

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1179

Introduced by Assembly Member Bocanegra

February 22, 2013

An act to amend Section 65080 of the Government Code, and to amend Section 75121 of the Public Resources Code, relating to planning.

LEGISLATIVE COUNSEL'S DIGEST

AB 1179, as amended, Bocanegra. Regional transportation plan: sustainable communities strategy: schoolsites.

Existing law requires certain transportation planning activities by designated regional transportation planning agencies, including development of a regional transportation plan. Certain of these agencies are designated by federal law as metropolitan planning organizations. Existing law requires metropolitan planning organizations to adopt a sustainable communities strategy, subject to specified requirements, as part of a regional transportation plan, which is to be designed to achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region.

This bill would additionally require the sustainable communities strategy to identify, in consultation with each local educational agency in the region, ~~future school facilities sites, or existing facilities that may be modernized or expanded~~ *how the sustainable communities strategy may impact school enrollments and capacities and the need for new schoolsites or expansion or modernization of existing schoolsites*, as specified. By imposing additional requirements on local agencies, the bill would impose a state-mandated local program.

Existing law creates the Strategic Growth Council, consisting of specified state officers and a public member appointed by the Governor, with specified duties relating to coordination of actions of state agencies relative to improvement of air and water quality, natural resource protection, transportation, and various other matters.

This bill would add the Superintendent of Public Instruction or his or her designee to the Strategic Growth Council.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 65080 of the Government Code is
2 amended to read:

3 65080. (a) Each transportation planning agency designated
4 under Section 29532 or 29532.1 shall prepare and adopt a regional
5 transportation plan directed at achieving a coordinated and balanced
6 regional transportation system, including, but not limited to, mass
7 transportation, highway, railroad, maritime, bicycle, pedestrian,
8 goods movement, and aviation facilities and services. The plan
9 shall be action-oriented and pragmatic, considering both the
10 short-term and long-term future, and shall present clear, concise
11 policy guidance to local and state officials. The regional
12 transportation plan shall consider factors specified in Section 134
13 of Title 23 of the United States Code. Each transportation planning
14 agency shall consider and incorporate, as appropriate, the
15 transportation plans of cities, counties, districts, private
16 organizations, and state and federal agencies.

17 (b) The regional transportation plan shall be an internally
18 consistent document and shall include all of the following:

19 (1) A policy element that describes the transportation issues in
20 the region, identifies and quantifies regional needs, and describes
21 the desired short-range and long-range transportation goals, and

1 pragmatic objective and policy statements. The objective and policy
2 statements shall be consistent with the funding estimates of the
3 financial element. The policy element of transportation planning
4 agencies with populations that exceed 200,000 persons may
5 quantify a set of indicators including, but not limited to, all of the
6 following:

7 (A) Measures of mobility and traffic congestion, including, but
8 not limited to, daily vehicle hours of delay per capita and vehicle
9 miles traveled per capita.

10 (B) Measures of road and bridge maintenance and rehabilitation
11 needs, including, but not limited to, roadway pavement and bridge
12 conditions.

13 (C) Measures of means of travel, including, but not limited to,
14 percentage share of all trips (work and nonwork) made by all of
15 the following:

16 (i) Single occupant vehicle.

17 (ii) Multiple occupant vehicle or carpool.

18 (iii) Public transit including commuter rail and intercity rail.

19 (iv) Walking.

20 (v) Bicycling.

21 (D) Measures of safety and security, including, but not limited
22 to, total injuries and fatalities assigned to each of the modes set
23 forth in subparagraph (C).

24 (E) Measures of equity and accessibility, including, but not
25 limited to, percentage of the population served by frequent and
26 reliable public transit, with a breakdown by income bracket, and
27 percentage of all jobs accessible by frequent and reliable public
28 transit service, with a breakdown by income bracket.

29 (F) The requirements of this section may be met utilizing
30 existing sources of information. No additional traffic counts,
31 household surveys, or other sources of data shall be required.

32 (2) A sustainable communities strategy prepared by each
33 metropolitan planning organization as follows:

34 (A) No later than September 30, 2010, the State Air Resources
35 Board shall provide each affected region with greenhouse gas
36 emission reduction targets for the automobile and light truck sector
37 for 2020 and 2035, respectively.

