC)’s RTP Guidelines, last updated in 2017, tie together federal and state regulations and CTC policy direction to guide the development of RTPs. CTC programming policy prohibits the allocation of funds to projects that are not consistent with an adopted RTP.

Section 65080 of the Government Code, as amended by SB 375, states that the RTP shall contain four distinct elements:

- A Policy Element that reflects the mobility goals, policies and objectives of the region;
- A Sustainable Communities Strategy (SCS), as established through SB 375;
- An Action Element that identifies programs and actions to implement the RTP; and
- A Financial Element that summarizes the cost of implementing the projects in the RTP in a financially constrained environment.

### **C. Consistency Findings with the RTP/SCS**

MTC will make a finding of consistency between CMPs and the RTP/SCS based on three areas:

- Consistency with Plan Bay Area 2050’s vision and guiding principles, growth geographies and pattern, and transportation strategies and project list;
- Consistency with the MTC travel demand modeling database and methodologies; and,
- Consistency with federal and state air quality plans.

1) The RTP/SCS (“Plan Bay Area 2050”)

Plan Bay Area 2050, adopted in 2021, along with its predecessors – Plan Bay Area and Plan Bay Area 2040 – grew out of SB 375 and serves as the Bay Area’s MTP and RTP/SCS. Plan Bay Area 2050 integrates the region’s SCS into the RTP. Plan Bay Area 2050 was prepared by MTC in partnership with ABAG and in collaboration with BAAQMD, BCDC, Caltrans, the nine county-level CMAs or substitute agencies, over two dozen Bay Area transit operators, and numerous transportation stakeholders and the public. Plan Bay Area 2050 achieves and exceeds the Bay Area’s regional GHG reduction targets set forth by CARB and was prepared in compliance with the CTC’s RTP Guidelines.

***Vision and Guiding Principles***

Plan Bay Area 2050 incorporates a set of five guiding principles and ten questions to evaluate potential impacts on the corresponding guiding principle, and twenty-seven performance measures – one of those being CARB’s GHG emissions reduction target – as quantifiable measures against which progress may be evaluated in addressing the major challenges facing the region, as shown in Table 1. CMAs should consider these goals and targets when preparing their CMPs.

To assess whether a CMP is in line with Plan Bay Area 2050, MTC will first conduct a qualitative evaluation to assess whether the CMP is in support of or in opposition to the Plan's vision and guiding principles outlined in Table 1. MTC will not evaluate whether the CMP meets each of the Plan's adopted targets.

Table 1. Plan Bay Area 2050 Equity and Performance Metrics

<b>GUIDING PRINCIPLE</b>	<b>QUESTION</b>	<b>PERFORMANCE MEASURE</b>
<b>AFFORDABLE</b>	Will Bay Area residents spend less on housing and transportation?	Housing and transportation costs as a share of household income
		Average transportation expenses per trip (fare, out-of-pocket auto costs, parking costs, tolls)
	Will the Bay Area produce and preserve more affordable housing?	Share of housing that is deed restricted affordable
		Share of new housing production that is deed-restricted affordable
	Share of at-risk affordable housing preserved as permanently affordable	
<b>CONNECTED</b>	Will Bay Area residents be able to access their destinations more easily?	Number and share of total jobs that are accessible by: <ul style="list-style-type: none"> <li>• 30 min auto</li> <li>• 45 min transit</li> <li>• 20 min bike</li> <li>• 20 min walk</li> </ul>
		Share of households located near high-frequency transit (0.5 mi)
		Share of jobs located near high frequency transit (0.5 mi)
		Freeway corridor peak-hour travel time (minutes)

