

# Transportation Solutions Defense and Education Fund

P.O. Box 151439 San Rafael, CA 94915 415-331-1982

December 14, 2016

Posted to:

sp2030disc-dec16-ws

Mary Nichols, Chair  
California Air Resources Board  
P.O. Box 2815  
Sacramento, CA 95812

Re: Discussion Draft 2030 Target Scoping Plan

Dear Ms. Nichols:

The Transportation Solutions Defense and Education Fund, TRANSDEF, is an environmental non-profit advocating for the regional planning of transportation, land use and air quality, with a focus on climate change. We offer our constructive suggestions to aid ARB's efforts to design programs to achieve the state's GHG emissions reduction targets. We are proud that California wants to demonstrate to the world how to do it. We hope you find our outsider perspective as real-world transit advocates useful as you update the Scoping Plan.

## Transportation Sector

TRANSDEF appreciates the clear statement in the Discussion Draft of the 2030 Target Scoping Plan ("Draft Plan"):

While the majority of the GHG reductions from the transportation sector in this Discussion Draft will come from technologies and low carbon fuels, a reduction in the growth of VMT is also needed. (p. 50.)

However, when it comes to proposing actions that will prevent further growth in VMT and lead to actual reductions in the near future, the Draft is sorely lacking. (See the attached relevant extracts from the Draft.) None of these proposed measures is an action program. Instead, all of the proposed elements call for further study. The resulting discussions will most likely drag on for years. In the meantime, VMT would continue to escalate. According to the Federal Highway Administration, California's VMT in July and August 2016 was more than 6% higher than in 2015.

The current Draft Plan telegraphs to the world that the Administration is leery of backlash: programs that reduce VMT in the near-term could inconvenience people. While caution is understandable, further growth of VMT will only make the eventual

reductions more painful and perhaps damaging to the economy. As a leader in climate policy, it is important for ARB to propose in the next draft of the Scoping Plan the most viable VMT reduction measures and goals for implementation. Only by seriously considering such proposals will policy makers at regional and local levels begin to grapple with ways to craft measures that are politically acceptable to their constituents.

With leadership and education, the public may be persuaded that changes in daily driving behavior are worth making for the sake of our children and grandchildren. If the approach taken in the Draft were to become the adopted Scoping Plan, such questions would not be asked.

As the State's largest inventory category, an effective strategy for the transportation sector is make-or-break, when it comes to achieving the statutory goals of the Scoping Plan. We believe the Draft Plan will fail to achieve those goals because of a weak transportation section.

Unlike the first Scoping Plan, we do not find a sector-by-sector compilation of sector emissions reduction goals. Without a specific numeric goal for a sector, it will be impossible to design or justify a specific package of emissions reduction measures.

Second, as discussed in detail in our September 26, 2016 comment letter (attached) on the "Potential State-Level Strategies" paper, the strategies under consideration are inadequate to produce significant reductions in VMT. Achieving the desired VMT reduction will require 1). the education of the public as to the role of solo driving in contribution to climate disruption, and 2). overwhelmingly shifting transportation funding into convenient alternatives to driving. Together, these represent profound cultural change, for which ARB has yet to demonstrate an appetite. TRANSDEF urges ARB to frame up a coherent transportation policy, because no state agency has yet articulated a consistent low-carbon pathway forward. (A culture war is underway at Caltrans, and the BAU side is currently winning. See CTP 2040 section of 2016 comment letter.)

Because statewide VMT is now continuing to rise, it appears that the cited Mobile Source Strategies (p. 82 of the Draft Plan) "Reduction to vehicle miles travelled (VMT), to be achieved in part by continued implementation of SB 375 and regional Sustainable Community Strategies" have had no significant effect. As a result, we have grave skepticism as to the modeling of the mobile sources-known commitments portion of the draft 2030 Target Scoping Plan Scenario. Please produce a paper on the assumptions and calculations that feed into the Scenario modeling. If the mobile sources inputs into the model are grossly overstated--as we suspect--the entire Scoping Plan will fail.

Several statements in the Setting the Path to 2050 section need to be taken to heart here, as they apply especially strongly to the tremendous inertia of BAU transportation policies and the powerful political influence of entrenched interests:

In developing the 2030 Target Scoping Plan, we are considering what policies are needed for the mid-term and long-term, knowing that some policies for the long-term must begin implementation now.

And, are we willing to pursue policies that we know are needed for the 2050 target, but may not significantly reduce GHG emissions in the near-term? (p. 30)

In TRANSDEF's October 2, 2015 comment letter (attached), we offered an extensive discussion of "The Disconnect Between Local Policy and State Policy." Here are a few highlights, which are even more valid today:

