



REPORT TO LAW & LEGISLATION COMMITTEE City of Sacramento

915 I Street, Sacramento, CA 95814-2671

CONSENT
June 16, 2009

Honorable Members of the
Law and Legislation Committee

Title: Legislation Position: Support HR 1780 "The Smart Planning for Smart Growth Act"

Location/Council District: Citywide

Recommendation: Staff recommends that the Law and Legislation Committee adopt a support position on HR 1780.

Contact: Desmond Parrington, Infill Coordinator, (916) 808-5044; David Kwong, Planning Director, (916) 808-2691

Presenters: Desmond Parrington, Infill Coordinator, (916) 808-5044

Department: Community Development

Division: Planning

Organization No: 2201111

Description/Analysis

Issue: House of Representatives Bill 1780, authored by Congresswoman Doris Matsui would require federal standards in statewide and regional transportation planning that improve air quality and reduce greenhouse gasses from the baseline year of 2010. The key components of the bill include:

- Establishing standardized models and methodologies to be used in statewide and regional transportation planning;
- Requiring all states to submit 10 and 20 year goals for transportation related green house gas (GhG) emission reductions within three years of the bill's enactment;
- Requiring every metropolitan transportation organization (MPO) of 200,000 people or more to produce a regional transportation plan that reduce GhG emissions; and
- Awarding grants on a competitive basis to MPO's for the development and implementation of transportation plans.

Both the statewide goals and the regional transportation plans would need to consider a variety of factors that include:

- Increasing public transportation;
- Coordinating land use and transportation planning; and
- Implementing eleven other transportation related measures to reduce mobile sources of GhG emissions.

This bill is beneficial to the City because it provides federal support for the sustainable development patterns espoused in the 2030 General Plan and Sustainability Master Plan. Clear policy direction from both the State and Federal governments for infill focused, transit oriented development will encourage additional public investment in the City's newly adopted, climate-friendly approach to growth. Additionally, the federal grants that SACOG would receive for implementation of its regional transportation plan will benefit the ongoing development of the City's transportation infrastructure.

Attachment 1 is a listing of frequently asked questions that provides additional information about the Smart Planning for Smart Growth Act of 2009.

Policy Considerations: HR 1780 is consistent with 2030 General Plan's goal to "Improve the health and sustainability of the community through improved regional air quality and reduced greenhouse gas emissions that contribute to climate change" (Goal ER 6.1).

Committee/Commission Action: None.

Environmental Considerations: None.

Sustainability Considerations: HR 1780 is consistent with the Sustainability Master Plan's goal of meeting "the intent of the Global Warming Solutions Act (AB32) (or subsequent laws) for the community of Sacramento and the SACOG region by working with community partners."

Rationale for Recommendation: Staff recommends support of HR 1780 because it would provide federal support for current statewide and regional planning efforts for functional transportation networks, responsible use of the state's resources, and a reduction in greenhouse gas emissions.

Financial Considerations: None

Emerging Small Business Development (ESBD): None

Respectfully Submitted by: 
David Kwong
Planning Director

Approved by: 
William Thomas
Director of Community Development

Recommendation Approved:


RAY KERRIDGE
City Manager

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Attachment 1 - Frequently Asked Questions

What is the purpose of the HR 1780?

HR 1780 aligns infrastructure and land use planning with greenhouse gas (GhG) reduction goals to address climate change on a national level.

Who is responsible for implementing the bill?

States are required to set 10 and 20 year goals for GhG reduction while Metropolitan Planning Organizations (MPO's), such as the Sacramento Area Council of Governments (SACOG), are required to develop transportation plans with regional GHG emission targets.

What considerations are required in developing the statewide goals and regional transportation plans?

Both the State and the MPO's need to consider a variety of factors that include increasing public transportation, coordinating land use and transportation planning, as well as other transportation related measures to reduce mobile sources of GhG emissions.

Does the bill propose any mandates for local jurisdictions?

There are no mandates for local jurisdictions. Additionally, the bill specifically states that "nothing in the bill may be construed to infringe upon the existing authority of State and local governments to plan or control land use."