GUIDING PRINCIPLE	QUESTION	PERFORMANCE MEASURE
	Will Bay Area residents have a transportation system they can rely on?	Percent of person hours in transit spent in crowded conditions, by transit operator
		Share of transit assets that are not in a state of good repair
DIVERSE	Will Bay Area communities be more inclusive?	Share of households that are households with low incomes
		Homeownership rate for households with low incomes
	Will Bay Area residents be able to stay in place?	Share of neighborhoods (census tracts) that experience loss in households with low incomes over plan period
HEALTHY	Will Bay Area residents be healthier and safer?	Share of households in risk prone areas that are protected from risk: <ul style="list-style-type: none"> <li>• Sea level rise/flooding risk</li> <li>• Earthquake risk</li> <li>• Wildfire risk</li> </ul>
		Reduction in building risk exposure to damage from earthquake or wildfire
		Annual road fatalities/serious injuries per 100,000 residents
		Daily PM <sub>2.5</sub> emissions
		Parks and trails per thousand residents
	Will the environment of the Bay Area be healthier and safer?	GHG emissions from transportation per capita (cars and light-duty trucks only and all vehicles)
		Commute mode share
		Existing residential building stock efficiency (CO <sub>2</sub> , energy, and water)
VIBRANT	Will jobs and housing in the Bay Area be more evenly distributed?	Jobs-housing ratio
		Mean one-way commute distance
		Jobs-housing ration
	Will the Bay Area economy thrive?	Growth in GRP per capita (2020 dollars) between 2015-2050
		Job growth by industry wage level

***Growth Geographies and Pattern***

In addition to reducing GHG emissions, SB 375 requires that the SCS promote compact, mixed-use commercial and residential development, and identify how the region could house its current and projected population. Building upon past iterations of Plan Bay Area, Plan Bay Area 2050’s core strategy remains “focused growth” in existing communities along the existing transportation network, as well as communities with well-resourced schools and easy access to jobs, parks, and other amenities.

Plan Bay Area 2050 uses growth geographies<sup>2</sup> to guide where future housing and job growth would be focused under the plan’s strategies over the next 30 years—the growth pattern<sup>3</sup>. These

<sup>2</sup> [https://www.planbayarea.org/sites/default/files/documents/PBA2050\\_Growth\\_Geographies\\_Oct2021\\_0.pdf](https://www.planbayarea.org/sites/default/files/documents/PBA2050_Growth_Geographies_Oct2021_0.pdf)

<sup>3</sup>

[https://www.planbayarea.org/sites/default/files/FinalBlueprintRelease\\_December2020\\_GrowthPattern\\_Jan2021Update.pdf](https://www.planbayarea.org/sites/default/files/FinalBlueprintRelease_December2020_GrowthPattern_Jan2021Update.pdf)

geographies are identified for growth either by local jurisdictions or because of their proximity to transit or access to opportunity. The four types of growth geographies include:

- **Priority Development Areas (PDAs) -**  
Areas generally near existing job centers or frequent transit that are locally identified (i.e., identified by towns, cities or counties) for housing and job growth.
- **Priority Production Areas (PPAs) -**  
Locally identified places for job growth in middle-wage industries like manufacturing, logistics or other trades. An area must be zoned for industrial use or have a predominantly industrial use to be a PPA.
- **Transit-Rich Areas (TRAs) -**  
Areas near rail, ferry or frequent bus service that were not already identified as PDAs. Specifically, these are areas where at least 50% of the area is within 1/2 mile of either an existing rail station or ferry terminal (with bus or rail service), a bus stop with peak service frequency of 15 minutes or less, or a planned rail station or planned ferry terminal (with bus or rail service).
- **High-Resource Areas (HRAs) -**  
State-identified places<sup>4</sup> with well-resourced schools and access to jobs and open space, among other advantages, that may have historically rejected more housing growth. This designation only includes places that meet a baseline transit service threshold of bus service with peak headways of 30 minutes or better.

In addition, MTC has adopted a transit-oriented communities (TOC) policy, MTC Resolution No. 4530<sup>5</sup>, that applies to areas within one half-mile of existing and planned stops and stations of regional rail, commuter rail, light-rail transit, bus rapid transit, and ferries. The policy requirements consist of four elements: 1) minimum required and allowed residential and/or commercial office densities for new development; 2) policies focused on housing production, preservation and protection, and commercial anti-displacement and stabilization policies; 3) parking management; and 4) transit station access and circulation. The TOC policy supports two high-impact Plan Bay Area 2050 strategies that will help the region reach ambitious targets for reducing GHG emissions and should be recognized in the CMP (attached as Attachment B, Appendix C).