- The [State's] policy team is fully equipped to lead the parade, as California transforms itself to meet the requirements of climate change. **The problem is, no one at the local level is following them. The day-to-day realities of the climate-hostile fields of transportation and infill development are entirely disconnected from the State's climate policies.**
- In short, there is no commitment in county transportation planning to addressing the climate emergency.
- Local agencies expect the State to do all the heavy lifting, where most large transportation projects result in increased GHGs, where MPOs successfully pressure ARB to adopt regional emissions reduction targets low enough to allow them to evade fundamental change, and where approved densities in infill development are set so low that they don't support transit effective enough to promote mode shift, will be fatal to achieving the Executive Order targets.
- A huge unanswered question in transportation is "When will agencies finally have to set aside their backlogs of capacity-building projects, and get with the climate change program?" Agencies use Committed Projects policies ("If it was in the last RTP, we don't reevaluate it--it automatically goes into the next RTP") as a means of locking in the status quo.
- Despite the profound change in the direction of state policy, a large majority of funding continues to flow to climate-hostile capacity-adding projects.
- Congestion management agencies adopting sales tax expenditure plans continue to act like they've never heard of SB 375. Because sales taxes now make up roughly half of all transportation funding in the State, it is critical for the State to establish a legal framework where sales taxes must be consistent with State policy.
- Our solo-driving-based transportation system cannot cope with mass numbers of travellers. Peak-period travel is inherently different from off-peak travel. By its very nature, peak-period travel is mass transportation.
- While we are enthusiastic EV supporters, we recognize that the state is challenged by two distinct transportation problems: the need for a large reduction in GHG emissions from motor vehicles, and peak-period congestion in metropolitan areas. While EVs are an excellent and fast solution for the first challenge, overly focusing on them will only exacerbate the second.

If anything, the linkage between State climate policy and other jurisdictions is even weaker than a year ago. During the RTP Guidelines Update process, the MPOs were very aggressive in disclaiming responsibility for GHG emissions. (See our November 1, 2016 Comment letter to the CTC, attached.) Multiple counties sought sales taxes to further their highway programs. Although several were defeated, several passed. Committing local funds to highway expansion directly impedes the State's GHG reduction goals.

### Alternative 2--Carbon Tax

TRANSDEF strongly supports a carbon tax for California, and looks forward to the expiration of the Cap and Trade program. As we wrote in our 2008 comments on the first Scoping Plan:

While I am not an economist, I have been very struck by the website, [carbontax.org](http://carbontax.org) which contains the writings of Charles Komanoff. Rather than offering a series of links to articles and publications there, I urge CARB to thoroughly explore the site. I see several very large advantages to carbon taxes, as compared to cap and trade programs:

Cap and trade will require the creation of new institutions and expertise, which will be very costly. The thousands of lawyers and investment bankers that will be needed to make it work will add tremendous cost to the emissions reduction process. Conferences currently being offered on the business opportunities that will be created by cap and trade suggest that vast sums that otherwise could go back to the public or into emissions reduction projects will be siphoned off by entrepreneurs. A carbon tax will be simple and inexpensive to administer and will not require an army of lawyers. The proceeds of the tax could be used to create cost-effective transit systems, as well as other low-carbon mitigations. Another possibility is to return the entire proceeds to taxpayers, to offset the increased cost of consumer goods.

Another tremendous problem with cap and trade is the potential for sophisticated gaming. (Think of how Enron manipulated the California energy market.) A carbon tax, on the other hand, is very straightforward. It should be easy to catch bad actors.

The chief benefit cited for cap and trade is the certainty that the target will be achieved. This is dubious: if the system is itself flawed, as was Europe's, or if it is gamed, it won't achieve its goal. On the other hand, a carbon tax can be adjusted in response to observations of energy consumption levels. This isn't rocket science!

I urge CARB to conduct a full public evaluation of the potential benefits of a carbon tax before being stamped by the business community into adopting cap and trade. The very popularity of cap and trade with the business community should be enough to cause CARB to stop and evaluate whether implementing it would truly be in the public interest.

TRANSDEF objects to the staff's analysis of Alternative 2. First of all, "Alternative 2 would require additional legislative authority, as it is a tax" (p. 97) grossly misstates the situation. The extension of Cap and Trade will require legislation as well, according to the Legislative Counsel, and may soon be found by the courts to be a tax itself.

Secondly, the analysis of the efficacy of the Province of British Columbia's implementation of a carbon tax is deeply misleading on several fronts. BC set more aggressive emissions reduction goals for 2020 than California. (33% below 2007, compared to 15% below 2008 levels.) BC has already reduced its emissions more than California. The early years of its carbon tax have been a striking success.

BC's Climate Leadership Team has recommended annual carbon price increases going forward. Everything is working as it needs to. BC has powerfully reduced GHG emissions while having minimal economic effects. The objection asserted in the Draft Plan (there is no certainty that a carbon tax can control emissions levels (p. 101)) has proven unfounded. TRANSDEF's support has only grown stronger.

#### Achieving Success

The heading "*Recommended Local Plan Level Greenhouse Gas Emissions Reduction Goals*" is unnecessarily confusing. The word "Reduction" should be deleted from it, as the heading now implies the amount of the reduction, rather than the total emissions.

The entire section on local permitting is meaningless without legislative advocacy to mandate these goals and effective mitigation as requirements enforceable through CEQA. Otherwise, jurisdictions will simply ignore them, as was discussed in the "Disconnect" section above. Without a legislative mandate, the following recommendation is also meaningless: "Absent conformity with an adequate geographically specific GHG reduction plan, ARB recommends that all new land use development implement all feasible measures to reduce GHG emissions to do its "fair share" in supporting the State's goals."