38 (i) No later than January 31, 2009, the state board shall appoint
39 a Regional Targets Advisory Committee to recommend factors to
40 be considered and methodologies to be used for setting greenhouse

1 gas emission reduction targets for the affected regions. The
2 committee shall be composed of representatives of the metropolitan
3 planning organizations, affected air districts, the League of
4 California Cities, the California State Association of Counties,
5 local transportation agencies, and members of the public, including
6 homebuilders, environmental organizations, planning organizations,
7 environmental justice organizations, affordable housing
8 organizations, and others. The advisory committee shall transmit
9 a report with its recommendations to the state board no later than
10 September 30, 2009. In recommending factors to be considered
11 and methodologies to be used, the advisory committee may
12 consider any relevant issues, including, but not limited to, data
13 needs, modeling techniques, growth forecasts, the impacts of
14 regional jobs-housing balance on interregional travel and
15 greenhouse gas emissions, economic and demographic trends, the
16 magnitude of greenhouse gas reduction benefits from a variety of
17 land use and transportation strategies, and appropriate methods to
18 describe regional targets and to monitor performance in attaining
19 those targets. The state board shall consider the report prior to
20 setting the targets.

21 (ii) Prior to setting the targets for a region, the state board shall
22 exchange technical information with the metropolitan planning
23 organization and the affected air district. The metropolitan planning
24 organization may recommend a target for the region. The
25 metropolitan planning organization shall hold at least one public
26 workshop within the region after receipt of the report from the
27 advisory committee. The state board shall release draft targets for
28 each region no later than June 30, 2010.

29 (iii) In establishing these targets, the state board shall take into
30 account greenhouse gas emission reductions that will be achieved
31 by improved vehicle emission standards, changes in fuel
32 composition, and other measures it has approved that will reduce
33 greenhouse gas emissions in the affected regions, and prospective
34 measures the state board plans to adopt to reduce greenhouse gas
35 emissions from other greenhouse gas emission sources as that term
36 is defined in subdivision (i) of Section 38505 of the Health and
37 Safety Code and consistent with the regulations promulgated
38 pursuant to the California Global Warming Solutions Act of 2006
39 (Division 25.5 (commencing with Section 38500) of the Health
40 and Safety Code).

1 (iv) The state board shall update the regional greenhouse gas
2 emission reduction targets every eight years consistent with each
3 metropolitan planning organization’s timeframe for updating its
4 regional transportation plan under federal law until 2050. The state
5 board may revise the targets every four years based on changes in
6 the factors considered under clause (iii). The state board shall
7 exchange technical information with the Department of
8 Transportation, metropolitan planning organizations, local
9 governments, and affected air districts and engage in a consultative
10 process with public and private stakeholders prior to updating these
11 targets.

12 (v) The greenhouse gas emission reduction targets may be
13 expressed in gross tons, tons per capita, tons per household, or in
14 any other metric deemed appropriate by the state board.

15 (B) Each metropolitan planning organization shall prepare a
16 sustainable communities strategy, subject to the requirements of
17 Part 450 of Title 23 of, and Part 93 of Title 40 of, the Code of
18 Federal Regulations, including the requirement to utilize the most
19 recent planning assumptions considering local general plans and
20 other factors. The sustainable communities strategy shall (i)
21 identify the general location of uses, residential densities, and
22 building intensities within the region, (ii) identify areas within the
23 region sufficient to house all the population of the region, including
24 all economic segments of the population, over the course of the
25 planning period of the regional transportation plan taking into
26 account net migration into the region, population growth, household
27 formation and employment growth, (iii) identify areas within the
28 region sufficient to house an eight-year projection of the regional
29 housing need for the region pursuant to Section 65584, (iv) identify
30 a transportation network to service the transportation needs of the
31 region, (v) gather and consider the best practically available
32 scientific information regarding resource areas and farmland in
33 the region as defined in subdivisions (a) and (b) of Section
34 65080.01, (vi) consider the state housing goals specified in Sections
35 65580 and 65581, (vii) identify, in consultation with each local
36 educational agency, as defined in Section 421 of the Education
37 Code, in the region, ~~future school facilities sites, with an emphasis~~
38 ~~on sites that enable pupils to walk to school and have the potential~~
39 ~~for joint use of the school facilities by the community, or existing~~
40 ~~school facilities for modernization or expansion if the area served~~

