

April 28, 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

Honorable Chair Friedman,

Fresno COG must, unfortunately, oppose **AB 2237**, which would undermine local control and our fiduciary responsibility to keep our promises regarding 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.” As amended, the bill would also require each regional transportation agency to rank all transportation projects and prioritize them based on adherence to the sustainable communities strategy and the State’s climate goals. That priority listing must be submitted to the California Transportation Commission. The Air Resources Board and the CTC would then determine whether the projects are consistent with the SCS and would prohibit any expenditures not consistent with State goals.

In addition, the bill requires RTPAs and county transportation commissions to report to the CTC on local transportation tax measure so the CTC can recommend strategies to align local measure projects with State climate goals. Again, this is with the intent that local tax measure projects must adhere to State climate goals.

Fresno COG supports California’s climate goals and is 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. Fully 24 percent of all local Measure C dollars in our region are dedicated to transit, car- and vanpooling, and other public mobility options aside from single-occupant vehicle trips. Our region also supports transportation investments aligned with housing and economic development. Fresno COG’s approved sustainable communities strategy in its regional transportation plan demonstrates our ability to meet prescribed regional GHG-reduction targets and allows 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 Fresno COG and the Fresno County Transportation Authority (FCTA) have to voters in making improvements on the state highway system and assisting with state and regional mobility priorities. Fresno is one of 25 counties statewide with a locally voter-approved sales tax

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County of Fresno

measure that has invested more than \$1 billion of investments on the state highway system since its inception in 1987. CAPTI could adversely impact our ability to fulfill our fiduciary responsibility to voters by denying investments on the state highway system.

Measure C requires comprehensive public engagement, extensive polling, contains diverse investments in multi-modal options, and ultimately requires a two-thirds vote for passage. It must appeal to vast constituencies. Our region has made a commitment to the voters and our public to deliver the investments that our expenditure plan promised. A key part of keeping our promises is to secure state matching funds since the region 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. Fresno COG worked with the other seven San Joaquin Valley regional transportation planning agencies and our legislative delegation to advocate for a new vehicle registration fee as a carbon-neutral funding source to address congestion and multi-modal options; the State Rail Assistance Program, dedicating operations funding for passenger rail service; and augmenting the Transit and Intercity Rail Capital Program. In 2018, voters rejected Proposition 6 (repealing 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 that SB 1 supports.

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 public transportation service.

For these reasons, we must **oppose AB 2237**. We hope to partner with you and the appropriate state agencies to develop pragmatic solutions to meet the climate objectives, while maintaining the legislative intent of SB 1, and respecting voters' will to use 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, and that MPOs maintain their role in helping to deliver taxpayer funded projects

Sincerely,

Michelle Roman
Chair, Fresno Council of Governments
Councilmember, City of Kingsburg

cc: Members of the Assembly Transportation Committee
The Honorable Joaquin Arambula, Assembly Member, 31st District
The Honorable Andreas Borgeas, Senator, 8th District
The Honorable Anna Caballero, Senator, 12th District
The Honorable Melissa Hurtado, Senator, 14th District
The Honorable Jim Patterson, Assembly Member, 23rd District