

**Metropolitan Transportation Commission and Association of Bay Area Governments
Joint MTC ABAG Legislation Committee**

March 11, 2022

Agenda Item 2b

Senate Bill 922 (Wiener): Environmental Streamlining for Sustainable Transportation

Subject:

Removes the statutory sunset in current law that exempts from California Environmental Quality Act (CEQA) requirements for certain transit, bicycle and pedestrian projects that advance the state's climate, safety, and health goals; Makes changes to refine exemption eligibilities and adds equity-oriented guardrails for large projects seeking to utilize the exemption.

Overview:

MTC in 2020 supported legislation by Senator Wiener (SB 288), which authorizes until January 2023 CEQA exemptions for certain transportation projects that do not add lane miles or capacity for single-occupancy automobiles and that meet goals related to shifting trips from single occupancy vehicles (SOV) to transit, carpool, bicycling and walking. The aim is to expedite project delivery for climate-friendly transportation investments; since the SB 288 technical advisory was released late last year, numerous projects have benefitted from the exemption, including transit priority and bicycle and pedestrian improvements in San Francisco. Because the CEQA process often provides an important forum for public participation, SB 288 requires public notice and meetings for those newly CEQA-exempt projects over \$100 million.

SB 922 would remove the 2023 sunset and make refinements, including:

- Expansion of bus priority project eligibilities to include a broader range of bus priority improvements than are specified in SB 288;
- Expansion of the existing zero-emission charging/refueling infrastructure exemption to publicly-owned or utility-owned facilities, even if the facilities are not on a property owned by the local agency or in the public right of way; and
- Providing that for projects over \$100 million in areas at risk of residential displacement, sponsors must complete a displacement analysis that includes mitigations for disproportionate impacts.

Recommendation:

Support (MTC)

Discussion:

MTC supported SB 288 in 2020, which has already helped expedite transit, bike/ped and other projects encouraging a shift from SOV-travel and Section 4(b) of our 2022 Advocacy Program directly supports an extension of SB 288, including supporting opportunities to broaden its provisions to include additional bus transit priority projects. SB 922 would not only permanently extend SB 288 but would also broaden the CEQA exemption to include additional bus transit priority projects. According to a 2021 survey administered by the California Transit Association (and in partnership with other SB 922 bill co-sponsors), many more Bay Area projects stand to benefit from an SB 288 extension, including:

- Zero-emission bus charging infrastructure to support bus fleet electrification, including for County Connection, Fairfield and Suisun Transit (FAST), and Santa Rosa City Bus
- AC Transit Grand Avenue bus rapid transit (BRT) and transit reliability improvements
- Part-time bus lane on Highway 101 in Marin
- Transportation Association of Marin-led bicycle projects and transit stop upgrades
- Napa Valley Vine Trail pedestrian and bicycling facilities

Accordingly, staff recommends MTC adopt a “support” position on SB 922.

Known Positions:

Support

Bay Area Council (co-sponsor), California Transit Association (co-sponsor), San Francisco Planning and Urban Research (SPUR) (co-sponsor), Silicon Valley Leadership Group (co-sponsor)

Opposition

No known opposition

Attachments:

- None



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