"Communications Supporting Climate Change Behaviors and Policies" (p. 117) is perhaps the most strategically important part of the Draft Plan, but it is not given the prominence, resources and analysis that it deserves. TRANSDEF urges ARB to lead with this section, and include in it a robust and well-thought-out program.

#### Conclusion

TRANSDEF recognizes the difficulties faced by ARB in leading the charge towards low-carbon lifestyles. Now is the time to be bold and exercise leadership, especially when the incoming federal Administration denies the need for action against climate

disruption. We implore the Board to direct staff to propose goals and a menu of programs that will arrest California's increases in VMT, and lead to meaningful reductions in the near-term.

Sincerely,

/s/ DAVID SCHONBRUNN

David Schonbrunn,  
President  
David@Schonbrunn.org

Attachments

Commitments and Proposed Measures (Excerpts of pp. 54 & 56 of the Draft)

TRANSDEF 2015 Comment Letter to ARB

TRANSDEF 2016 Comment Letter to ARB

TRANSDEF 2016 Comment Letter to CTC

## **Commitments and Proposed Measures (in the Draft) that, If Implemented, Could Reduce VMT in the Near-term**

- Mobile Source Strategy – VMT reduction of 15 percent by 2050 (with measures to achieve this goal not specified) ... (p. 54.)
- Continue to develop and explore pathways to implement State-level VMT reduction strategies, such as those outlined in the document “Potential State-Level Strategies to Advance Sustainable, Equitable Communities and Reduce Vehicle Miles of Travel (VMT) -- for Discussion”<sup>58</sup> – included in Appendix G (also to be included in early 2017 release) – through a transparent and inclusive interagency policy development process to evaluate and identify implementation pathways for additional policies to reduce VMT and promote sustainable communities, with a focus on:
  - Developing pricing mechanisms such as road user/VMT-based pricing, congestion pricing, and parking pricing strategies
  - Reducing congestion and related GHG emissions through commute trip reduction strategies, and
  - Programs to maximize the use of alternatives to single-occupant vehicles, including bicycling, walking, transit use, and shared mobility options. (p. 56.)

# Transportation Solutions Defense and Education Fund

P.O. Box 151439 San Rafael, CA 94915 415-331-1982

October 2, 2015  
Posted to:  
2030targetsp-ws

Mary Nichols, Chair  
California Air Resources Board  
P.O. Box 2815  
Sacramento, CA 95812

Re: Scoping Plan Update to Reflect the 2030 Target

Dear Ms. Nichols:

The Transportation Solutions Defense and Education Fund, TRANSDEF, is an environmental non-profit advocating for the regional planning of transportation, land use and air quality, with a focus on climate change. We strongly support ARB's efforts to design programs to achieve the state's GHG emissions reduction targets. We are proud that California wants to demonstrate to the world how to do it. We hope you find our outsider perspective as real-world transit advocates useful as you update the Scoping Plan.

## The Disconnect Between Local Policy and State Policy

We listened to the webcast of ARB's kickoff public workshop for the Scoping Plan Update to Reflect the 2030 Target. TRANSDEF appreciated yesterday's Transportation and Land Use presentations as well thought-out and comprehensive policy solutions. The policy team is fully equipped to lead the parade, as California transforms itself to meet the requirements of climate change.

**The problem is, no one at the local level is following them. The day-to-day realities of the climate-hostile fields of transportation and infill development are entirely disconnected from the State's climate policies.** As a glaring example, just today, we received a copy of a letter from a county's Transportation Commission (attached) in response to a Sierra Club inquiry as to how its new countywide transportation plan would approach the Executive Orders on GHG emissions reduction. The letter asserts that "... state emission reduction requirements do not directly apply to local agencies ..." Its Plan goals are entirely silent about GHG emissions reductions.

Especially galling about this Commission's stance is its repetition of climate change-related claims that we informed them to be false last year. 67% of the GHG reductions claimed in the letter come from Scoping Plan measures. The Plan's "contribution" to GHG emissions reduction was its increased VMT, which nearly wiped out the Scoping Plan reductions. Please note that the claimed 24% reduction is in per capita terms



rather than total emissions reductions, thereby avoiding the question of the Plan's impact on global warming. All of this is contrary to the legislative intent of SB 375, which called for local reductions on top of Scoping Plan measures.

In short, there is no commitment in this county's transportation planning to addressing the climate emergency--and the same is probably true for all the other California counties. The consequences of this willful omission are dire, as counties set the priorities for regional transportation plans, which program vast amounts of transportation funds. A very large percentage of transportation funds statewide are still devoted to building infrastructure that locks-in California's dependence on solo driving, resulting in permanently increased VMT and resultant GHGs.

