

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

January 10, 2020

Agenda Item 5a

MTC / ABAG 2020 Advocacy Program

Subject: Proposed MTC / ABAG 2020 Advocacy Program.

Overview: The proposed MTC/ABAG Advocacy Program for 2020 is attached for your final review and approval. Modifications to the draft shared in November are based on comments received at your November meeting where we presented the first draft, as well as input from MTC's Policy Advisory Council, ABAG's Regional Planning Committee and other meetings with Bay Area transportation agencies and regional agency partners from across California.

Changes from the November draft are shown in track *italics* or ~~striketrough~~.

Notable changes include:

- **State - Item 2A (Regional transportation ballot measure)** – clarifying that if requested by Senator Beall, MTC will help to facilitate a public engagement process regarding which projects, programs and policies should be included in a regional transportation funding measure.
- **State - Item 2C (Equitable access to transportation):** support for policies aimed at ensuring transportation funding programs benefit disadvantaged communities in a manner that defines such communities more broadly than the state's CalEnviroScreen method, which disproportionately excludes the Bay Area's low-income communities.
- **State - Item 4A (Flexibility on Contracting and public-private partnerships):** augmenting this item to indicate support for policies that allow partnerships with the private sector on public right of way to accelerate deployment of technology.
- **Federal – Item 3 (Transportation Innovation):** added specific support for policies that facilitate connected vehicles and autonomous vehicles (CV/AV) deployment including preserving the 5.9 GHz spectrum.
- **Federal - Item 4 (Climate Protection and Air Quality):** expanded position to advocate for a strong federal partner rather than simply defending against rollbacks. Added support for federal funding of San Francisco Bay conservation and restoration projects, reauthorization of the National Estuary Program, and flexibility to invest transportation funds in resiliency improvements that deliver co-benefits.

New items added include:

- **State - Item 2D (Regional trails and bicycle/pedestrian funding):** support for regional trails and bicycle/pedestrian funding to help support the San Francisco Bay Trail and Bay Area Ridge Trail.
- **State - Item 3B (Seamless Mobility):** support for legislation aimed at improving the traveler experience through an interconnected, safe, multimodal transportation system, including policies aimed reducing per capita vehicle miles traveled and increasing transit ridership.

- **State - Item 4B (CEQA):** engage on legislation related to changes to the California Environmental Quality Act with the goal of accelerating transportation and housing development projects that are consistent with local and regional plans without diminishing environmental safeguards.
- **State - Item 8E (Wildfire mitigation):** support for legislation aimed at protecting current and future residents from wildfire risk.
- **State - Item 8F (Climate adaptation):** support for funding for regions and localities to invest in projects to help improve resilience to the impacts of climate change.
- **Federal – Item 2C (Housing tax credits):** support for expanding the federal Low-Income Housing Tax Credit Program, the state's largest source of federal funding for new affordable housing.

We look forward to receiving any additional comments you may have at the meeting on January 10th. A final advocacy program incorporating any additional changes made at that meeting will be forwarded to the ABAG Executive Board for adoption on January 16th and the Commission for adoption on January 22.

Issues: None identified.

Recommendation: Staff recommends the proposed MTC/ ABAG 2020 Advocacy Program be forwarded to the ABAG Executive Board and MTC Commission for approval.

Attachments: Attachment A: MTC/ABAG 2020 Advocacy Program



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METROPOLITAN
TRANSPORTATION
COMMISSION

2020 ~~DRAFT~~ ADVOCACY PROGRAM



Association of
Bay Area Governments

Advocacy program additions based on feedback are *italicized* and deletions are represented with a ~~strike through~~.

State Advocacy Goals and Proposals

1. **Housing:** Improve access to opportunity by supporting policies aimed at increasing production of housing and increasing funding to produce and preserve affordable housing and associated infrastructure to help build complete communities.

A. Increase funding available for affordable housing and other supportive infrastructure *while also reducing the cost of housing production*

Monitor and support efforts to provide additional state resources for housing and ~~other infrastructure~~ *housing-supportive infrastructure, planning and services* to ensure housing investments can be made in conjunction with improvements to parks/open space, and other resources to improve Bay Area resident's quality of life.