Are there grant funding opportunities for the City through this bill?

Not directly. Grants would be provided to MPO's for the development and implementation of regional transportation plans. However, additional federal funding for the implementation of the Sacramento regions transportation infrastructure would be beneficial for the City. Additionally, it is possible that SACOG would use a portion of this funding to issue grants to localities.

How will this federal effort effect California's greenhouse gas emission reduction efforts?

The new federal regulations called for by HR 1780 could "approve or improve existing models and methodologies." California is leading the nation in GhG emission reduction efforts through implementation of the Global Warming Solutions Act. It is likely many of the standards and methodologies that California has developed or is developing will be approved or replicated by the federal government.

What would be the City's involvement in developing statewide goals and regional plans for greenhouse gas emissions reduction?

There is a requirement that local jurisdictions are consulted in the development of the regional transportation plans. Regional MPO's, relevant state agencies, and the general public will be consulted for the development of the statewide goals.

Attachment 2 - Draft Letter of Support

June 16, 2009

Congresswoman Doris Matsui
222 Cannon House Office Building
Washington, DC 20515

**RE: HR 1780 (Matsui)
SMART PLANNING FOR SMART GROWTH ACT OF 2009
NOTICE OF SUPPORT**

Dear Congresswoman Matsui:

The City of Sacramento is pleased to support HR 1780.

On behalf of the City of Sacramento, I am pleased to express the City's support of House of Representatives Bill 1780, the "Smart Planning for Smart Growth Act of 2009." This bill would help insure the protection of our natural resources and combat global warming through responsible land use and transportation planning across our nation. HR 1780 would call for states and regional planning agencies to plan for increased public transportation, coordinated land use and transportation planning, as well as consider a variety of other transportation related measures to reduce mobile sources of green house gas emissions.

The City of Sacramento would benefit from HR 1780 because it supports the City's sustainable planning efforts to reduce greenhouse gas emissions. We anticipate that the additional federal grants HR 1780 would provide will greatly enhance our region's transportation infrastructure and thereby assist our City's higher density, transit oriented, infill projects. The City of Sacramento is committed to the implementation of the Sacramento Area Council of Government's Blueprint, which we find to embody both the intent of this bill as well California's Global Warming Solutions Act.

Thank you for introducing this historic piece of legislation.

Sincerely,

Sandy Sheedy, Chair
Law and Legislation Committee

Cc: Mayor Johnson and Members of the City Council
David Jones, Emanuels and Jones and Associates



I

111TH CONGRESS
1ST SESSION

H. R. 1780

To amend the Clean Air Act to achieve greenhouse gas emissions reductions through transportation efficiency.

IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2009

Ms. MATSUI introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Clean Air Act to achieve greenhouse gas emissions reductions through transportation efficiency.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Smart Planning for
5 Smart Growth Act of 2009".

6 **SEC. 2. GREENHOUSE GAS EMISSIONS REDUCTIONS**
7 **THROUGH TRANSPORTATION EFFICIENCY.**

8 Title I of the Clean Air Act is amended by inserting
9 after section 179B (42 U.S.C. 7509a) the following:

1 "SEC. 179C. GREENHOUSE GAS EMISSIONS REDUCTIONS
2 THROUGH TRANSPORTATION EFFICIENCY.

3 "(a) IN GENERAL.—Each State shall—

4 "(1) not later than 3 years after the date of the
5 enactment of this section, submit to the Adminis-
6 trator goals for transportation-related greenhouse
7 gas emissions reductions; and

8 "(2) as part of each transportation plan or
9 transportation improvement plan developed under
10 title 23 or title 49, United States Code, ensure that
11 a plan to achieve such goals, or an updated version
12 of such a plan, is submitted to the Administrator
13 and to the Secretary of Transportation (in this sec-
14 tion referred to as the 'Secretary') by each metro-
15 politan planning organization in the State for an
16 area with a population exceeding 200,000.

17 "(b) MODELS AND METHODOLOGIES.—

18 "(1) IN GENERAL.—The Administrator shall
19 promulgate regulations to establish standardized
20 models and methodologies for use in developing
21 goals, plans, and strategies under this section. Such
22 regulations may approve or improve existing models
23 and methodologies.

