

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

February 14, 2025

Agenda Item 2d

Senate Bill 71 (Wiener): Environmental Streamlining for Sustainable Transportation

Subject:

Removes the statutory sunset in current law that exempts certain transit, bicycle and pedestrian projects from California Environmental Quality Act (CEQA) requirements and makes other updates. The bill is consistent with MTC's longstanding advocacy – MTC supported the bill that initially established the CEQA exemption [Senate Bill (SB) 288 (Wiener, 2020)] as well as SB 922 (Wiener, 2022), Senator Wiener's first attempt to remove the statutory sunset.

Overview:

MTC in 2020 supported legislation by Senator Wiener (SB 288), which authorized CEQA exemptions until January 1, 2023 for certain transportation projects that do not add lane miles or capacity for single-occupancy vehicles (SOV) and that meet goals related to shifting trips from SOV to transit, carpool, bicycling and walking. In 2022, MTC supported SB 922 (Wiener). At the time MTC adopted a support position, the bill would have made the CEQA exemptions permanent. Ultimately, that provision was narrowed to instead extend the sunset date to January 1, 2030. SB 922 also broadened CEQA exemptions to include additional bus rapid transit projects. Because the CEQA process often provides an important forum for public participation, SB 288 required public notice and meetings for those newly CEQA-exempt projects over \$100 million and SB 922 added enhanced outreach, racial equity analysis and anti-displacement requirements for projects estimated to cost over \$50 million.

SB 71 would permanently remove the 2030 sunset and make refinements, including:

- Expanding bus-related CEQA exemptions to cover bus shelters and lighting and certain types of transit service planning;
- Extending the existing zero-emission charging/refueling infrastructure exemption to include zero-emission shuttle and ferry facilities;
- Adding transit maintenance to the list of projects eligible for the CEQA exemption; and
- Introducing an inflationary adjustment to the cost thresholds that trigger public outreach and equity analysis requirements.

Recommendation:

Support / Commission Approval

Discussion:

MTC has a long history of advocating for state policies that encourage travel by transit, bicycling, walking, and other non-SOV modes and supporting state policies that improve transportation project delivery efficiency, with appropriate safeguards. According to the California Transit Association and SPUR, since 2021, the streamlining provisions rooted in the MTC-supported SB 288 have expedited project delivery for nearly 100 climate-friendly transportation investments, including:

- Transit priority, bike/ped, and other transit access projects in Alameda County
- Complete streets projects in Marin County
- Transit priority and Vision Zero bicycle and pedestrian improvements in San Francisco
- Safety and connectivity improvements in San Mateo County
- Bicycle and pedestrian safety and access projects in Santa Clara County

SB 71 would make permanent this project delivery tool while also broadening the CEQA exemption to include additional projects that support the transit system's state of good repair and investments that can improve the transit rider experience, such as bus shelters and lighting.

Staff recommends MTC adopt a "support" position on SB 71. This is consistent with MTC's past positions as well as Sections 2, 7 and 8 of MTC/ABAG's 2025 Joint Advocacy Program.

Known Positions:

Support


Bay Area Council (co-sponsor), California Transit Association (co-sponsor), Los Angeles County Metropolitan Transportation Authority (co-sponsor) and SPUR (co-sponsor)

Opposition

No known opposition

Attachments:

- None



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