REPORT

DATE: December 15, 2005

TO: Regional Council

FROM: Naresh Amatya, Lead Regional Planner, 213-236-1885, amatya@scag.ca.gov

SUBJECT: Proposed 2008 Regional Transportation Plan (RTP) Update approach and the schedule pursuant to SAFETEA-LU

EXECUTIVE DIRECTOR'S APPROVAL:

RECOMMENDED ACTION:
Approve the proposed 2008 RTP update approach and the schedule as approved by the Transportation and Communications Committee (TCC) on December 1, 2005.

SUMMARY:

On December 1, 2005, TCC approved staff recommendation to move forward with the next Regional Transportation Plan Update (RTP) pursuant to the requirements of SAFETEA-LU, which allows plan update on 4-year cycle rather than the current 3-year cycle.

BACKGROUND:

Staff proposes updating the next RTP pursuant to the new requirements under the recently passed transportation bill known as Safe, Accountable, Flexible and Efficient Transportation Equity Act- A Legacy for Users (SAFETEA-LU). SAFETEA-LU includes a provision that allows SCAG to update the RTP every four years rather than every three years as required under the previous bill, Transportation Equity Act for the 21st Century (TEA-21). This would mean that the next RTP would be brought to the Regional Council for adoption in April of 2008 rather than 2007. The following are some of the primary benefits of the new 4-year update cycle that would effectively provide SCAG one extra year to adopt the next RTP.

1. We have the opportunity to synchronize the RTP update process and the air quality planning process. The United States Environmental Protection Agency (US EPA) has established new federal 8-hour ozone standards requiring states to submit new ozone State Implementation Plans (SIPs) by June 15, 2007, and PM2.5 will be included in these 2007 SIPs. Under the 3-year cycle, the conformity status of Southern California's 2004 RTP would expire on June 7, 2007, the day after the SIPs are due to EPA. With this schedule, the US EPA would not determine that the new on-road emissions budgets are adequate until after the 2007 RTP is adopted, and we would have to use the old SIP budgets that are based on the old model and obsolete data. If, however, we are able to apply the SAFETEA-LU 4-year cycle to our existing transportation plan, then we would have consistent use of the new model and new activity data in both the 2008 RTP and 2007 SIP.

2. The additional one year allowed by the 4-year cycle would allow us to take full advantage of our new and improved travel demand model. This will cure the perennial problem that arises due to inconsistency between the model/inventory data used to develop the emission budget versus the model used to perform the emission analysis to demonstrate conformity.

3. One of the provisions in SAFETEA-LU requires that a conformity re-determination on an existing RTP or RTIP must be made within 2 years of SIP approval by the US EPA. Therefore, given that SIP submittal for California is scheduled for June of 2007, and subsequent adequacy findings by US EPA around fall of 2007, conformity re-determination would have to be made by fall of 2009 on the 2007 RTP. This would not only put a strain on our resources, but would continue to perpetuate the mis-step between RTP and SIP. On the other hand, a 2008 RTP would use the 2007 SIP, avoiding this potential pitfall.

4. There are a number of major corridor studies that are being conducted in the region. The timing on these studies is such that final recommendations from these studies may only be available in time for incorporation into the 2008 RTP. If we were to update the RTP by April of 2007, we may not be able to take advantage of these efforts.

5. A new state law (AB2158, Lowenthal) requires that the RHNA update be coordinated with the RTP Update. The state RHNA schedule established before the passage of SAFETEA-LU calls for adoption of the housing allocation by June of 2007 by SCAG so that the cities can reflect the new allocations in their respective general plans by June of 2008. The growth forecast is an input to the RTP process. The additional one year available under the 4-year cycle would allow us to request an extension of the RHNA cycle 2008.

6. The SAFETEA-LU broadens the planning requirements of the RTP, and staff believes this would strengthen our plan in the long run. Some of the expanded planning requirements include explicit incorporation of environmental mitigation measures into the RTP, implementation of broadened consultation requirements, added emphasis on transportation security and non-motorized transportation planning, and added emphasis on system preservation.

A key issue in pursuing the 4-year cycle is that the conformity on our current RTP (2004 RTP) runs out on June 7, 2007, which means we could potentially face a conformity lapse for a period of about a year. However, SAFETEA-LU does have a provision for a grace period of up to one year. It is not fully clear at this point what this grace period would mean. A key concern for the region is that RTIP amendments may not be approved by the federal agencies during this grace period, which could not only be detrimental to our ability to deliver critical RTIP projects in a timely manner, but also potentially result in loss of funds for the region. Federal agencies responsible for implementing SAFETEA-LU will be developing rules and guidelines to clarify these issues over the next several months. Staff will continue to work with the federal agencies responsible for the rule making to ensure that our concerns are adequately considered in the process. Furthermore, staff also proposes pursuing clarifying legislation that would resolve our issue.

The following are key milestones for the 2008 RTP update.

- Initial input from the stakeholders on the plans and programs by June 2006
- Adopt 2006 RTIP, which provides the basis for the No-Project (Baseline) alternative for the 2008 RTP by August, 2006
- Complete No-Project Growth Forecast by Sept. 2006
- Complete alternatives evaluation process by June of 2007
- Release Draft 2008 RTP and PEIR for public review and comments by October of 2007
- Close public review and comment period by January of 2008

- Refine and finalize the 2008 RTP per public input process, including preparation of the response to comments and present to RC for adoption in April of 2008
- Conformity certification by the federal agencies in June of 2008

FISCAL IMPACT:
Updating the RTP is a core activity for SCAG. Therefore it is fully reflected in the OWP and no additional fiscal impact is anticipated.