This disconnect, where local agencies expect the State to do all the heavy lifting, where most large transportation projects result in increased GHGs, where MPOs successfully pressure ARB to adopt regional emissions reduction targets low enough to allow them to evade fundamental change, and where approved densities in infill development are set so low that they don't support transit effective enough to promote mode shift, will be fatal to achieving the Executive Order targets. **Practitioners of the status quo need to be dragged into alignment with the State's climate change policy framework.**

#### The California Transportation Commission and Caltrans

While this author assisted in two updates to the CTC's Regional Transportation Plan Guidelines in response to AB 32 and SB 375, the agency remains oblivious to climate change. It continues merrily building highways. Caltrans, under the mandate of SB 391, produced the draft California Transportation Plan 2040, which lays out a viable plan to achieve the State's 2050 emissions reduction goals. However, the Caltrans Districts are all business-as-usual, not recognizing the fundamental truth that the more pavement there is, the more people's mode choices will default to driving alone. This is exactly the wrong direction for our State.

Resistance from agencies on the local, regional and state levels is so strong that the Governor's leadership is very much needed. For the needed shifts in transportation professionals and in public opinion, he needs to instill a very public sense of mobilization on behalf of the climate.

#### When Do We Start Reducing For Real?

A huge unanswered question in transportation is "When will agencies finally have to set aside their backlogs of capacity-building projects, and get with the climate change program?" Agencies use Committed Projects policies ("If it was in the last RTP, we don't reevaluate it--it automatically goes into the next RTP") as a means of locking in the status quo. ARB needs to collaborate with OPR to set a date certain, after which agencies are required to analyze all capacity-increasing transportation projects from a climate change perspective.

Capacity-adding projects directly harm the State's efforts to reduce VMT and GHGs. Despite the profound change in the direction of state policy, a large majority of funding continues to flow to climate-hostile projects. The State's resources are controlled by rogue agencies that countermand its own policies. The State must insist that all

agencies cooperate in the fight against climate change. ARB should recommend that the CEQA Guidelines be amended to exclude all committed yet unbuilt projects from the Existing Conditions baseline. That will ensure that their impacts are analyzed. Alternatively, the rescission of Committed Projects policies could be a requirement of receiving GGRF funding.

### Sales Taxes

Congestion management agencies adopting sales tax expenditure plans continue to act like they've never heard of SB 375 (see the discussion above of the attached letter). Because sales taxes now make up roughly half of all transportation funding in the State, it is critical for the State to establish a legal framework where sales taxes must be consistent with State policy. The most obvious method is via CEQA review of policy consistency. The requirement to do CEQA review of such plans has slipped, under unfortunate appellate rulings such as *City of South Pasadena et al. v. LACMTA* (2010) B22118. ARB needs to recommend legislation to reverse these decisions. Active CEQA enforcement by the Attorney General (e.g., SANDAG's RTP) needs to be a prominent part of the Scoping Plan.

Amazingly, local agencies are claiming their transportation plans are exempt from CEQA. (See attached letter. Also, the Santa Clara Valley Transportation Authority adopted its VTP 2040 plan on its consent calendar, without environmental review.) Unless this trend is stopped cold, local jurisdictions will undo all the good work done by ARB in reducing emissions to meet the 2035 and 2050 targets. Because many sales taxes are planned for the November 2016 Presidential election, and because these taxes will lock in project lists for at least 20 years, it is critical that the State act quickly to prevent another crop of VMT-increasing taxes.

### Congestion

It is critical that ARB deeply understand the roots of today's transportation problems. America was sold a glowing vision of suburban freedom by the auto industry. These expectations shape our transportation decision-making, yet remain invisible. It simply is no longer true that one can jump in their car and get to their destination in a reasonable amount of time. The reality of physical and fiscal limits has intruded into that fantasy.

Congestion results from the unreasonable expectation that one can drive alone during peak periods at speeds similar to off-peak periods. There is not enough capacity in the roads for most of us to drive alone, and no realistic way to deliver that capacity. The fact that it is literally impossible to satisfy the peak-period demands of solo drivers has been entirely ignored: the State has spent many billions of dollars in a futile attempt to do so.

Our solo-driving-based transportation system cannot cope with mass numbers of travellers. Peak-period travel is inherently different from off-peak travel. By its very nature, peak-period travel is mass transportation. This obvious fact has been overlooked, due to the pervasiveness of American individualism. For the Scoping Plan to be able to successfully remake transportation into a climate-supportive sector, it will have to dive deeply into this cultural dimension and help shape reality-based expectations.

The status quo response to congestion is "We need more pavement..." Creating incentives to stimulate a massive increase in carpooling is never raised as a serious alternative. From the perspective of cost, this is exceedingly foolish. From the standpoint of both climate and congestion, this latter approach is the only realistic way forward. Smartphone apps can now mitigate the inconvenience of carpooling with strangers by offering real-time ridematching and online incentives.

We caution ARB to avoid the pitfall presented by electric vehicles. While we are enthusiastic EV supporters, we recognize that the state is challenged by two distinct transportation problems: the need for a large reduction in GHG emissions from motor vehicles, and peak-period congestion in metropolitan areas. While EVs are an excellent and fast solution for the first challenge, overly focusing on them will only exacerbate the second. That's why the Scoping Plan needs to not only promote EVs but also heavily incentivize carpooling, end the spread of suburban subdivisions and provide support for infill and TOD.