24 "(2) TIMING.—The Administrator shall—

1 “(A) publish proposed regulations under
2 paragraph (1) not later than 1 year after the
3 date of the enactment of this section; and

4 “(B) promulgate final regulations under
5 paragraph (1) not later than 2 years after such
6 date of enactment.

7 “(c) GREENHOUSE GAS REDUCTION GOALS.—

8 “(1) CONSULTATION.—Each State shall develop
9 the goals referred to in subsection (a)(1)—

10 “(A) in concurrence with State agencies re-
11 sponsible for air quality and transportation;

12 “(B) in consultation with each metropol-
13 itan planning organization for an area in the
14 State with a population exceeding 200,000 and
15 applicable local air quality and transportation
16 agencies; and

17 “(C) with public involvement, including
18 public comment periods and meetings.

19 “(2) PERIOD.—The goals referred to in sub-
20 section (a)(1) shall be for 10- and 20-year periods.

21 “(3) TARGETS; DESIGNATED YEAR.—The goals
22 referred to in subsection (a)(1) shall establish tar-
23 gets to reduce mobile source greenhouse gas emis-
24 sions in the covered area from levels projected under
25 a business-as-usual scenario. The targets shall be de-

1 signed to ensure that the levels of such emissions
2 stabilize and decrease after a designated year. The
3 State shall consider designating 2010 as such des-
4 ignated year.

5 “(4) COVERED AREA.—The goals referred to in
6 subsection (a)(1) shall be established—

7 “(A) on a statewide basis; and

8 “(B) for each metropolitan planning orga-
9 nization in the State for an area with a popu-
10 lation exceeding 200,000.

11 “(5) REVISED GOALS.—Every 4 years, each
12 State shall update and revise, as appropriate, the
13 goals referred to in subsection (a)(1).

14 “(d) PLANNING.—A plan referred to in subsection
15 (a)(2) shall—

16 “(1) be based upon the models and methodolo-
17 gies established by the Administrator under sub-
18 section (b);

19 “(2) address mobile sources, economic develop-
20 ment, and scenario analysis; and

21 “(3) be developed—

22 “(A) with public involvement, including
23 public comment periods and meetings;

24 “(B) with regional coordination, including
25 with respect to—

1 “(i) metropolitan planning organiza-
2 tions;

3 “(ii) the localities comprising the met-
4 ropolitan planning organization;

5 “(iii) the State in which the metro-
6 politan planning organization is located;
7 and

8 “(iv) air quality and transportation
9 agencies for the State and region involved;
10 and

11 “(C) in consultation with the State and
12 local housing, public health, economic develop-
13 ment, land use, environment, and public trans-
14 portation agencies.

15 “(e) STRATEGIES.—In developing goals under sub-
16 section (a)(1) and a plan under subsection (a)(2), the
17 State or metropolitan planning organization, as applicable,
18 shall consider transportation and land use planning strate-
19 gies to reduce greenhouse gas emissions, including the fol-
20 lowing:

21 “(1) Efforts to increase public transportation,
22 including commuter rail service and ridership, by
23 adding at a minimum—

24 “(A) new public transportation systems,
25 including new commuter rail systems;

6

- 1 “(B) employer-based subsidies; and
2 “(C) cleaner locomotive technologies.
3 “(2) Updates to zoning and other land use reg-
4 ulations and plans to support development that—
5 “(A) coordinates transportation and land
6 use planning;
7 “(B) focuses future growth close to exist-
8 ing and planned job centers and public facili-
9 ties;
10 “(C) uses existing infrastructure;
11 “(D) promotes walking, bicycling, and pub-
12 lic transportation use; and
13 “(E) mixes land uses such as housing, re-
14 tail, and schools.
15 “(3) Implementation of a policy (referred to as
16 a ‘complete streets policy’) that—
17 “(A) ensures adequate accommodation of
18 all users of transportation systems, including
19 pedestrians, bicyclists, public transportation
20 users, motorists, children, the elderly, and indi-
21 viduals with disabilities; and
22 “(B) adequately addresses the safety and
23 convenience of all users of the transportation
24 system.

