

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

March 11, 2022

Agenda Item 3f

Senate Bill 1049 (Dodd): Transportation Resilience Funding Program

Subject:

Establishes a new state program to invest in transportation resilience planning and projects; program to be funded from new federal resilience funding.

Overview:

The 2021 federal Bipartisan Infrastructure Law (BIL) increases California's federal highway funding to \$30 billion over five years, a more than 50 percent increase from the previous five-year law. California's National Highway Performance Program (NHPP) funds would grow from \$10 billion under the previous law to \$12.8 billion over BIL's five-year funding period (fiscal year 2022-2026). California typically directs NHPP funds to state highway system maintenance and upgrades, with a portion of the funds reserved for the local assistance Highway Bridge Program. The 2021 federal law newly allows NHPP funds to be spent on resilience, including an allowance for up to 15 percent of the funds to be spent on protective features, as defined, anywhere on the federal aid system. The BIL also creates a new resilience formula program, the Promoting Resilient Operations for Transformative, Efficient and Cost-saving Transportation (PROTECT) Program, which provides California approximately \$630 million over five years. PROTECT funds can be used for resilience improvements that protect surface transportation assets, including highway projects eligible for federal surface transportation funding, public transit, and port facilities; at least two percent must be spent on resilience planning.

Senate Bill (SB) 1049 would establish a new Transportation Resilience Program at the state level to be funded from 15 percent of California's NHPP funds (\$1.9 billion over five years) and 100 percent of the new PROTECT program. The new program would be administered by the California Transportation Commission (CTC) and would fund climate adaptation planning and resilience improvements that address or mitigate the risk of recurring damage to (or closure of) the state highway system or other federal-aid roads, public transit facilities, and other surface transportation assets as a result extreme weather events, sea level rise, or other climate change-

fueled natural hazards. For details on how funds will be distributed and projects evaluated, see Attachment A.

Recommendation:

Support / Sponsor (MTC)

Discussion:

From State Route 37 in the North Bay to the U.S. Highway 1 to the Port of Los Angeles, sea level rise and other climate-fueled hazards are threatening California's critical surface transportation infrastructure and surrounding communities. Large-scale investment will be needed make California's transportation assets and communities resilient to climate hazards. Plan Bay Area 2050 estimates a \$19 billion cost to adapt the region's infrastructure and its communities for just two feet of sea level rise.

In the Bay Area and around the state, many cities, counties, and multi-jurisdictional, multi-stakeholder groups have begun robust climate adaptation planning work. For example, in the North Bay, county leaders, MTC, and other state and regional stakeholders have developed the State Route 37 Resilient Corridor Program. SB 1 adaptation grants have helped fund climate adaptation plans to protect critical transportation infrastructure throughout the state, from Highway 1 through the Central Coast to rail infrastructure in Orange County to the San Francisco Bay Trail. However, much more is needed to support climate adaptation planning to protect our transportation infrastructure and to further develop many of the projects identified in existing multi-stakeholder plans. At the same time, funding is also needed to begin implementing resilience projects already identified through robust multistakeholder planning.

SB 1049 would provide much-needed dedicated resources for both resilience planning and project implementation. Importantly, the proposed Transportation Resilience Program would integrate the extensive climate adaptation planning already undertaken throughout the state into the program structure and it would direct the CTC to direct funding to protect high-priority vulnerable assets. In line with the approach in Plan Bay Area 2050, the CTC would additionally be directed to prioritize projects that help the state in meeting greenhouse gas reduction goals, utilize nature-based solutions, and advance equity.

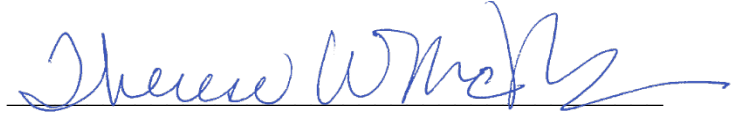
We recommend that MTC support SB 1049. Additionally, Senator Dodd, the bill author, has requested MTC sponsor the bill. Given this, we further recommend that MTC sponsor SB 1049.

Known Positions:

No known positions

Attachments:

- Attachment A: Details on SB 1049 Funding Distribution and Criteria

A handwritten signature in blue ink, appearing to read "Therese W. McMillan", is written over a horizontal line.

Therese W. McMillan

Details on Senate Bill (SB) 1049 (Dodd) Funding Distribution and Criteria

SB 1049 distributes Transportation Resilience Program funds as follows:

- 10 percent for climate adaptation planning, including development of multistakeholder regional or local adaptation plans and development of vulnerability assessments.
- 75 percent for resilience improvement projects to implement priority projects identified in multistakeholder adaptation plans, including plans funded from Senate Bill 1 (SB 1) adaptation grants, a comprehensive multimodal corridor plan that incorporates climate resilience, or other multistakeholder adaptation plan, including a plan funded from a Transportation Resilience Program planning grant.
- 15 percent for either adaptation planning or resilience improvement projects (in allocating funding, the California Transportation Commission (CTC) would be directed to consider demand for both planning and projects).

Resilience Improvement Project Selection Criteria

SB 1049 would require the CTC to prioritize resilience improvement projects that address a risk to the network's highest priority vulnerable assets. In making this determination, the commission would be directed to consider the following:

1. How vulnerable is the asset?

The degree of risk for recurring damage or asset failure due to climate threats. For projects on the state highway system, the commission would be directed to consult the [Caltrans 2020-2021 adaptation priority reports](#) or any subsequent updates;

2. How critical is it that the transportation asset is protected?

The benefits of the project to preserving or enhancing regional or statewide mobility, economy, goods movement, safety, and other benefits; and

3. What are other benefits of the project?

The benefits of the project to preserving or protecting adjacent communities, the environment, and other critical infrastructure.

In addition to the criteria above, the CTC would be directed to evaluate the extent to which the project will help the state in meeting greenhouse gas reduction goals, utilizes natural infrastructure (e.g. marsh restoration), and advances equity.