

Transportation Solutions Defense and Education Fund

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August 5, 2016
By E-Mail to
CTP@dot.ca.gov

Gabriel Corley, Project Manager
Division of Transportation Planning, MS-32
California Department of Transportation
P.O. Box 942874
Sacramento, CA 94274-0001

Re: Draft 2016 CTP Guidelines

Dear Mr. Corley:

The Transportation Solutions Defense and Education Fund, TRANSDEF, is an environmental non-profit focused on reducing the climate impacts of transportation. TRANSDEF commented extensively on CTP 2040. In reviewing the text of the draft RTP Guidelines and CTP Guidelines, we studied SB 391. We were surprised to discover that CTP 2040 did not comply with the mandate established by SB 391.

A corrected understanding of the SB 391 mandate is essential for the CTP Guidelines, because the very purpose of the document is to direct compliance with the law. We therefore offer this detailed analysis:

The mandate of SB 391 is described in the Draft CTP Guidelines text as:

Similar to the requirements for regional transportation plans under SB 375, Senate Bill (SB) 391 adds new requirements to the State's long-range transportation plan to meet California's climate change goals under AB 32. The bill requires the CTP to address how the state will achieve maximum feasible emissions reductions in order to attain a statewide reduction of greenhouse gas emissions to 1990 levels by 2020 and 80% below 1990 levels by 2050. (pp. 5-6.)

CTP 2040 is not a set of recommendations leading to the achievement of the 2050 GHG emissions reduction target. The CTP does not offer a response to the perils of climate change. It merely discusses what would have to be done if the State were to get serious about reducing the GHG emissions from its largest source category, motor

vehicles. Ultimately, the question is simple: "Is there any connection between the CTP's recommendations and Executive Order S-3-05?" We think the answer is clear: No.

While CTP 2040 did contain a scenario that demonstrated how the State could get to the target, the Plan then went to great lengths to disconnect itself from that scenario:

Modeling of the Transportation Scenarios was a theoretical exercise designed to test one specific path to reach the AB 32 GHG reduction targets. There are limitations to the models, and all conclusions and findings should be read with this caveat. These are not specific policy recommendations. For specific recommendations, please refer to Chapter 4. (CTP 2040, p. 90.)

Similarly, the title for Chapter 3 "Modeling Theoretical Transportation Scenarios" prevents any possible conclusion that a scenario can be considered a recommendation.

Analysis of SB 391

Caltrans has misread the direction given by SB 391. Whether intentional or unintentional, as a result, CTP 2040 does not comply with the requirements of the law.

The fundamental problem is the extremely narrow reading given to the key directive in SB 391 to "address" as in "address how the state will achieve maximum feasible emissions reductions in order to attain a statewide reduction of greenhouse gas emissions..." Section 65072.2.

The approved CTP 2040 is based on a dismissive interpretation of "address" that makes the word akin to "mention." A dictionary definition is "to apply (oneself); to direct (one's energies)." (Webster's New World Dictionary of the American Language. 1966.) In the context of the legislative findings contained in GC Section 14000.6, we believe "address" must be understood expansively, as in "deal with."

This is especially true because the other section of the law is even stronger:

65072. The California Transportation Plan shall include all of the following: (a) A policy element that describes the state's transportation policies and system performance objectives. These policies and objectives shall be consistent with legislative intent described in Sections 14000, 14000.5, 14000.6, and 65088. (emphasis added.)

This section elevates the climate change policy element (Sec. 14000.6) to the level of being a key driver of the CTP. Because CTP 2040 makes no attempt to respond to the very specific timeline of targets referenced by Sec. 14000.6 in its recommendations, it must be concluded that the CTP failed to meet the requirements of SB 391.

Conclusion

The CTP Guidelines must be amended to clarify that the CTP is to provide a set of recommendations that will guide California to achieve the emissions targets cited in Sec. 14000.6 and provide the plan for the multimodal system cited in Sec. 65072.2.

TRANSDEF appreciates this opportunity to assist with the development of the CTP Guidelines.

Sincerely,

/s/ DAVID SCHONBRUNN

David Schonbrunn,
President