Efforts will include advocacy in support of a restoration of tax-increment financing or similar local option for affordable housing and supportive infrastructure, such as AB 11 (Chiu), a two-year bill, or a reconfiguration of SB 5 (Beall), which was vetoed in 2019 by Governor Newsom. *Continue to support for ACA 1 (Aguiar-Curry), which would lower the vote threshold for housing and infrastructure bonds to 55 percent. Support innovative strategies to reduce the cost of permitting and housing construction without diminishing environmental and labor standards and safeguards.*

B. Support upzoning near public transit and jobs-rich areas *with reasonable levels of flexibility*

Monitor and engage with key stakeholders on SB 50 (Wiener), a two-year bill that seeks to reduce barriers to higher-density housing development in transit- and jobs-rich areas. Continue to advocate for the MTC and ABAG Joint Legislation Committee's recommendations from May 2019, which sought to provide greater flexibility on implementation at the local level, while still requiring minimum levels residential density to be allowed in transit-rich and jobs-rich areas.

C. ~~Lower barriers to new housing or transportation tax measures~~

~~Support ACA 1 (Aguiar-Curry) which would lower the vote threshold for affordable housing and infrastructure bonds to 55 percent.~~ *(Note: support for this has been incorporated into Item 1A)*

2. Transportation Funding: Support implementation of Plan Bay Area 2050 by protecting and increasing funding for all modes of transportation.	
A. Regional transportation revenue ballot measure	Collaborate with key stakeholders seeking authorization to place on the ballot a Bay Area transportation revenue measure. Ensure that any measure is aligned with <i>Plan Bay Area</i> and includes reforms to support the efficient management and seamless operation of our transportation system. <i>If requested by Senate Transportation Committee Chairman Senator Beall, the author of SB 278, MTC will help to facilitate</i> a robust public engagement process so that all Bay Area needs are considered when crafting the package of projects, programs and policies. Assuming placement of a regional transportation measure on the ballot in 2020, staff will work to develop public information materials and support partners in their efforts to inform the public about the proposed initiative.
B. Zero-emission bus mandate	Support expanding and/or broadening eligibility of existing state funds to help transit operators convert their bus fleets to zero-emission in order to meet the state’s Innovative Clean Transit rule <i>without diminishing transit operators’ ability to provide the transit service levels needed to meet other important regional goals, including attracting more riders to public transit.</i>
C. Equitable access to transportation	Support broadening eligibility requirements in existing and/or new transportation funding streams to enable their use as a subsidy for low-income transportation system users (e.g. discounted fares for public transportation or shared mobility services), <i>consistent with performance measure updates outlined in 3A. Advocate that legislation aimed at benefiting disadvantaged communities use a definition that includes low-income communities and does not rely exclusively on communities defined by the state’s CalEnviroScreen method which disproportionately excludes the Bay Area low-income communities relative to other parts of the state.</i>
D. Regional trails and bicycle/pedestrian funding	<i>Support the inclusion of funding for regional trails, such as the San Francisco Bay Trail and the Bay Area Ridge Trail, for recreation as well as active transportation, in a statewide park bond.</i>

3. Public Transit: Support policies aimed at ensuring public transit is an affordable, reliable and convenient transportation option.	
A. Transportation Development Act (TDA) performance standards update	Partner with the California Transit Association in its efforts to update California's current TDA (Transportation Development Act) eligibility requirements in an era of emergent on-demand transportation options that are contributing to declining transit ridership nationwide. Explore development of alternative performance measures that are focused on incentivizing transit agency actions that improve transit service and increase ridership, consistent with state and regional climate and equity goals. <i>Ensure changes protect transit operators from financial penalties if reduced farebox revenue is a result of discount fares for low-income riders.</i>
B. Seamless Mobility	Support legislative efforts aimed at improving the traveler experience through an interconnected, safe, multimodal transportation system that supports progress toward Plan Bay Area goals, including a reduction in per capita vehicle miles traveled and increased transit ridership.
4. Project Delivery: Support strategies to speed up the delivery of transportation <i>and housing</i> projects with the goal of delivering improvements faster and at a lower cost.	
A. Flexibility in Contracting & Public-Private Partnerships	Increase <i>flexibility in contracting and public private partnerships. Support reforms to expedite project delivery. Increase flexibility in the Caltrans design review process and provide broad authority for the use of design-build and public-private partnerships by Caltrans and regional transportation agencies. Support policies that would authorize public agencies to partner with the private sector on public right of way to accelerate deployment of technology, such as fiber optic cable, necessary for connected vehicle deployment.</i>
B. California Environmental Quality Act (CEQA)	Monitor and engage on legislation related to CEQA with the goal of accelerating transportation and housing development projects that are consistent with local and regional plans without diminishing environmental safeguards.
5. Congestion Relief: Support policies aimed at reducing vehicle miles traveled and associated traffic congestion, including, but not limited to, pricing strategies and employer-based programs to help reduce the share of commuting by single-occupant vehicles. Keep equity impacts in mind when evaluating any such pricing strategies.	