#### Electric Vehicles

Rebates will continue to be needed to support the increase in electric vehicle market share, until the adjusted prices for these vehicles are roughly similar to those for gas vehicles. The adjustment is the subtraction of the cost differential between gasoline at \$4.00 a gallon and electricity at the CEC estimated price, for the life of the battery.

We continue to be dubious as to the need for public investment in charging stations. Regulations calling for the provision of conduit stubs in newly constructed residential parking should provide a cost-effective pathway for the future installation of charging at home, the location where we expect the vast percentage of charging will be done. Spending public dollars on charging stations must be based on more substantive than countering "range anxiety." Unless data prove otherwise, we will continue to believe that families will purchase EVs as second cars for commuting, where the range is well-known and planned for, eliminating the anxiety. Long-distance trips in EVs will be relatively rare, necessitating a lower public investment in charging than is now planned.

#### Connected Vehicles

Connected Vehicles were developed in response to congested conditions, which result from excessive solo driving. The technology assumes continuing unquestioning support for driving alone. Autonomous vehicles will increase utilization of the drive-alone (driven-alone?) vehicle, thereby leading to large increases in VMT, GHG emissions and congestion. The very large private and public investments that will be required for national implementation of these technologies need to be considered in this context.

#### Hydrogen Fuel Cell Vehicles

TRANSDEF continues to be dubious about the relative benefits of the hydrogen fuel cell path to powering light-duty vehicles, when compared with the battery path. It requires building an entirely new distribution network at tremendous cost. The electric grid is already in place and its upgrade costs can be piggybacked upon. In the absence of a head-to-head comparison of life cycle system costs, we can only see this program as a quaint holdover from a former Governor.

### High-Speed Rail

TRANSDEF is a strong supporter of cost-effective High-Speed Rail (HSR) and believes HSR should be a centerpiece for the Scoping Plan. However, the political origins of the CHSRA project design guarantee that it will fail. We fully expect that CHSRA's project will never carry a single passenger, despite the expenditure of over a billion dollars on planning and design.

The inclusion of the CHSRA project is an aberrant part of the previous Scoping Plans. Unlike all the other measures, there is no scientific analysis of the claimed HSR emissions reductions--only a puff piece by the project sponsor that omits major sources of emissions. Replacing the science are glowing testimonials from high State officials, including the Board's Chair. There is no scientific justification for allocating GGRF to the CHSRA project. Clearly, CHSRA's HSR is a GHG emissions reduction measure only because the Governor says it is. TRANSDEF is currently litigating this issue with ARB.

The Scoping Plan Update will be inadequate to justify the CHSRA project's eligibility for GGRF funding, unless ARB independently analyzes and opines on: 1). the relationship of the timing of the project's operational emissions reductions to the Executive Order targets; 2).the total construction emissions generated by the project, including the embedded emissions in construction materials such as cement; 3). whether CHSRA has a feasible plan to assemble the massive funding needed to complete its project; 4). the likelihood that CHSRA will be able to adhere to its announced timeline; and 5). whether enforceable commitments ensure that construction materials such as cement will be manufactured in California, so that they are regulated under the State's Cap and Trade regime.

### Locomotive Emissions

ARB could play a useful role commenting on USEPA regulation of diesel locomotives. Currently, Tier 0 locomotives are allowed to be completely rebuilt, with the brand-new locomotive exempt from Tier 4 regulations. There is no excuse for the resulting excessive PM emissions--they interfere with the State's black carbon SLCP program.

### Freight Movement

The adequacy of roadway capacity for trucks and the emissions from congestion would disappear as an issue if the industry could be persuaded to shift all or most of its operations in metropolitan areas to nighttime.

### System Efficiency

For transportation programs, please use a different phrase than System Efficiency. This is a phrase Caltrans has long used the phrase as a euphemism for the adding of highway capacity. Using faulty emissions models that ignore the inducement of new demand, it is claimed that increasing capacity causes reduced congestion and reduced emissions. It should be retired, along with the engineers that can't acknowledge the need to reduce VMT.

### Sustainable Communities

The single most important thing that can be done to increase emissions reductions from Sustainable Communities would be to increase the regional GHG emissions reduction

targets, to make them actually generate reductions. While the decision to set regional GHG targets on a per capita basis is understandable, it is not understandable that the adopted targets were set lower than the projected rate of population growth. That guaranteed that compliance with the targets would result in an overall increase in GHG emissions. ARB bowed to the resistance of the MPOs in neutering the regional targets. ARB must not allow the MPOs to continue to drag their heels.

The development and planning professions have never done Transit-Oriented Development before, and the planning of recent projects shows that. Densities are too low, parking ratios are too high and transit service is inadequate to support a significant mode shift. ARB and its sister agencies need to make sure investments in Sustainable Communities result in actual mode shift and emissions reductions. A good starting point would be to require moderately-high minimum densities and lower-than-usual maximum parking ratios as conditions for GGRF grants.

We have just received our copy of Newman and Kenworthy's *The End of Automobile Dependence*, Island Press, 2015. It looks like it could become the Bible for the Sustainable Communities field.

