



March 18, 2021

The Honorable Benjamin Allen
Member, California State Senate
State Capitol, Room 4076
Sacramento, CA 95814

**RE: Senate Bill 261– OPPOSE
As Introduced January 27, 2021**

Dear Senator Allen:

On behalf of the Rural County Representatives of California (RCRC), I am writing to regretfully oppose your Senate Bill 261 concerning sustainable communities strategies. RCRC is an association of thirty-seven rural California counties and the RCRC Board of Directors is comprised of elected supervisors from each member county.

SB 261 requires the Air Resources Board (ARB) to adopt new greenhouse gas (GHG) emission and vehicle miles traveled (VMT) reduction targets for incorporation into the sustainable communities strategies prepared by the state's 18 metropolitan planning organizations (MPOs).

Since adoption of Senate Bill 375 in 2008, and development of regional sustainable communities strategies, California has embarked on an even more ambitious effort to decarbonize the transportation sector. Governor Newsom's Executive Order N-79-20 set the stage for requiring all new passenger cars to be zero-emission by 2035. The ARB is developing new regulations to require medium and heavy-duty trucks to be zero-emission by 2045. While we harbor significant concerns about the impact this one-size-fits-all approach will have in such a geographically diverse state as California where rural areas have few charging opportunities and electrical utilities regularly shut-off power to hundreds of thousands of residents during high-fire risk weather events, we believe that these changes undercut much of the need for even more aggressive GHG emission reduction targets in local sustainable communities strategies.

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RCRC objects even more strongly to imposing a new requirement for ARB to establish VMT reduction targets for sustainable communities strategies. While many MPOs have dense, high-population urban areas, they also contain low-density rural areas in unincorporated parts of the counties. VMT is a very poorly suited metric for rural areas. Rural communities often lack the density found in urban areas and have far fewer residents. Furthermore, the nature of work in many rural areas involves traveling greater distances from home to the job site. Many of those occupations do not lend themselves to car sharing, and public transit is often either unavailable or ill-suited to cater to those needs. These factors make rural areas inappropriate candidates for some of the VMT-reducing strategies that work well in urban areas, including enhancement of public transportation, carpooling, vanpooling, biking, parking reductions, etc. Given the nature of work involved and the chasm that exists in broadband availability between rural and urban areas, increased telecommuting will seldom be a realistic option in unincorporated rural areas. Finally, there is even less of a compelling reason to focus on VMT reductions to achieve the state's GHG emission goals in light of the aforementioned efforts to decarbonize the transportation sector. As others have suggested, requiring regions to achieve VMT reductions will force those areas to adopt policies that reduce driving even if emission reductions could be more efficiently achieved through different strategies.

For the above reasons, RCRC opposes SB 261. Please do not hesitate to contact me at jkennedy@rcrcnet.org or (916) 447-4806 with any questions.

Sincerely,



JOHN KENNEDY
Legislative Advocate

cc: Members of the Senate Transportation Committee
Melissa White, Consultant, Senate Transportation Committee
Amy Gilson, Consultant, Senate Transportation Committee
Members of the Senate Environmental Quality Committee
Eric Walters, Consultant, Senate Environmental Quality Committee
Ted Morley, Consultant, Senate Republican Caucus
Scott Seekatz, Consultant, Senate Republican Caucus



April 15, 2021

The Honorable Ben Allen
California State Senate
State Capitol, Room 4076
Sacramento, CA 95814

**RE: SB 261 (Allen): Regional Planning – Sustainable Communities Strategies
As introduced January 27, 2021 – Notice of Opposition
Pending hearing in the Senate Transportation Committee**

Dear Senator Allen:

The California State Association of Counties (CSAC), the Urban Counties of California (UCC), and the Rural County Representatives of California (RCRC) are respectfully opposed to your Senate Bill 261, which would, among other changes, amend provisions of SB 375 (Steinberg, 2008) to require the California Air Resources Board to set regional targets for reductions in vehicle miles travelled (VMT) by 2035 in addition to the existing 2035 targets for regional greenhouse gas (GHG) emissions reductions from transportation and land use. SB 261 would also require additional target-setting for regional reductions in both VMT and GHG emissions for 2045 and 2050. Our organizations have significant concerns and many unanswered questions regarding the far-reaching impacts of the bill for both transportation investments and land use planning in the unincorporated areas of the 37 California counties located within a metropolitan planning organization.

We join other stakeholders in urging you to make SB 261 a two-year bill. This would provide time for all affected entities to convene and resolve issues presented by the bill. Among the issues especially significant to counties are: 1) the implications of a new VMT reduction metric for regional transportation investments in unincorporated areas, which tend to be more rural in nature, have higher average VMT, and experience higher rates of collisions and traffic fatalities than more urban areas; 2) the significant changes your bill proposes in the relationships between and authority of the California Air Resources Board, metropolitan planning organizations, and local governments; 3) the implications to housing production in unincorporated areas from layering a VMT reduction target on top of existing GHG reduction goals, including the ability of counties to comply with regional housing needs allocation planning requirements if infrastructure funding is increasingly or exclusively directed to lower-VMT areas; and 4) achieving a better understanding of the need for additional statewide policy changes to realize GHG reductions goals through fiscally-constrained transportation plans, and whether and how to reflect or incorporate such policy changes within the bill. This final consideration is especially important given California's current reliance on fuel-related taxes to fund transportation infrastructure—revenue streams which are projected to decline as zero emissions vehicles proliferate.