6. System Effectiveness: Advocate for policies that improve the Bay Area’s transportation system’s effectiveness and service delivery, including improved enforcement, minimization of fraud and litigation, and protection of user’s privacy. Ensure agencies can communicate with their customers to provide relevant transportation-related information and quality service while following industry best practices with regard to enabling customers to opt-in to receive non-essential communications.	
A. Improve toll collection & enforcement	Support enactment of SB 664 (Allen), related to affirming toll agencies’ ability to share information about toll transactions necessary for the seamless collection of tolls and toll penalties. The bill would retain current privacy protections for customers, clarify current law with respect to handling of personally identifiable information by toll agencies and their subcontractors, and more clearly define toll agencies obligations with respect to delivery of toll violation notices. Engage the Bay Area delegation and staff on the importance of tolls to our current and future transportation system and ensure that they are well informed about how we administer toll violations and disputes, as well as our privacy policies with respect to protecting personally identifiable information.
B. Reduce credit card fraud at Clipper® vending machines	In partnership with the California Transit Association and Bay Area transit operators, support legislation to prevent fraud-related fare revenue losses by authorizing credit card ZIP code authentication at unattended public transit ticket machines, similar to authorization granted to gas stations.
C. Improve HOV and Express Lanes Performance	Support efforts to improve the performance of high-occupancy vehicle (HOV) and express lanes through enhanced enforcement of vehicle passenger occupancy requirements.
7. Mobility on Demand New Mobility: Engage in regulatory and legislative efforts to facilitate the deployment of new mobility technologies with the goal of accelerating their safety, accessibility, mobility, environmental, equity, and economic and workforce benefits, including opportunities to support improved <i>increase access to transit access and reduce the share of single-occupancy vehicle trips</i>. Advocate for increased access to critical travel pattern data by local, regional and state agencies for transportation and land use planning and operational purposes while ensuring privacy is protected.	
8. Climate Change, Energy Efficiency & Resilience: Support funding and policy strategies to help achieve and better coordinate state and regional climate goals, <i>advance energy efficiency</i> and improve the Bay Area’s resilience to natural hazards and the impacts of climate change, including earthquakes, sea level rise and fire.	

A. SB 375 implementation and reform	Monitor legislation aimed at updating SB 375 (Steinberg, 2008) in light of the California Air Resources Board's <i>2018 Progress Report</i> on the bill, which concluded that the legislation is falling short of expectations with respect to greenhouse gas reductions from changes in land use and travel behavior. Support legislation to increase the availability of funding at the regional level to help implement sustainable communities strategies, as well as policy tools to reduce single-occupancy vehicle travel in a manner that ensures equitable policy outcomes.
B. State Route 37 improvements	Sponsor legislation in collaboration with Caltrans and the four north bay counties of Marin, Napa, Solano and Sonoma to authorize tolls on State Route 37—adding it as the 8th bridge in the state-owned toll bridge system administered as part of the Bay Area Toll Authority enterprise—to help fund the long-term <i>multi-modal</i> reconstruction and resilience of the SR 37 roadway. Ensure legislation contains appropriate triggers related to a long-term solution in the corridor before tolls are imposed.
C. Increase the Bay Area's preparedness for a major earthquake	Continue to support legislation aimed at increasing funding for residential seismic retrofits, such as SB 254 (Hertzberg), a two-year bill supported by ABAG in 2019. Also support proposals to help local agencies develop an inventory of seismically vulnerable buildings, such as AB 429 (Nazarian, 2019), which ABAG also supported but which stalled on the Senate Floor.
<i>E. Wildfire mitigation</i>	<i>Monitor and support legislation aimed at protecting current and future Bay Area residents from wildfire risk.</i>
<i>F. Climate adaptation</i>	<i>Seek state funding for regions and localities to invest in projects and programs that will improve the Bay Area's resilience to the impacts of climate change, including fire and sea level rise. As in Item 2C, advocate that any such funding geared towards disadvantaged communities uses a definition that includes low-income communities and households and does not rely exclusively on the state's CalEnviroScreen method.</i>
<i>G. Support California's Climate Leadership</i>	<i>Monitor and support state actions aimed at preserving California's authority to implement Cap and Trade and vehicle emissions mandates. Support stopgap legislation, if needed, to minimize impacts on transportation planning and project delivery that could result from federal administrative actions.</i>