To ensure that a CMP is in line with Plan Bay Area 2050, MTC will conduct a qualitative evaluation to assess whether the CMP is in support of or in opposition to the Plan's focused growth strategy, as well as MTC's TOC Policy.

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<sup>4</sup> Plan Bay Area 2050's High-Resource Areas are a subset of the high-opportunity areas identified statewide by the California Department of Housing and Community Development that meet a minimum transit service threshold and are located in the Bay Area. See more at: <https://www.treasurer.ca.gov/ctcac/opportunity.asp>

<sup>5</sup> <https://mtc.ca.gov/planning/land-use/transit-oriented-communities-toc-policy>

***Transportation Strategies and Project List***

Twelve transportation strategies support Plan Bay Area 2050’s focused growth strategy that when taken together enable the Bay Area to reduce per capita GHG emissions and vehicle miles traveled. The transportation strategies are organized into three themes, strategies to 1) maintain and optimize the existing transportation system; 2) create healthy and safe streets; and 3) build a next-generation transit network. Approximately 75 percent of Plan Bay Area 2050’s transportation investments support operating, maintaining, and optimizing the existing transportation system. Plan Bay Area 2050’s twelve transportation strategies are shown in Table 2, below.

Table 2. Plan Bay Area 2050 Transportation Strategies

THEME	STRATEGY
<b>MAINTAIN AND OPTIMIZE THE EXISTING SYSTEM</b>	<b>T1. Restore, operate and maintain the existing system.</b> Commit to operate and maintain the Bay Area’s roads and transit infrastructure while reversing pandemic-related cuts to total transit service hours.
	<b>T2. Support community-led transportation enhancements in Equity Priority Communities.</b> Provide direct funding to historically marginalized communities for locally identified transportation needs.
	<b>T3. Enable a seamless mobility experience.</b> Eliminate barriers to multi-operator transit trips by streamlining fare payment and trip planning while requiring schedule coordination at timed transfer hubs.
	<b>T4. Reform regional transit fare policy.</b> Streamline fare payment and replace existing operator specific discounted fare programs with an integrated fare structure across all transit operators.
	<b>T5. Implement per-mile tolling on congested freeways with transit alternatives.</b> Apply a per-mile charge on auto travel on select congested freeway corridors where transit alternatives exist, with discounts for carpoolers, low-income residents, and off-peak travel; and reinvest excess revenues into transit alternatives in the corridor.
	<b>T6. Improve interchanges and address highway bottlenecks.</b> Rebuild interchanges and widen key highway bottlenecks to achieve short- to medium-term congestion relief.
	<b>T7. Advance other regional programs and local priorities.</b> Fund regional programs like motorist aid and 511 while supporting local transportation investments on arterials and local streets.
<b>CREATE HEALTHY AND SAFE STREETS</b>	<b>T8. Build a Complete Streets network.</b> Enhance streets to promote walking, biking and other micro-mobility through sidewalk improvements, car-free slow streets, and 10,000 miles of bike lanes or multi-use paths.
	<b>T9. Advance regional Vision Zero policy through street design and reduced speeds.</b> Reduce speed limits to between 20 and 35 miles per hour on local streets and 55 miles per hour on freeways, relying on design elements on local streets and automated speed enforcement on freeways.
<b>BUILD A NEXT-GENERATION TRANSIT NETWORK</b>	<b>T10. Enhance local transit frequency, capacity and reliability.</b> Improve the quality and availability of local bus and light rail service, with new bus rapid transit lines, South Bay light rail extensions, and frequency increases focused in lower-income communities.

THEME	STRATEGY
	<p><b>T11. Expand and modernize the regional rail network.</b> Better connect communities while increasing frequencies by advancing the Link21 new transbay rail crossing, BART to Silicon Valley Phase 2, Valley Link, Caltrain Downtown Rail Extension and Caltrain/High-Speed Rail grade separations, among other projects.</p> <p><b>T12. Build an integrated regional express lanes and express bus network.</b> Complete the buildout of the regional express lanes network to provide uncongested freeway lanes for new and improved express bus services, carpools and toll-paying solo drivers.</p>

To ensure that a CMP is in line with Plan Bay Area 2050, MTC will verify whether the CMP's Capital Improvement Program (CIP) is consistent with the Plan Bay Area 2050's transportation strategies and project list. The scope, schedule, and cost estimates of regionally significant projects must be consistent with Plan Bay Area 2050's project list, and non-regionally significant projects must align with a programmatic category in Plan Bay Area 2050's project list<sup>6</sup>.