### Station Areas

The League of Women Voters of the Bay Area recognized the preciousness of transit station areas, and proposed they be protected by a Commission similar to the Bay Conservation and Development Commission. Where BCDC is tasked with protecting the State's interest in development along San Francisco Bay, the League thought that station sites needed to be protected from poor local decisions that ignore the interests of the State.

Station areas are unique and irreplaceable, due to the exigencies of where transit lines can be made to fit. They are urgently needed to site a large percentage of future jobs and housing in California. To succeed in the climate-change priority of making walking, biking and transit the preferred modes for most daily trips, the design of station areas is critical. Local governments and MPOs are not up to the task.

Local councils are so buffeted by the competing pressures to keep densities down and the need to generate sales tax (the fiscalization of land use) that they overlook the needs of the region and state. The Bay Area is a showcase for the bad planning of station areas: the City of South San Francisco approved a massive Costco big box store across the street from a BART station, thereby wasting most of the station's TOD potential. The region and Alameda County spent a billion dollars to create a transit-oriented community at Warm Springs. No one seemed to notice any problem with its center being a BART station with 2000 surface parking spaces.

Such approaches cannot remain the norm if the State is to reduce GHG emissions. Station areas will not be optimized under local control. A new institution needs to be created to ensure that local decisions are consistent with State policy.

Conclusion

TRANSDEF recognizes the difficulties faced by ARB in leading the charge towards low-carbon lifestyles. We appreciate this opportunity to comment on the Update to the Scoping Plan. We would be pleased to assist in the implementation of these ideas.

Sincerely,

/s/ DAVID SCHONBRUNN

David Schonbrunn,  
President  
David@Schonbrunn.org

Attachments

Sierra Club letter to ACTC  
ACTC Response

cc: ACTC Board of Directors

# Transportation Solutions Defense and Education Fund

P.O. Box 151439 San Rafael, CA 94915 415-331-1982

September 26, 2016

Posted to:

scoplan2030trnspt-ws

Mary Nichols, Chair  
California Air Resources Board  
P.O. Box 2815  
Sacramento, CA 95812

Re: Comments on Potential State-Level Strategies to Advance Sustainable, Equitable Communities and Reduce Vehicle Miles of Travel (VMT).

Dear Ms. Nichols:

The Transportation Solutions Defense and Education Fund, TRANSDEF, is an environmental non-profit advocating for the regional planning of transportation, land use and air quality, with a focus on climate change. We consider reducing VMT to be our primary mission. We strongly support ARB's efforts to design programs to achieve the state's GHG emissions reduction targets. We are proud that California wants to demonstrate to the world how to do it. We hope you find our outsider perspective as real-world transit advocates useful as you update the Scoping Plan.

We attended the public workshop on the Transportation Sector to Inform the 2030 Target Scoping Plan Update, and reviewed the Potential State-Level Strategies to Advance Sustainable, Equitable Communities and Reduce Vehicle Miles of Travel (VMT). While our comments primarily address that document, we also make comments on ARB's overall transportation strategy and incorporate by reference our 2015 comments on the Scoping Plan Update to Reflect the 2030 Target, as they are still entirely relevant. They are available at: <https://www.arb.ca.gov/lists/com-attach/3-2030targetsp-ws-WmgCNFdnA2VSCwZz.pdf>

## **The Paper's Fundamental Premise is Untrue**

The frame for the paper is the presentation of potential additional strategies to reduce VMT. This necessarily implies the existence of effective strategies already in place. In reality, while the rhetoric of state and regional agencies now call for a reduction in VMT, their actual decisions--and especially their funding priorities--are still firmly stuck in the highway-focused mentality of the last century. The vast majority of funds allocated by the CTC goes to highways, and are likely to induce additional VMT. Many local jurisdictions reject any responsibility whatsoever for VMT, even in their rhetoric. (See 2015 comment letter.) The results to date of the highlighted existing strategies (SCS--

the other two have not even been implemented) are minimal at best. Local and regional plans continue to show sharply increasing VMT.

Twenty-five years ago, the State of Oregon adopted its Transportation Planning Rule, which directed its localities to better connect land use plans with transportation plans. That law, and its implementation, was highly successful. Oregon now has a significantly lower VMT per capita than the rest of the U.S. Until California does something far-reaching like that, VMT will continue to increase with population.

TRANSDEF fully recognizes how controversial an effective program to reduce VMT will be. We surmise that the current dismal state of affairs in VMT reduction policy is the result of high-level decisions to avoid controversy. This "Potential State-Level Strategies" paper is clearly the product of such decisions, as it fails to propose any impactful strategies to reduce VMT, despite knowing what would work. It is curious that the senior agency officials that signed off on this paper publicly support VMT reductions while privately opposing the very policies that would actually accomplish them.

As environmentalists working for decades to reduce VMT, we would prefer candor from those officials, in the recognition that, essentially, this is an education problem. Most of the population continues to believe in the traffic fairy: If only we support the next sales tax or bond measure, the traffic fairy will make traffic congestion vanish. The public needs to be educated--by leaders it respects--that the time is coming to a close when it is possible in metropolitan regions for most residents to commute by solo driving.

