



METROPOLITAN
TRANSPORTATION
COMMISSION

Agenda Item 3a
Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105
TEL 415.778.6700
WEB www.mtc.ca.gov

Memorandum

TO: Legislation Committee

DATE: December 2, 2016

FR: Deputy Executive Director, Policy

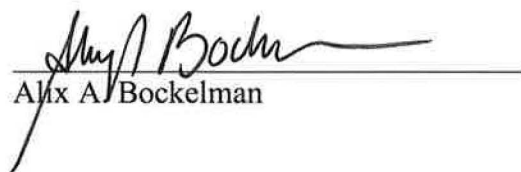
W.I. 1131

RE: 2017 Final Advocacy Program

The proposed Final Advocacy Program for 2017 is attached for your review and comment. The proposed modifications to the draft shared last month are based on feedback received by commissioners, along with suggestions from other stakeholders.

Changes from the draft we presented in November are shown in *italic type*. In response to commissioner input at your November 4, 2016 meeting, we have added provisions with respect to connected and autonomous vehicles to both the state and the federal advocacy agenda. In addition, in light of the Presidential election and the fact that the Republican Party maintains control of both houses in Congress, we are proposing that we focus our federal efforts on defending the FAST Act program structure and funding levels and on securing funding for an infrastructure package.

The Draft Advocacy Program has been shared with MTC's Policy Advisory Council along with key stakeholders from transportation agencies across the region through our informal Partnership Legislative Committee, comprised of over 120 individuals who have signed up with MTC to receive state and federal legislative updates.


Alex A. Bockelman

Attachment:

- Attachment A: 2017 Final Advocacy Program

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METROPOLITAN
TRANSPORTATION
COMMISSION

2017 FINAL ADVOCACY PROGRAM

Attachment A

Bay Area Metro Center
375 Beale Street, Suite 800
San Francisco, CA 94105
415-778-6700
www.mtc.ca.gov

STATE		
Issue	Goal	Strategy
1. Transportation Funding	A. Secure new sources of statewide transportation funding	Build on momentum from the last two years to secure new statewide funding for transportation. Advocate that all transportation modes should benefit from increased transportation funding.
	B. Authorize New Regional Bridge Toll Measure – Regional Measure 3	Sponsor legislation authorizing MTC to place on the ballot a measure asking Bay Area voters to approve a bridge toll increase <i>to fund congestion relief and improved mobility in</i> bridge corridors.
	C. Cap and Trade Funding	Maintain the existing transportation and housing programs funded by cap and trade and seek opportunities to direct additional cap and trade funds towards these purposes. Monitor legislation to modify the programs and support administrative or legislative efforts to streamline applications and simplify program administration.
	D. Update State Transit Assistance Statutes to Stabilize Revenue-Based Funding	Work with the California Transit Association to update the statutes governing the State Transit Assistance Program so that each operator's share of revenue-based funds is based on its share of locally-generated funds used exclusively for operating purposes. This is consistent with the method used by the State Controller until 2016 and brings state law in line with the regulations that have governed the program for decades.
	E. Definition of Disadvantaged Communities	Monitor legislation related to the definition of disadvantaged communities (DACs) as it relates to cap and trade or other relevant funding programs. Seek opportunities to broaden the definition in statute so that it includes all socio-economically disadvantaged communities. Monitor and engage in administrative efforts related to updating the CalEnviroScreen, the state's current DAC screening tool developed by the Office of Environmental Health Hazard Assessment (OEHHA).

Issue	Goal	Strategy
1. Transportation Funding (cont'd)	F. Increase funding in FY 2017-18 State Budget for key priorities	Advocate for a FY 2017-18 State Budget that focuses transportation funds on the state's most important needs, giving top priority to state of good repair and system operations. Pursue increased investment in Freeway Service Patrol, public transportation, active transportation and highway operations/system management.
	G. Raise the sales tax cap for local option transportation sales taxes	Support efforts by individual Bay Area counties to raise the cap on local sales taxes in order to accommodate additional transportation sales taxes. Ensure legislation to provide such an increase preserves a reasonable degree of local control over the development of the expenditure plan, subject to negotiation with the state on road maintenance issues.
2. Senate Bill 375/ Plan Bay Area Implementation	A. Increase state funding and reduce barriers to construction of new housing	Partner with Bay Area and statewide affordable housing organizations, the Bay Area Council, Silicon Valley Leadership Group, and other interested parties to resume efforts to augment state funding sources for affordable housing. Support legislative efforts to assist the region in the meeting the daunting need for new housing units to lower the cost of housing, accommodate the region's growing population and sustain the Bay Area's position as a leading economic engine for the state and U.S.
	B. Improve Roadway Safety for All Users	In partnership with the City and County of San Francisco, San Francisco Municipal Transportation Agency, the City of San Jose and others, support legislation to help achieve Vision Zero — aimed at eliminating all traffic-related <i>serious injuries and fatalities</i> fatal injuries by 2024. Support proposals to increase enforcement of traffic laws protecting pedestrians and bicyclists, and where appropriate, pursue new laws to improve safety <i>throughout the transportation network</i> .
3. Project Delivery	Speed up the design and construction of transportation projects	Support legislation to expedite transportation project delivery by increasing contracting and financing options, including increased flexibility in the Caltrans design review process and broad authority for the use of design-build by Caltrans and regional transportation agencies. Pursue opportunities to establish requirements that would provide greater certainty and oversight of Caltrans reimbursement expenses for locally-sponsored projects on the state highway system.