9. Safety: Improve roadway safety for all users	
<i>Zero traffic fatalities goal</i> Vision Zero	<i>Work with regional and statewide partners, including participants of the Zero Traffic Fatalities Task Force, to monitor Monitor and support legislation aimed at achieving the Vision Zero goals of no roadway-related deaths or serious injuries by improving safety for all road users, including non-motorists.</i>

Federal Advocacy Goals and Proposals	
1. Reauthorization: Engage in national deliberations prioritizing the funding and policy framework for the next surface transportation bill	
	Work with partners across the country to support a long-term, fully funded transportation authorization that supports states and regions in achieving national goals related to infrastructure condition, safety, mobility, and air quality; provides new resources to make the nation’s transportation networks responsive to transformative technologies and the changing climate; and empowers the Bay Area to address our region’s unique mobility challenges. MTC’s federal transportation advocacy efforts will center around building on the progress made in the Fixing America’s Surface Transportation (FAST) Act, as follows: 1. Raise New Revenues & Grow Existing Programs: Raise revenues to restore Highway Trust Fund solvency and increase federal transportation investment. Grow core FAST Act-authorized surface transportation programs, which have proven effective in delivering essential funds to California and the Bay Area. 2. FAST Act Updates: Within the FAST Act framework, grow federal support for transit and regional mobility solutions, update transit programs to reward Bay Area best practices, and expedite project delivery without harming the environment. 3. 21st Century Challenges and Opportunities: Establish the federal government as a strong partner in state and regional efforts to make transportation networks responsive to transformative technologies and the changing climate. The next transportation bill should include significant new resources for metropolitan areas to invest in solutions to the myriad mobility and related challenges facing the Bay Area and metros nationwide.

2. Appropriations: Support robust transportation and housing appropriations <i>funding</i>	
A. Programmatic appropriations	Partner with local, regional and statewide transportation agencies as well as national stakeholders to ensure that Congress funds highway, transit and rail programs at no less than FAST Act-authorized levels. If Congress proposes to increase appropriations above FAST Act-authorized levels, seek to maximize Bay Area funding in revenue allocations. Additionally, work to defend federal affordable housing funds and programs, such as Section 8 housing vouchers, the HOME Investment Partnership Program and the Community Development Block Grant Program.
B. Advocate for discretionary grant awards, including Capital Investment Grant funding for Resolution 3434/ <i>Plan Bay Area</i> Projects	Work with regional, state and national partners to advocate for implementation of the Capital Investment Grant (CIG) Program as authorized by the FAST Act. Support federal appropriations consistent with the full funding grant agreements approved for the Caltrain Peninsula Corridor Electrification project. Seek to advance through the CIG process the Bay Area’s next generation of transit expansion projects, namely: San Francisco Transbay Transit Center (Phase 2)/Downtown Extension (DTX), BART to Silicon Valley: Phase 2, and the Transbay Corridor Core Capacity project. Support additional Bay Area transportation agency and transit operator efforts to secure discretionary funding for projects consistent with <i>Plan Bay Area</i> .
C. <i>Housing tax credits</i>	<i>Support efforts to expand the Low-Income Housing Tax Credit Program, California’s largest source of federal funding for new affordable housing.</i>
3. Transportation Innovation: Support policies that enable technological innovations to improve mobility, <i>including mobility on demand</i> , while protecting the public’s interest.	
	In partnership with Bay Area cities and counties, the business community, and state and national transportation organizations, engage in regulatory and legislative efforts related to facilitating the deployment of transformative transportation technologies with the goal of accelerating safety, mobility, environmental, equity and economic benefits associated with new mobility technologies, including application in the transit sector. With respect to connected vehicles and autonomous vehicles (CV/AV), <i>support policies—including preservation of capacity in the 5.9 GHz spectrum band—that facilitate joint CV/AV deployment.</i> Additionally, ensure strong federal vehicle safety standards while also preserving the ability of state and local agencies to continue to set policies governing the operation of vehicles on highways and local roads, regardless of whether they are driven autonomously or manually.

4. Climate Protection and Air Quality: *Advocate for a strong federal partner in the Bay Area’s efforts to improve air quality, reduce greenhouse gas (GHG) emissions, and make our communities and transportation networks resilient to a changing climate. Support targeted investments in conservation and restoration projects to help revive the San Francisco Bay—as detailed in H.R. 1132 (Speier)—reauthorization of the National Estuary Program, as well as programmatic flexibility to invest federal transportation funds in resiliency improvements that deliver co-benefits.* Defend against rollbacks of California’s air quality and climate change laws and regulations, such as fuel efficiency standards and Cap and Trade programs.

5. Access to Health Care: Support efforts to increase federal funding and eligibility from non-transportation sources to improve access to health care services.