



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Public Works
Department No.: 054
For Agenda Of: November 13, 2018
Placement: Administrative
Estimated Tme: n/a
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director Scott D. McGolpin, Public Works Department, 568-3010
Contact Info: Chris Sneddon, Deputy Director, Transportation, 568-3064
SUBJECT: Resolution to Support the Santa Barbara County Association of Governments' Exemption from the State's Congestion Management Program

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Adopt the attached Resolution (Attachment A) supporting the Santa Barbara County Association of Governments' exemption from the State's Congestion Management Program; and
- b) Find that the above recommended action is not a project under the California Environmental Quality Act review per CEQA Guideline Section 15378(b)(5), since the activity is an organization or administrative activity of the government that will not result in direct or indirect physical changes in the environment.

Summary Text:

This item is on the agenda to adopt the required Resolution that, if a majority of local governments agree, will exempt the Santa Barbara County region from the requirements of the State's Congestion Management Program (CMP). During its July 19, 2018 meeting, the Santa Barbara County Association of Governments (SBCAG) Board of Directors directed SBCAG staff to pursue exemption from the State's CMP. For SBCAG to become exempt from the State's CMP the law requires that "*a majority of local governments, collectively comprised of the city councils and the county board of supervisors, which in total also represent a majority of the population in the county, each adopt Resolutions electing to be exempt from the congestion management program.*" (Gov. Code § 65088.3).

County Public Works staff has coordinated this item with SBCAG staff. Each of the eight cities in Santa Barbara County will consider a similar item.

Background:

SBCAG, as the Congestion Management Agency (CMA), is required by state law to prepare and regularly update a Congestion Management Program for the Santa Barbara County region. The last CMP update

was adopted by the SBCAG Board in October 2016. At that time, the Technical Transportation Advisory Committee (TTAC), an advisory committee to SBCAG, directed staff to conduct an evaluation of the CMP to determine if the program was meeting its goals and achieving its stated objectives. During the fall of 2017, staff circulated a web-based evaluation amongst SBCAG's advisory committee members, Caltrans staff, and a select group of consultants to solicit feedback regarding the CMP. The feedback received from the evaluation was useful in informing staff and it was concluded that the CMP was not effectively accomplishing its objectives.

Since the passage of AB 2419 in 1996 enabling regions to become exempt from the CMP a number of other regions throughout the state have become exempt from the State's CMP; including, the Sacramento region (1996), San Luis Obispo (1996), Merced (1996), Butte (1997), Fresno (1997), Santa Cruz (2000), and San Diego (2009).

Exemption does not deprioritize the need to address congestion; it simply recognizes that the CMP is not an effective option for monitoring and planning for congestion related issues.

State law requires Congestion Management Programs to adhere to level of service (LOS) standards on a designated network of state highways and principal arterials. LOS operations are to be monitored on the network. If any segment is found to be operating at LOS E or worse, the local jurisdiction must prepare a deficiency plan or risk having Local Section 2105 gas tax funds withheld.

If the region were to become exempt from the state CMP requirements local jurisdictions would no longer be required to submit traffic count data to fulfill the level of service requirement, as it would no longer apply. In addition, submittal of land use data would not be required, as the Land Use Element requirement of the CMP would not apply. Therefore, an exemption from the state CMP would also remove the requirement that SBCAG find that local jurisdictions conform to the requirements of the CMP or require that they prepare deficiency plans where they do not. The biennial CMP reporting requirement would also not apply.

Many respondents to the CMP evaluation stated that the CMP data collection requirements were too cumbersome. Exempting the CMP from the State regulations would eliminate the data collection requirements and reduce costs for our local partners. In the County of Santa Barbara, there are 27 regionally significant intersections that require traffic counts every 2-5 years (Attachment B), at a cost of \$500 per intersection. The CMP exemption could save the County \$2,700 to \$6,750 per year.

The deficiency plan process, in the absence of state funds, is costly and burdensome for the local jurisdictions. This process has rarely been "triggered". There have only been six deficiency plans prepared since the CMP was initiated in 1991. The CMP deficiency planning process was utilized throughout the 1990s at five intersections and in 2002 during the preparation of the 101 South Coast Deficiency Plan. There have been no deficiency plans prepared in the region since 2002.

Even if exempt from the state requirements, SBCAG would continue to be responsible for fulfilling federal congestion management requirements, in particular, by implementing policies, programs, and projects in the Regional Transportation Plan (RTP) and Transportation Improvement Program (as specified under Title 23 Part 450 Section 320). The federal congestion management provisions are more flexible and utilize the RTP as the primary tool to provide solutions for congestion. The RTP includes identification and evaluation of anticipated performance and expected benefits of appropriate congestion management strategies (demand management, operational improvements, transit improvements, systems management improvements, etc.). The federal requirements do not require that local jurisdictions collect data and submit to the regional agency. Instead, they place the burden on regional agencies to work cooperatively with the state and local jurisdictions to collect data as necessary.

SBCAG staff has found the one potential ramification of exemption. Existing state law allows for a countywide transportation planning agency to "place a majority vote ballot measure before the voters of the county to authorize an increase in the fees of motor vehicle registration in the county for transportation-

related projects and programs". The fee cannot exceed \$10 per vehicle. SB 83 states that the agency must be a Congestion Management Agency. Three CMAs have successfully implemented a vehicle registration fee ballot measure (Alameda County Transportation Commission, Transportation Authority of Marin, and San Francisco County Transportation Authority). Exempting our region from the state requirements would remove our region from eligibility for the SB 83 Motor Vehicle Registration Fee Program, though the process could be reversed if needed.

Fiscal and Facilities Impacts:

Budgeted: N/A

Fiscal Analysis:

Narrative: N/A

Special Instructions:

Please forward one copy of the executed Resolution, and a certified stamped minute order to the attention of Michael Becker, Planning Division Manager, SBCAG, ext. 8912; and a second copy of the Resolution to the attention of Gail Ocheltree, in the Public Works Department, Transportation Division, 123 E. Anapamu Street, ext. 3094.

Attachments:

Attachment A: Resolution (one original)

Attachment B: List of Regionally Significant Intersections

Authored by:

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