



Alameda County
Transportation Commission

Contra Costa
Transportation Authority

Fresno County
Transportation Authority

Imperial County
Transportation Commission

Los Angeles County
Metropolitan Transportation
Authority

Madera County
Transportation Commission

Transportation Authority
Of Marin

Merced County Association of
Governments

Transportation Agency for Monterey
County

Napa Valley Transportation Authority

Orange County
Transportation Authority

Riverside County
Transportation Commission

Sacramento
Transportation Authority

Santa Barbara County
Association of Governments

San Benito County Governments

San Bernardino
County Transportation Authority

Santa Clara Valley
Transportation Authority

Santa Cruz County Regional
Transportation Commission

San Diego
Association of Governments

San Francisco County
Transportation Authority

San Joaquin
Council of Governments

San Mateo County
Transportation Authority

Sonoma County
Transportation Authority

Stanislaus Council of Governments

Tulare County
Association of Governments

September 2, 2022

The Honorable Gavin Newsom
Governor, State of California
State Capitol
Sacramento, CA 95814

VIA EMAIL: Leg.Unit@gov.ca.gov

RE: AB 2438 (Friedman) VETO request

Dear Governor Newsom;

As you are aware, the Self-Help County Coalition (SHCC) member agencies fund California's transportation infrastructure by approving local sales tax increases by a 2/3 voter margin. There are currently 25 SHCC in California, representing over 80 percent of the population or roughly 30 million people. The SHCC member agencies generate, on average, over \$5 billion annually to fund regional and State priority multi-modal projects, creating tens of thousands of jobs.

I write you to express SHCC's continued opposition to AB 2438 as amended June 16th 2022. AB 2438 elevates the ***Climate Action Plan for Transportation Infrastructure*** (CAPTI) an aspirational document without fiscal constraints, to become a litmus test for funding SB 1 and local voter approved (Self Help) projects.

This shift in funding priorities and policy is not consistent with the intent of SB 1 (Chapter 5, Statutes of 2017) and undermines CA voters' intent when they voted to defend SB 1 (Proposition 6) and "fix it first" and build priority capacity projects.

We continue to support the California Transportation Commission (CTC), a known and trusted agency of transportation professionals to continue to implement the priorities of CAPTI, a process they have already begun. In August 2021, the CTC endorsed CAPTI's framework and strategies. As such, it began to incorporate CAPTI into the update for the guidelines of the SB 1 competitive programs (in 2021). For example, the SB 1 guidelines now state that the CTC encourages projects that align with the state's climate goals. Furthermore, as part of the evaluation criteria for the Local Partnership Program (Self Help Counties), CTC will give higher priority to projects that, among other things, "address how a proposed project will reduce GHG emissions and criteria pollutants and advance the state's air quality and climate goals; and how a proposed project will minimize VMT while maximizing person throughput."

For the Trade Corridor Enhancement Program (TCEP), the CTC is already requiring each project applicant to, "communicate a project's benefits related to advancing climate change resilience, by identifying both the climate change impacts that are occurring or anticipated, and the adaptive strategies."

The CTC guidelines provide project proponents the ability to adjust and modify a potential project and explain the benefit – it does not pick winners and losers.

AB 2438 would begin this guideline process over – throwing out over 18 months of stakeholder outreach, at significant (even unknown cost).

According to the Senate Appropriations Committee analysis, AB 2438 costs are;

- **Unknown, potentially significant redirection of transportation funding, to the extent incorporating CAPTI strategies directs allocations to projects and facilities primarily focused on improving greenhouse gas emissions, public health, and equity. This could lead to significant cost pressures to provide additional funding for projects and facilities that would have otherwise received funding under a “fix it first” model, absent the bill. (General Fund, various special funds, federal funds, bond funds)**

SHCC member agencies support the state’s intention to secure an equitable and climate-resilient future. However, AB 2438 appears to conflict with SB 1’s stated goals and VOTER endorsed “fix it first” approach provided in SB 1 for SHOPP and LPP funding.

We appreciate our conversations with you and your office and we welcome the opportunity for additional discussions and to work with your office to find a more refined approach to achieving our shared transportation related climate goals.

Respectfully,



Keith Dunn
Executive Director