Counties are concerned that layering additional VMT reduction targets onto fiscally-constrained sustainable communities strategies could have negative implications for funding transportation projects

in unincorporated areas. This impact could be compounded as zero emissions vehicle technology improves, thereby lowering the cost of driving such vehicles, weakening the current linkage between GHG emissions and VMT, and reducing available transportation revenues. Funding limitations have consistently been cited by both the state and regional agencies as a barrier to achieving further GHG reductions from transportation and land use sectors via sustainable communities strategies. Adding an explicit VMT reduction target in addition to existing GHG emissions reduction goals without a commensurate increase in transportation funding would likely have negative implications for the ability of regions to fund even VMT-neutral projects in unincorporated areas outside of urban cores, including safety improvements and fix-it-first projects to address deferred road and bridge maintenance.

We are also concerned by changes SB 261 would make to the roles and relationships between the California Air Resources Board, metropolitan planning agencies and local governments. In particular, SB 261 would require detailed, costly, and ongoing biannual reporting of specified land use, employment and transportation information by local entities to metropolitan planning agencies. While coordination and information sharing between local and regional agencies is clearly an important component of successfully developing a sustainable communities strategy, the bill's approach is too prescriptive in terms of both frequency and content, fails to draw from the existing and extensive local-to-state reporting in housing element annual progress reports, and would likely require local governments to develop new tools to collect and track employment data at significant local cost.

As related to the state-regional relationship, SB 261 would provide CARB with broad authority to reject a region's sustainable communities strategy with seemingly limited due process. Such an action would preclude a jurisdiction within the region from accessing some of the competitive funding programs best suited to reducing GHG emissions from transportation, including the Solutions for Congested Corridors Program, SB 1 Sustainable Transportation Planning Grant Program, and the Trade Corridors Enhancement Program.

A core goal of SB 375 was to better align regional transportation and housing planning processes. Like cities, counties are required to plan for a share of the regional housing need within unincorporated areas. While some counties have highly urban unincorporated communities—such as unincorporated island within cities—much of the unincorporated area in California is more rural in nature, with less-developed transportation infrastructure and limited or absent public transportation options. Recent regulatory changes are already poised to increase the cost and complexity of housing development in such contexts and our organizations note that the Legislature has directed the Office of Planning and Research and the Department of Housing and Community Development to return to the Legislature with recommendations to better align the regional housing needs allocation process with statewide environmental goals by December 31, 2022. In the interim, we are concerned that overlaying new VMT reduction targets on top of GHG emissions reduction targets will only make it more difficult for counties to successfully plan for development to accommodate their share of the regional housing need.

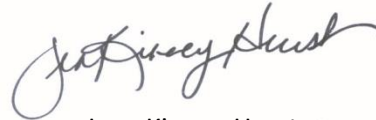
CSAC, UCC and RCRC share the concerns the metropolitan planning organizations have identified with regard to additional state policies and strategies necessary to achieve 2035 GHG emissions goals—specifically the gap between overall emissions reductions from needed from the transportation sector and those reductions attributable to sustainable communities strategies at the regional level. SB 261 does not address this gap, nor does it consider how the lack of such state-level strategies constrains options available to regions to achieve additional emissions. In addition, we share the practical concerns that regional agencies have expressed with regard to SB 261's timeframes for the additional GHG emissions and VMT reduction targets in 2045 and 2050, which depart from the current planning horizons.

Finally, SB 261 would dramatically reshape land use and transportation planning at a time when local government officials—especially county supervisors—continue to be overwhelmed with response to the COVID-19 pandemic. We reiterate our request for SB 261 to become a two-year bill. While we have taken an oppose position on the bill as introduced, counties are committed to partnering in good faith to discuss and resolve the significant issues that SB 261 currently presents for counties. If you need additional information about our position, please contact Chris Lee (CSAC) at clee@counties.org, Jean Hurst (UCC) at jkh@hbeadvocacy.com, or John Kennedy (RCRC) at jkennedy@rcrcnet.org.

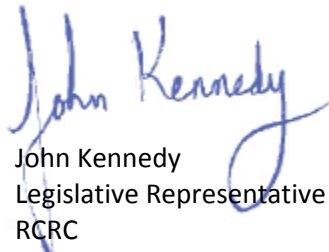
Sincerely,



Christopher Lee
Legislative Representative
CSAC



Jean Kinney Hurst
Legislative Advocate
UCC



John Kennedy
Legislative Representative
RCRC

cc: The Honorable Lena Gonzalez, Chair, Senate Transportation Committee
Honorable Members, Senate Transportation Committee
Melissa White, Consultant, Senate Transportation Committee
Ted Morley, Consultant, Senate Republican Caucus