



September 9, 2014

Mary Nichols
RE: SB 862
California Air Resources Board
1001 "I" Street
Sacramento, CA 95814

RE: Comments on Guideline Development for the Following Programs: ✓
Transit and Intercity Rail Capital Program
Low Carbon Transit Operations Program
Affordable Housing and Sustainable Communities Program

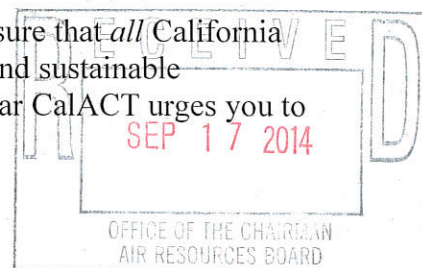
Dear Chairwoman Nichols:

On behalf of the California Association for Coordinated Transportation (CalACT) and our membership, I would like to thank you for providing an opportunity to share our thoughts on issues that need to be addressed in the guidelines for the cap & trade funded programs listed above. Because each of these programs relates to public transit planning and services, we are submitting a single letter due to the need for consistency across these programs.

CalACT is the largest state transit association in the country with over 350 member agencies. CalACT is a statewide, non-profit organization that has represented the interests of small, rural, and specialized transportation providers since 1984. Our membership is comprised of individuals and agencies from diverse facets of transportation, including operators of small and large systems, planning and government agencies, social service agencies, suppliers and consultants.

The enactment of SB 862 created three continuously appropriated funding programs where transit services are either directly funded or are eligible to compete for funds for a wide range of projects and programs. These funding programs will enhance public transit and transportation-related projects throughout California, allowing for further GHG reduction, augmentation of transit services, and increased livability and sustainability throughout California.

In developing these recommendations, CalACT's overall priority is to ensure that *all* California communities have an equal opportunity to build environmentally-sound and sustainable communities through cohesive and connected transit services. In particular CalACT urges you to address the following issues in the draft guidelines:



Overall Principles for Program Guidelines for Transit-related Funding

- Ensure that the metrics used to evaluate the program are equitable between different transportation modes and geographic regions. Bus projects are highly affordable and cost-effective, and may have a greater impact per dollar invested for disadvantaged communities than other modes.
- The environmental screening or metric for evaluating “disadvantaged communities” should also include a methodology that takes into account seasonal pollution such as that caused by wildfires that impact air quality.
- Establish a minimum allocation for rural transit agencies or counties to ensure they will receive enough funding for sustainable transportation projects.
- Allow recipient agencies to pool or bank money from one year to another to help provide enough funding for meaningful projects.
- Allow projects to start or end in a disadvantaged community and allow providers to connect to another area that benefits the disadvantaged community residents, especially for access to jobs, health programs or education.
- Make program reporting simple and wherever possible, use data that is currently being collected by transit agencies. One possible suggestion would be to account for these funds in the annually-required State Controller’s Reports
- Coordinated transit services identified in locally-developed, coordinated public-transit-human services transportation plan (e.g., 49 U.S.C. 5310(e)(2)(A) (1)) should receive priority consideration for funding, where applicable.
- Please remember that most fixed-route transit services, whether bus or rail, will require the accompanying costs and services of complementary paratransit under the Americans with Disabilities Act (ADA), and adequate funds for these “complementary” services should be included in grant awards.
- Ensure that funding is available to non-MPO regions. Under current guidelines, only MPOs are required to prepare a Sustainable Communities Strategy as part of their Regional Transportation Plans. In order to ensure that all communities in California have an equal opportunity to access funds, please include access for non-MPO/rural regions throughout the state,

Transit & Intercity Rail Capital Program

- Incorporate the federal definition of “transit capital project” into the guidelines. The current definition is at 49 U.S.C.5302 (Definitions), Subsection (3) "Capital Project."
- Clearly state the bus-only projects and applications made by bus operators are eligible, and ensure that the metrics used to evaluate GHG reductions are equitable to the scale of the project.
- Include specific funding targets for projects that are in areas not subject to an SCS
- Projects submitted by non-transit agencies that would result in either beneficial or negative impacts to transit service must include the specific approval of the affected transit operator.

Low Carbon Transit Operations

- Incorporate the federal definition of “transit capital project” into the guidelines. The current definition is at 49 U.S.C.5302 (Definitions), Subsection (3) "Capital Project."

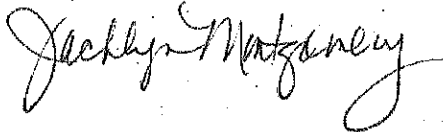
- Operators should be able to bank annual funding to save up for larger projects.
- Allow for multi-year allocations with a single application.
- Provide an exemption for Cap & Trade funding to ensure that this funding source is not counted in the TDA formula for fare box recovery or counted as "revenues" for the STA allocation formula.

Affordable Housing and Sustainable Communities Program

- Incorporate the federal definition of "transit capital project" into the guidelines. The current definition is at 49 U.S.C.5302 (Definitions), Subsection (3) "Capital Project."
- Projects that would result in beneficial or negative impacts to transit service must include the approval of the affected transit operator.
- Include specific funding targets for projects that not located within an area covered by an SCS
- "Co-benefits" for disadvantaged communities should include the adoption and implementation of "transit friendly" co-location zoning ordinances for multiple purposes, including housing and services.

We appreciate your time and efforts in developing these historic programs, and we urge your thoughtful consideration of these issues. If you have any questions, please call CalACT at 916-920-8018.

Sincerely,

A handwritten signature in cursive script that reads "Jacklyn Montgomery". The signature is written in dark ink and is positioned below the word "Sincerely,".

Jacklyn Montgomery
Executive Director