1 ~~by an existing school facility has been identified for infill or related~~
 2 ~~development~~ *how the sustainable communities strategy may impact*
 3 *school enrollments and capacities and the need for new schoolsites,*
 4 *and how the sustainable communities strategy may impact school*
 5 *capacities in the areas targeted for infill development and the need*
 6 *for expansion or modernization of existing schoolsites,* (viii) set
 7 forth a forecasted development pattern for the region, which, when
 8 integrated with the transportation network, and other transportation
 9 measures and policies, will reduce the greenhouse gas emissions
 10 from automobiles and light trucks to achieve, if there is a feasible
 11 way to do so, the greenhouse gas emission reduction targets
 12 approved by the state board, and (ix) allow the regional
 13 transportation plan to comply with Section 176 of the federal Clean
 14 Air Act (42 U.S.C. Sec. 7506).

15 (C) (i) Within the jurisdiction of the Metropolitan
 16 Transportation Commission, as defined by Section 66502, the
 17 Association of Bay Area Governments shall be responsible for
 18 clauses (i), (ii), (iii), (v), (vi) and (vii) of subparagraph (B), the
 19 Metropolitan Transportation Commission shall be responsible for
 20 clauses (iv) and (ix) of subparagraph (B); and the Association of
 21 Bay Area Governments and the Metropolitan Transportation
 22 Commission shall jointly be responsible for clause (viii) of
 23 subparagraph (B).

24 (ii) Within the jurisdiction of the Tahoe Regional Planning
 25 Agency, as defined in Sections 66800 and 66801, the Tahoe
 26 Metropolitan Planning Organization shall use the Regional Plan
 27 for the Lake Tahoe Region as the sustainable community strategy,
 28 provided that it complies with clauses (viii) and (ix) of
 29 subparagraph (B).

30 (D) In the region served by the multicounty transportation
 31 planning agency described in Section 130004 of the Public Utilities
 32 Code, a subregional council of governments and the county
 33 transportation commission may work together to propose the
 34 sustainable communities strategy and an alternative planning
 35 strategy, if one is prepared pursuant to subparagraph (I), for that
 36 subregional area. The metropolitan planning organization may
 37 adopt a framework for a subregional sustainable communities
 38 strategy or a subregional alternative planning strategy to address
 39 the intraregional land use, transportation, economic, air quality,
 40 and climate policy relationships. The metropolitan planning

1 organization shall include the subregional sustainable communities
2 strategy for that subregion in the regional sustainable communities
3 strategy to the extent consistent with this section and federal law
4 and approve the subregional alternative planning strategy, if one
5 is prepared pursuant to subparagraph (I), for that subregional area
6 to the extent consistent with this section. The metropolitan planning
7 organization shall develop overall guidelines, create public
8 participation plans pursuant to subparagraph (F), ensure
9 coordination, resolve conflicts, make sure that the overall plan
10 complies with applicable legal requirements, and adopt the plan
11 for the region.

12 (E) The metropolitan planning organization shall conduct at
13 least two informational meetings in each county within the region
14 for members of the board of supervisors and city councils on the
15 sustainable communities strategy and alternative planning strategy,
16 if any. The metropolitan planning organization may conduct only
17 one informational meeting if it is attended by representatives of
18 the county board of supervisors and city council members
19 representing a majority of the cities representing a majority of the
20 population in the incorporated areas of that county. Notice of the
21 meeting or meetings shall be sent to the clerk of the board of
22 supervisors and to each city clerk. The purpose of the meeting or
23 meetings shall be to discuss the sustainable communities strategy
24 and the alternative planning strategy, if any, including the key land
25 use and planning assumptions to the members of the board of
26 supervisors and the city council members in that county and to
27 solicit and consider their input and recommendations.

28 (F) Each metropolitan planning organization shall adopt a public
29 participation plan, for development of the sustainable communities
30 strategy and an alternative planning strategy, if any, that includes
31 all of the following:

32 (i) Outreach efforts to encourage the active participation of a
33 broad range of stakeholder groups in the planning process,
34 consistent with the agency's adopted Federal Public Participation
35 Plan, including, but not limited to, affordable housing advocates,
36 transportation advocates, neighborhood and community groups,
37 environmental advocates, home builder representatives,
38 broad-based business organizations, landowners, commercial
39 property interests, and homeowner associations.