Issue	Goal	Strategy
4. CEQA Reform	<i>Update CEQA to curb its abuse by project opponents and speed up the environmental review process</i>	<i>Monitor legislation related to the California Environmental Quality Act (CEQA) to seek opportunities to expedite transportation projects and avoid litigation and project delay for key regional priorities, such as projects to expand public transit and build affordable housing. Review and comment on the update to the CEQA Guidelines by the Governor's Office of Planning & Research with respect to analysis of transportation impacts under CEQA pursuant to SB 743 (Steinberg, 2013). Advocate for guidelines and a technical advisory document that makes CEQA analysis simpler for transit-oriented development and implementation of Plan Bay Area overall.</i>
5. Shared Mobility	Support policies that enable technological innovations to improve mobility, while protecting the public's interest	Monitor legislation related to shared mobility, such as transportation network companies and real-time carpooling, to ensure that mobility benefits are maximized, and access to critical data for transportation and land-use planning and operational purposes is assured.
6. Connected and Autonomous Vehicles	<i>Monitor and engage in legislation and regulations to facilitate deployment of connected vehicles and autonomous vehicles</i>	<i>In partnership with Bay Area cities and counties, transit agencies, the business community, and other transportation organizations, engage in regulatory and legislative efforts related to connected and autonomous vehicles with the goal of accelerating their mobility, safety and economic benefits. Support efforts to expand the two-site Contra Costa pilot program authorized by AB 1592 (Bonilla, 2016) to other Bay Area jurisdictions interested in testing autonomous vehicles.</i>
7. FasTrak®/ Express Lanes	Reduce paper & improve customer communication	Seek opportunities to expedite implementation of the Bay Area express lane network and oppose legislation that would undermine express lane performance. Pursue changes to current law that would enable us to communicate with FasTrak® customers more effectively. Consolidate customer notification of privacy policies for the Bay Area Toll Authority, the Bay Area Infrastructure Financing Authority and partner agency express lane operators. Current law requires that a recipient of a FasTrak® flex tag receive a copy of each of these agency's individual privacy policies even though they are almost identical. This is confusing to the customer and a waste of resources. Lastly, modernize the public notification requirements for adoption of a toll ordinance for express lanes to allow for online publishing of the ordinance rather than via newspapers which cost BATA almost \$40,000.

Issue	Goal	Strategy
8. Transportation Development Act (TDA) Public Hearing Requirement	Eliminate requirement for “transit needs” hearings utilizing a Social Services Transportation Advisory Council (SSTAC) in counties that use 100% of TDA for public transit	Under current law, <i>with respect to any county with a population below 500,000 in 1970, transportation planning agencies, such as MTC, are required to convene a Social Services Technical Advisory Committee to annually identify the transit needs of the county, review and recommend action by the TPA</i> and conduct at least one public hearing a year. The hearings are required to target "transit dependent and transit disadvantaged populations" (seniors, disabled and low-income). State law included this requirement as a way to ensure these populations had an opportunity to provide comments about transit needs prior to counties using <i>Transportation Development Act (TDA)</i> funds for non-public transit purposes, i.e., local streets and roads. Since the Bay Area counties subject to this requirement — Marin, Napa, Solano and Sonoma— have ceased using eligible TDA funds for local roads, and now spend it exclusively on transit, the hearing requirement is moot for our region. Staff would seek to include this fix in a transportation omnibus “clean-up” bill administered by the Senate Transportation Committee next year.
9. State Route 37	<i>Relieve congestion and mitigate the effects of sea level rise on S.R. 37</i>	<i>In partnership with the State Route 37 Policy Committee and its representative agencies, support legislation to address sea level rise, reduce congestion and improve safety on State Route 37.</i>