2) Consistency with the MTC Travel Demand Modeling Databases and Methodologies

MTC's statutory requirements regarding consistent databases are as follows:

*The agency, (i.e., the CMA) in consultation with the regional agency, cities, and the county, shall develop a uniform data base on traffic impacts for use in a countywide transportation computer model . . . The computer models shall be consistent with the modeling methodology adopted by the regional planning agency. The data bases used in the models shall be consistent with the data bases used by the regional planning agency. Where the regional agency has jurisdiction over two or more counties, the data bases used by the agency shall be consistent with the data bases used by the regional agency. (Section 65089 (c))*

MTC desires the development and implementation of consistent travel demand models, with shared input databases, to provide a common foundation for transportation policy and investment analysis.

The Bay Area Partnership's Regional Model Working Group (RMWG) serves as a forum for sharing data and expertise and providing peer review for issues involving the models developed by or for the CMAs, MTC, and other parties. MTC Guidance for Model Consistency, Collaboration, and Transparency will be used to guide the consistency assessment of CMA models with the MTC model.

A link to the model consistency guidance is included in Attachment B, and addresses:

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<sup>6</sup> <https://www.planbayarea.org/2050-plan/final-plan-bay-area-2050/final-supplemental-reports/interactive-transportation-project-list>

- Model Development – Base Year(s): Model Development, Calibration, and Validation Report(s) and Model User Guide;
- Model Development – Base Year(s): Demographic/economic/land use assumptions;
- Model Development – Forecast Year(s): Demographic/economic/land use forecasts;
- Model Development – Forecast Year(s): Pricing assumptions;
- Model Development – Forecast Year(s): Network assumptions;
- Model Development – Forecast Year(s): Automobile ownership;
- Model Development – Forecast Year(s): Coordinated Daily Activity Pattern model/trip generation;
- Model Development – Forecast Year(s): Activity/trip location;
- Model Development – Forecast Year(s): Travel mode choice; and,
- Model Development – Forecast Year(s): Traffic and transit assignment.

### 3) Consistency with pertinent Air Quality Plans

Transportation Control Measures (TCMs) are identified in the federal and state air quality plans to achieve and maintain the respective standards for ozone and carbon monoxide. The statutes require that the Capital Improvement Program (CIP) of the CMP conform to transportation related vehicle emission air quality mitigation measures. CMPs should promote the region's adopted TCMs for federal and state air quality plans. In addition, CMPs are encouraged to consider the benefits of GHG reductions in developing the CIP, although GHG emission reductions are not currently required in federal and state air quality plans.

A reference to the lists of federal and state TCMs is provided in Attachment B. The lists may be updated from time to time to reflect changes in the federal and state air quality plans.

In particular, TCMs that require local implementation should be identified in the CMP, specifically in the CIP.

CMPs are also required to contain provisions pertaining to parking cash-out.

*The city or county in which a commercial development will implement a parking cash-out program that is included in a congestion management program pursuant to subdivision (b), or in a deficiency plan pursuant to Section 65089.4, shall grant to that development an appropriate reduction in the parking requirements otherwise in effect for new commercial development. (2) At the request of an existing commercial development that has implemented a parking cashout program, the city of county shall grant an appropriate reduction in the parking requirements otherwise applicable based on the demonstrated reduced need for parking, and the space no longer needed for parking purposes may be used for other appropriate purposes. (Section 65089 (d))*

As of January 1, 2010, cities, counties and air districts were given the option to enforce the State Parking Cash-Out statutes (Section 43845 of the Health and Safety Code), as per [SB 728](#)

[\(Lowenthal\)](#). This provided local jurisdictions with another tool to craft their own approaches to support multi-modal transportation systems, address congestion and greenhouse gases.