Because the Potential Strategies paper does not confront this central problem of transportation, adopting the paper as-is into the Updated Scoping Plan will prevent the State from controlling its largest GHG emissions category, motor vehicles. A failure to control VMT almost certainly means a failure to achieve AB 32 and SB 32 goals.

### **Increasing Infill Development**

The State needs to create a fundamental economic advantage for infill development, if it is serious about achieving results. Auto-dependent development--sprawl--should be strongly disincentivized by a stiff impact fee based on added VMT. This could possibly be structured as an indirect source mitigation fee. The fee needs to be high enough to take the profit out of sprawl development. (This is entirely equitable, since much of the profit in the sprawl business model comes from externalizing the cost of access.) The playing field for infill development needs to be more than just level--it needs to be tilted towards infill, to compensate for its inherent difficulties.

Adoption of legislation modeled on Oregon's Transportation Planning Rule would help Shift land use practices in a sustainable direction.

### **Infrastructure Investments**

The fundamental problem in infrastructure is not "identifying and prioritizing projects." The problem is that transportation funding has long been a preferred vehicle for conferring political benefits. Projects consistently get funded not because of their merits, but because of their sponsors. This wastes vast amounts of scarce public capital. Until



that capital can be focused on the transit infrastructure needed to provide convenient alternatives to solo driving, VMT reduction will not happen. This will require a change in the expectations of politicians as to the scale of favors they are able to confer on their benefactors.

The paper's proposals for increasing transit mode share are not going to result in significant mode shift unless there is a sea change in where the bulk of the State's transportation funds are spent. The infrastructure section of the paper will not benefit VMT reduction unless its first policy is to eliminate funding for projects that increase VMT.

This writer is currently traveling in Switzerland, a country that has invested intensively in its rail infrastructure. It appears possible to get to anywhere in the country without a car. None of this is complicated or even all that difficult, once the political realization dawns that mobility in metropolitan regions primarily reliant on the automobile can only continue to decline. Switzerland, for example, has a unique investment-prioritizing process, which consistently seeks to optimize system performance by strategic incremental improvements.

### **Driverless Cars**

It is understandable that desperate transportation planners would latch onto autonomous vehicle technology as a life raft in response to the sinking ship of auto mobility. However, they miss a glaring problem: making it easier for anyone, of any age, to "drive" solo will inevitably greatly increase VMT. Roadway congestion (and GHG emissions, supposedly) are the only limiting factors to the explosion of this technology.

The thought process behind "Continue to study and develop policies around driverless vehicle technology that promote sustainable and equitable land use and reduce VMT" is completely backwards. Because the technology was developed to foster independent travel, it encourages unsustainable sprawl development. This section needs to be totally rewritten to express concern about the great harm this technology will do to the State's sustainability policies.

As an example of clear thinking on this technology, see: <http://humantransit.org/2015/11/self-driving-cars-a-coming-congestion-disaster.html>

### **Pricing**

Yes, it's true that "Several extensive studies have found pricing to be among the most impactful long-term VMT and GHG reduction strategies for the transportation sector." Despite the fact that the Potential State-Level Strategies paper has no other impactful strategies to offer, it balks on proposing any serious pricing (it's all study this and explore that...). All-lane highway pricing would do more for VMT reduction than anything else in the paper. If we recognize that highway congestion is the simple laws-of-supply-and-demand result of many decades of underpricing, it should be obvious that gradually increasing pricing will correct the market distortions over time.

It is equally obvious that pricing is politically terrifying. If we are at all serious about VMT reduction, we will inevitably end up having to deal with bringing the public along in implementing pricing, so why not start the discussion now? TRANSDEF advocated for two decades on the need to build convenient cost-effective transit, so that alternatives will be in place to give road users a choice of mode when pricing commences. MPOs like MTC have maximized the difficulty of a transition to a pricing regime by refusing to commit their resources that way. They were instead focused on policy disasters like Express Lanes.

### **Express Lanes are a Strategy to Increase VMT**

By providing facilities for solo drivers to avoid congestion, Express Lanes encourage the very behavior this paper's strategies are meant to discourage. It would be hard to find a worse strategy for reducing VMT than "Develop additional highway express lanes" unless it would be to make this the top pricing strategy.

HOT lanes are an artifact of the capacity-is-everything mindset of the previous century. The myopia of that mindset, which sees solo driving as the basic module of transport, prevents its practitioners from recognizing that solo driving is the fundamental problem of transportation. Instead of the old way, contemporary planners need to see solo driving as a failure of community design.

### **High-Speed Rail**

We incorporate by reference our oral and written comments and attachments on the 2014 Scoping Plan Update. In those comments, we provided evidence that the HSR project currently underway will result in a net increase in GHGs that will last through at least two decades of operations. ARB failed to independently review CHSRA's GHG analysis, resulting in the Chair endorsing a deeply flawed analysis. TRANSDEF is currently in litigation on this matter with ARB.

In short, unless HSR can be conclusively demonstrated to reduce GHGs in the long and short term, using comprehensive life cycle analysis methodologies, it cannot be included in the updated Scoping Plan as a GHG emissions reduction measure.