FEDERAL		
Issue	Goal	Strategy
1. 2. Federal Appropriations	A. Maximize <i>Defend</i> federal transportation appropriations for FAST Act programs and affordable housing funds and programs	Partner with local, regional and statewide transportation agencies as well as national stakeholders to ensure that Congress appropriates funding in fiscal year 2017 and fiscal year 2018 consistent with amounts authorized in FAST Act. <i>Likewise, work to defend federal affordable housing funds and programs, such as the Low-Income Housing Tax Credit.</i>
	B. Advocate for Capital Investment Grant funding for Resolution 3434/ Plan Bay Area Projects	Support annual Capital Investment Grant appropriations to help implement the Regional Transit Expansion Program, Resolution 3434, consistent with the full funding grant agreements approved for the San Francisco Third Street Light Rail/Central Subway project and the BART to Berryessa extension. Seek New Starts commitments for the next generation of transit expansion projects, consistent with Plan Bay Area, namely: San Francisco Transbay Transit Center (Phase 2)/Downtown Extension (DTX) and BART to Silicon Valley: Phase 2. Support Core Capacity Program requests from Caltrain for a full funding grant agreement for the Peninsula Corridor Electrification Project and BART for the Transbay Corridor Core Capacity project. Support transit operator requests for Small Starts funding for projects consistent with Plan Bay Area, including projects already in the Capital Investment Grant process.
2. <i>Infrastructure Funding</i>	Prioritize <i>multimodal</i> transportation and housing investment in metropolitan regions under any new infrastructure funding initiative	Urge the new Congress and Administration to make transportation and housing infrastructure in the nation's metropolitan regions a national funding priority. Work with partners across the country to support an investment package with <i>funding and financing tools that work for metropolitan regions, including new revenues for mega-project grants for major transit, congestion relief and goods movement projects</i> , a new metro-mobility formula program and increased funding for existing authorized transportation programs, including the surface transportation block grant and congestion mitigation and air quality programs. In conjunction, support growing federal resources for affordable housing, including low income housing tax credits, the National Housing Trust Fund, and Community Development Block Grant program funding.

Issue	Goal	Strategy
4. 3. Fixing America's Surface Transportation (FAST) Act Reauthorization and Federal Funding	A. <i>Support a FAST Act reauthorization platform that will increase and stabilize funding and support program structure updates that empower the region to achieve Plan Bay Area goals</i>	Work with our partner Bay Area transportation agencies, Caltrans and other statewide and national organizations to develop a FAST Act reauthorization agenda. Begin building coalitions to support regional priorities. Reauthorization strategies could include building on the federal program's performance-based framework by rewarding high-performing regions with additional funding and flexibility; identifying opportunities to secure additional freight, ferry, transit and commuter rail funding to the region; and identifying a new, permanent funding source of funding for the Highway Trust Fund.
	B. Retain a strong multi-modal focus for U.S. Department of Transportation discretionary grant programs	Work with the incoming U.S. Department of Transportation as the agency develops evaluation criteria for discretionary programs, including TIGER and FASTLANE grants. Partner with local, regional, state, and national stakeholders to advocate for evaluation criteria with an enhanced emphasis on outcomes consistent with Plan Bay Area goals and targets, including state of good repair, mobility and access, and resiliency sustainability and environmental outcomes .
4. Shared Mobility	Update transportation fringe benefits to support shared economy alternatives to single occupancy vehicle commuting	<i>Work with regional and national partners to defend the commuter benefit under any tax reform proposal. In addition,</i> advocate for expanding pre-tax transportation fringe benefit eligibility to include shared mobility options, such as bike-share and shared ride carpool services. With emerging technologies spurring new mobility services, commuters are increasingly utilizing new alternatives to driving alone. In addition, enhanced data collection is improving verification capability for technology-enabled carpooling. This change would support the now-permanent Bay Area Commuter Benefits program by expanding federal tax incentives to carpool and bike to work, in addition to taking transit and vanpooling.
5. Local/Regional Transportation Funding	Marketplace Fairness Act	Support <i>any</i> renewed efforts to enact the Marketplace Fairness Act (MFA), which seeks to apply state and local sales tax rates to e-commerce transactions. The MFA has the prospect of increasing funding for Bay Area transportation agencies as a result of increased revenue from county-based transportation sales taxes, the Transportation Development Act (TDA) funds — a key source of transit operating funding — and AB 1107, the permanent ½ cent sales tax for BART (applicable in Alameda, San Francisco and Contra Costa counties).

6. Affordable Housing	A. Increase federal affordable housing resources	Consistent with the Plan Bay Area affordable housing funding goal, support ongoing efforts to expand and increase federal affordable housing resources. Targeted resources include the Community Development Block Grant program <i>and</i> low-income housing tax credits, and National Housing Trust Fund.
	B. Improve existing programs to better support mixed-use, transit-oriented development	Work with local, regional, and national stakeholders to identify and eliminate barriers to mixed-use, affordable housing development around transit.
6. Climate Change	Secure new funding for resilient and sustainable infrastructure	Monitor legislative proposals to combat climate change and engage on efforts that could support the region in improving resiliency and meeting the Plan Bay Area climate goal.
7. <i>Connected Vehicles and Autonomous Vehicles</i>	<i>Monitor and engage in legislation and regulations to facilitate deployment of autonomous vehicles</i>	<i>In partnership with Bay Area cities and counties, the business community, state and national transportation organizations, engage in regulatory and legislative efforts at the federal level related to connected vehicles and autonomous vehicles with the goal of accelerating their mobility, safety and economic benefits.</i>