#### **D. Consistency and Compatibility of the Programs within the Region**

The CMP statutes require that, in the case of a multi-county regional transportation agency, that agency shall evaluate the consistency and compatibility of the CMPs within the region. Further, it is the Legislature's stated intention that the regional agency (i.e., MTC in the San Francisco Bay Area) resolve inconsistencies and mediate disputes between or among CMPs within a region.

To the extent useful and necessary, MTC will identify differences in methodologies and approaches between the CMPs on such issues as performance measures and land use impacts. The CMP statutes also require that the CMA designate a system of highways and roadways which shall be subject to the CMP requirements. Consistency requires the regional continuity of the CMP designated system for facilities that cross county borders.

To determine whether a CMP is consistent with the system definition of adjoining counties, MTC will review the draft CMPs to determine whether adjacent counties have the same designations of cross border facilities.

#### **E. Incorporation of the CMP Projects into the RTIP**

State transportation statutes require that the MTC, in partnership with the state and local agencies, develop the RTIP on a biennial cycle. The RTIP is the regional program for state and federal funding, adopted by MTC and provided to CTC for the development of the State Transportation Improvement Program (STIP). In 1997, SB 45 (Statutes 1997, Chapter 622) significantly revised State transportation funding policies, delegating project selection and delivery responsibilities for a major portion of funding to regions and counties. Subsequent changes to state law (AB 2928 – Statutes 2000, Chapter 91) made the RTIP a five-year proposal of specific projects, developed for specific fund sources and programs. The RTIP is required to be consistent with the most recently adopted RTP (Plan Bay Area 2050).

The CMP statutes establish a direct linkage between CMPs that have been found to be consistent with the RTP, and the RTIP. MTC will review the projects in the CIP of the CMP for consistency with the RTP. MTC's consistency findings for projects in the CMPs will be limited to those projects that are included in the RTP, and do not extend to other projects that may be included in the CMP. Some projects may be found consistent with a program or programmatic category in the RTP. MTC, upon finding that the CMP is consistent with the RTP, shall incorporate the CMP's program of projects into the RTIP, subject to specific programming and funding requirements. If MTC finds the CMP inconsistent, it may exclude any project in the program from inclusion in the RTIP. Since the RTIP must be consistent with the RTP, projects that are not consistent with the RTP will not be included in the RTIP. MTC may include certain projects or programs in the RTIP which are not in a CIP, but which are in the RTP. In addition,

SB 45 requires projects included in the Interregional Transportation Improvement Program (ITIP) to be consistent with the RTP.

## **II. CMP PREPARATION & SUBMITTAL TO MTC**

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### **A. CMP Preparation**

If prepared, the CMA shall develop the CMP in consultation with, and with the cooperation of, MTC, transportation providers, local governments, Caltrans, and the BAAQMD, and adopted at a noticed public hearing of the CMA. As established in SB 45, the RTIP is scheduled to be adopted by December 15 of each odd numbered year. If circumstances arise that change this schedule, MTC will work with the CMAs and substitute agencies in determining an appropriate schedule and mechanism to provide input to the RTIP.

### **B. Regional Coordination**

In addition to program development and coordination at the county level, and consistency with the RTP, the compatibility of the CMPs with other Bay Area CMPs would be enhanced through identification of cross county issues in an appropriate forum, such as Partnership and other appropriate policy and technical committees. Discussions would be most beneficial if done prior to final CMA actions on the CMP.

### **C. Submittal to MTC**

To provide adequate review time, draft CMPs should be submitted to MTC in accordance to a schedule MTC will develop to allow sufficient time for incorporation into the RTIP for submittal to CTC. Final CMPs must be adopted prior to final MTC consistency findings.

### **D. MTC Consistency Findings for CMPs**

MTC will evaluate consistency of the CMP every two years with the RTP that is in effect when the CMP is submitted; for the 2023 CMP the RTP in effect will be Plan Bay Area 2050. MTC will evaluate the consistency of draft CMPs when received, based upon the areas specified in this guidance, and will provide staff comments of any significant concerns. MTC can only make final consistency findings on CMPs that have been officially adopted.