### **CTP 2040**

The recently adopted California Transportation Plan 2040 failed to meet the legislative mandate of SB 391. (See TRANSDEF comment letter on the Draft CTP Guidelines, available at: [http://www.dot.ca.gov/hq/tpp/offices/osp/ctp\\_files/comments/4DavidSchronnbrunn\\_Transdef.pdf](http://www.dot.ca.gov/hq/tpp/offices/osp/ctp_files/comments/4DavidSchronnbrunn_Transdef.pdf)) Perhaps the single most important action ARB can take to reduce VMT is to arrange for all State agencies to rescind their approvals of the Final Draft CTP 2040, and adopt the first public Draft CTP 2040 instead. That document did far more than "address" the 80% GHG reduction called for by law--it provided recommendations on how to get there.

### **Conclusion**

TRANSDEF recognizes the difficulties faced by ARB in leading the charge towards low-carbon lifestyles. We appreciate this opportunity to comment on the Update to the Scoping Plan. We would be pleased to assist in the implementation of these ideas.

Sincerely,

/s/ DAVID SCHONBRUNN

David Schonbrunn,  
President  
David@Schonbrunn.org

# Transportation Solutions Defense and Education Fund

P.O. Box 151439 San Rafael, CA 94915 415-331-1982

November 1, 2016  
By E-Mail to:

Susan Bransen, Executive Director  
California Transportation Commission  
1120 N Street, MS-52  
Sacramento, CA 95814

Re: RTP Guidelines Update

Dear Ms. Bransen:

TRANSDEF finds the excerpts cited below of MPO comments on the first draft of the RTP Guidelines update to conclusively demonstrate the MPOs' refusal to acknowledge the preeminent role of transportation in the generation of GHGs. Because these agencies control the implementation of climate policy for this critical sector, that refusal implies a further refusal to commit their full powers to the battle against climate change. One can only conclude that their efforts to reduce GHG emissions will be grudging and inadequate, resulting in the state's failure to meet its overall GHG emissions reduction targets.

Given the MPOs lack of concern, issuing the RTP Guidelines update in essentially their current form would result in unsatisfactory outcomes. TRANSDEF therefore requests and recommends that you call a halt to the finalization of the Guidelines, in the recognition that MPOs and state agencies need to be working in concert to protect the climate. We suggest that you put the Guidelines update process on hold, pending resolution of the disagreements between the MPOs and state agencies. The consequences of climate change are far too catastrophic for policy to be ignored due to institutional infighting.

Here are the excerpts I sent you following the Thursday meeting of the workgroup revising the RTP Guidelines. They were extracted from the comment log of the comments received from MPOs on the first draft of the RTP Guidelines update:

- MPOs reject the distinction between "shall" and "should" made in the 2010 Guidelines, long after many of the same personnel agreed to them back then. (SBCAG)
- They don't want to acknowledge transportation (and therefore, themselves) as being responsible for fully half of all GHG emissions, and would rather have only the tailpipe emissions cited. (AMBAG, SANDAG)

- They object to calling transportation a "significant source of GHGs" and request it be termed "one of multiple significant sources of GHGs." (SCAG)
- They object to a published ARB paper on induced demand. (OCTA, SCAG)
- They want to treat GHGs like criteria pollutants, where tailpipe regulations, not agencies, are responsible for eliminating the problem. (OCTA claims that the "CTP 2040 demonstrates that the best long-term method for reducing GHG emissions is ... zero emissions vehicles..." implying that VMT reduction is not.)
- SCAG asserts not only that "growth is inevitable", but that it will lead to increased GHGs: "RTPs do not worsen greenhouse gas emissions which are contributed by new growth in the region and throughout California." This is a rejection of SCAG's responsibility for transportation planning. The implication that mode share is immutable is a rejection of VMT reduction as a GHG reduction strategy. The reference to feasible and practicable mitigations appears to be setting up the grounds of an excuse that the RTP is essentially powerless to affect future GHGs. Clearly, the Age of Climate Change will require pushing the boundaries of public acceptance, if the state's climate goals are to be met.
- SANDAG's request for deletion from the Guidelines of ARB's calculation that no more than a 5.5% increase in VMT would comply with the Executive Order, on grounds that it does not "help the public understand the purpose of an RTP/SCS," is pure obstruction. (OCTA objected too.) This calculation is the single most powerful data point in the Guidelines. It acts like a warning flag to transportation professionals that they cannot continue their Business as Usual practices. Removing it would eliminate the warning.

CTC's editorial staff incorporated these comments as if they were editorial suggestions rather than policy disagreements, while climate-supportive stakeholders' comments were often ignored.

After an attitude reset, we believe that the most productive way to move forward would be to reopen the comment period on the first draft from back in July. That draft (after it receives the extensive copy editing called for by multiple comment letters) best reflects the state of agreement that existed on the 2010 update, making it the logical place from which to make a fresh start. We stand ready to assist in any way we are able.

Sincerely yours,

/s/ DAVID SCHONBRUNN

David Schonbrunn, President

CC:

Ken Alex, OPR

Mary Nichols, ARB

Brian Kelly, CalSTA