1 “(4) Construction of bicycle and pedestrian in-
2 frastructure facilities.

3 “(5) Projects to promote telecommuting, flexi-
4 ble work schedules, or satellite work centers.

5 “(6) Pricing measures such as congestion pric-
6 ing.

7 “(7) Intermodal freight system strategies, in-
8 cluding enhanced rail services, short sea shipping,
9 and other strategies.

10 “(8) Parking policies.

11 “(9) Travel demand management projects.

12 “(10) Restriction of the use of certain roads, or
13 lanes, by vehicles other than passenger buses and
14 high-occupancy vehicles.

15 “(11) Reduction of vehicle idling, including
16 idling associated with freight management, construc-
17 tion, transportation, and commuter operations.

18 “(12) Policies to encourage the use of retrofit
19 technologies and early replacement of vehicles, en-
20 gines and equipment to reduce greenhouse gas emis-
21 sions from existing mobile sources.

22 “(13) Other projects that the Administrator
23 finds reduce greenhouse gas emissions from mobile
24 sources.

1 “(f) PUBLIC AVAILABILITY.—The Administrator
2 shall publish, including by posting on the Environmental
3 Protection Agency’s website—

4 “(1) the goals and plans submitted under sub-
5 section (a); and

6 “(2) for each plan submitted under subsection
7 (a)(2), an analysis of the anticipated effects of the
8 plan on greenhouse gas emissions and oil consump-
9 tion.

10 “(g) ENFORCEMENT.—If the Administrator finds
11 that a State has failed to submit goals under subsection
12 (a)(1), or to ensure the submission of a plan under sub-
13 section (a)(2), for any area in the State (irrespective of
14 whether the area is a nonattainment area), the Adminis-
15 trator may impose a prohibition in accordance with section
16 179(b)(1) applicable to the area. The Administrator may
17 not impose a prohibition under the preceding sentence,
18 and no action may be brought by the Administrator or
19 any other entity alleging a violation of this section, based
20 on the content or adequacy of a goal or plan submitted
21 under subsection (a)(1) or (a)(2).

22 “(h) COMPETITIVE GRANTS.—

23 “(1) GRANTS.—The Administrator, in consulta-
24 tion with the Secretary of Transportation, may
25 award grants on a competitive basis to metropolitan

1 planning organizations to develop or implement
2 plans submitted under subsection (a)(2) or elements
3 thereof.

4 "(2) PRIORITY.—In making grants under para-
5 graph (1), the Administrator shall give priority to
6 applicants based upon—

7 "(A) the amount of greenhouse gas emis-
8 sions to be reduced on a total or per capita
9 basis, as determined by the Administrator in
10 consultation with the Secretary of Transpor-
11 tation; and

12 "(B) such other factors as the Adminis-
13 trator determines appropriate.

14 "(3) AUTHORIZATION OF APPROPRIATIONS.—
15 To carry out this subsection, there are authorized to
16 be appropriated such sums as may be necessary.

17 "(i) DEFINITIONS.—In this section:

18 "(1) The term 'metropolitan planning organiza-
19 tion' means a metropolitan planning organization, as
20 such term is used in section 176 of the Clean Air
21 Act.

22 "(2) The term 'scenario analysis' means an
23 analysis that is conducted by identifying different
24 trends and making projections based on those trends
25 to develop a range of scenarios and estimates of how

1 each scenario could improve access to goods and
2 services, including access to employment, education,
3 and health care (especially for elderly and economi-
4 cally disadvantaged communities), and could affect
5 rates of—

6 “(A) vehicle miles traveled;

7 “(B) use of mobile source fuel by type, in-
8 cluding electricity; and

9 “(C) greenhouse gas emissions from the
10 mobile source sector.

11 “(j) LAND USE AUTHORITY.—Nothing in this section
12 may be construed to—

13 “(1) infringe upon the existing authority of
14 State or local governments to plan or control land
15 use, or

16 “(2) provide or transfer authority over land use
17 to any other entity.”.