



March 24, 2022

The Honorable Laura Friedman
Assembly Transportation Committee, Chair
1020 N Street, Room 112
Sacramento, CA 95814

RE: AB 2237 (Friedman) – Transportation Planning: regional transportation improvement plan: sustainable communities strategies - Oppose

Dear Chair Friedman:

On behalf of the San Joaquin Valley Regional Policy Council, representing the eight metropolitan planning organizations (MPOs) in the San Joaquin Valley (Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare) we write to express our **opposition to AB 2237**, which would undermine local control and our fiduciary responsibility to deliver projects on voter-approved projects.

AB 2237 severs the state and local partnership by fully empowering the Strategic Growth Council, in consultation with the State Air Resources Board, the Department of Housing and Community Development, and the Transportation Agency, to review the duties and responsibilities of MPOs and to define what constitutes a “sustainable community.” The bill would also require for the SGC, in consultation with the Governor’s Office of Planning and Research, and California Air Resources Board (CARB), redirection of funds from projects in a regional transportation improvement plan if they are not CAPTI-compliant.

All eight MPOs in the San Joaquin Valley strongly support California’s climate goals and are deeply committed to improvements to passenger and freight rail systems, GHG and vehicle miles traveled (VMT) reduction where feasible, and improving public transportation, walking, biking, and other modes of transportation. Our region also supports transportation investments aligned with housing and economic development. Each MPO is already required to include a sustainable communities strategy in its regional transportation plan providing for ample coordination with the California Air Resources Board (CARB).

AB 2237 however is duplicative of existing law and fails to recognize the fiduciary obligation that these counties have to voters in making improvements on the state highway system and assisting with state and regional mobility priorities. The San Joaquin Valley has six counties (Fresno, Madera, Merced, San Joaquin, Stanislaus, and Tulare) of the 25 statewide with locally voter-approved sales

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tax measures that include over \$4 billion of investments on the state highway system, which is owned and operated by Caltrans. CAPTI could adversely impact our ability to fulfill our fiduciary responsibility to voters by denying investments on the state highway system. These measures require comprehensive public engagement, extensive polling, contain diverse investments in multi-modal options, and ultimately require a 2/3 vote for passage so they must appeal to vast constituencies. Our region has made a commitment to the voters and our public to deliver the investments that our expenditure plans promised. A key part of keeping our promises is to secure state matching funds since each county does not generate enough in local sales tax revenues to make up for the disproportionate cost of delivering projects. This funding gap makes continued access to state funding imperative for delivering a multi-modal range of projects. Our needs and revenue generation are disproportionate to the level of investment that is needed to achieve state and regional targets for improved air quality. Therefore, a strong partnership with the state is mandatory. AB 2237 severs that relationship.

In 2017, the legislature enacted SB 1 to address mobility, safety and congestion, in addition to maintaining infrastructure. The San Joaquin initiated the discussion and worked with our delegation to advocate for the creation of the vehicle registration fee as a carbon-neutral funding source to address congestion and multi-modal options; the creation of the State Rail Assistance Program, dedicating operations funding for passenger rail service; and augmentation of the Transit and Intercity Rail Capital Program. In 2018 voters rejected Proposition 6 (the repeal of SB 1) and supported Proposition 69 (protecting SB 1). It is important to support the intent of the voters to maintain the public trust, by preserving all modes supported in the enactment of SB 1.

Our request is to maintain the state and local partnership, and maximize the return on previous investments, by allowing for local sales tax measures to continue leveraging state dollars to deliver highway capacity projects, which would also help facilitate public transportation service.

For these reasons, we must **oppose AB 2237**. We look forward to partnering with you and the appropriate state agencies to develop pragmatic solutions to meet the objectives articulated in the Executive Orders, while maintaining the legislative intent of SB 1, and respecting the will of voters in the usage of traditional funding sources, including local sales tax measures, to address all modes, climate change and deliver more multi-modal options. We ask that state investments be responsive to the unique needs and characteristics of each region: urban, rural, valley and coastal, and that MPOs maintain their role in helping to deliver taxpayer funded projects.

If you have any questions, please feel free to contact our legislative advocate, Gus Khouri, via phone at (916) 605-8975 or via email gus@khouriconsult.com.

Sincerely,



Robert Poythress

Chair of the San Joaquin Valley Regional Planning Agencies Policy Council
Madera County Supervisor

cc: Members of the Assembly Transportation Committee
The Honorable Joaquin Arambula, Assembly Member, 31st District
The Honorable Frank Bigelow, Assembly Member, 5th District
The Honorable Andreas Borgeas, Senator, 8th District
The Honorable Anna Caballero, Senator, 12th District
The Honorable Jim Cooper, Assembly Member, 9th District
The Honorable Susan Talamantes Eggman, Senator, 5th District
The Honorable Heath Flora, Assembly Member, 12th District
The Honorable Vince Fong, Assembly Member, 34th District
The Honorable Adam Gray, Assembly Member, 21st District
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The Honorable Jim Patterson, Assembly Member, 23rd District
The Honorable Rudy Salas Jr., Assembly Member, 32nd District
The Honorable Carlos Villapudua, Assembly Member, 13th District