1 (ii) Consultation with congestion management agencies,
2 transportation agencies, and transportation commissions.

3 (iii) Workshops throughout the region to provide the public with
4 the information and tools necessary to provide a clear
5 understanding of the issues and policy choices. At least one
6 workshop shall be held in each county in the region. For counties
7 with a population greater than 500,000, at least three workshops
8 shall be held. Each workshop, to the extent practicable, shall
9 include urban simulation computer modeling to create visual
10 representations of the sustainable communities strategy and the
11 alternative planning strategy.

12 (iv) Preparation and circulation of a draft sustainable
13 communities strategy and an alternative planning strategy, if one
14 is prepared, not less than 55 days before adoption of a final regional
15 transportation plan.

16 (v) At least three public hearings on the draft sustainable
17 communities strategy in the regional transportation plan and
18 alternative planning strategy, if one is prepared. If the metropolitan
19 transportation organization consists of a single county, at least two
20 public hearings shall be held. To the maximum extent feasible, the
21 hearings shall be in different parts of the region to maximize the
22 opportunity for participation by members of the public throughout
23 the region.

24 (vi) A process for enabling members of the public to provide a
25 single request to receive notices, information, and updates.

26 (G) In preparing a sustainable communities strategy, the
27 metropolitan planning organization shall consider spheres of
28 influence that have been adopted by the local agency formation
29 commissions within its region.

30 (H) Prior to adopting a sustainable communities strategy, the
31 metropolitan planning organization shall quantify the reduction in
32 greenhouse gas emissions projected to be achieved by the
33 sustainable communities strategy and set forth the difference, if
34 any, between the amount of that reduction and the target for the
35 region established by the state board.

36 (I) If the sustainable communities strategy, prepared in
37 compliance with subparagraph (B) or (D), is unable to reduce
38 greenhouse gas emissions to achieve the greenhouse gas emission
39 reduction targets established by the state board, the metropolitan
40 planning organization shall prepare an alternative planning strategy

1 to the sustainable communities strategy showing how those
2 greenhouse gas emission targets would be achieved through
3 alternative development patterns, infrastructure, or additional
4 transportation measures or policies. The alternative planning
5 strategy shall be a separate document from the regional
6 transportation plan, but it may be adopted concurrently with the
7 regional transportation plan. In preparing the alternative planning
8 strategy, the metropolitan planning organization:

9 (i) Shall identify the principal impediments to achieving the
10 targets within the sustainable communities strategy.

11 (ii) May include an alternative development pattern for the
12 region pursuant to subparagraphs (B) to (G), inclusive.

13 (iii) Shall describe how the greenhouse gas emission reduction
14 targets would be achieved by the alternative planning strategy, and
15 why the development pattern, measures, and policies in the
16 alternative planning strategy are the most practicable choices for
17 achievement of the greenhouse gas emission reduction targets.

18 (iv) An alternative development pattern set forth in the
19 alternative planning strategy shall comply with Part 450 of Title
20 23 of, and Part 93 of Title 40 of, the Code of Federal Regulations,
21 except to the extent that compliance will prevent achievement of
22 the greenhouse gas emission reduction targets approved by the
23 state board.

24 (v) For purposes of the California Environmental Quality Act
25 (Division 13 (commencing with Section 21000) of the Public
26 Resources Code), an alternative planning strategy shall not
27 constitute a land use plan, policy, or regulation, and the
28 inconsistency of a project with an alternative planning strategy
29 shall not be a consideration in determining whether a project may
30 have an environmental effect.

31 (J) (i) Prior to starting the public participation process adopted
32 pursuant to subparagraph (F), the metropolitan planning
33 organization shall submit a description to the state board of the
34 technical methodology it intends to use to estimate the greenhouse
35 gas emissions from its sustainable communities strategy and, if
36 appropriate, its alternative planning strategy. The state board shall
37 respond to the metropolitan planning organization in a timely
38 manner with written comments about the technical methodology,
39 including specifically describing any aspects of that methodology
40 it concludes will not yield accurate estimates of greenhouse gas

1 emissions, and suggested remedies. The metropolitan planning
2 organization is encouraged to work with the state board until the
3 state board concludes that the technical methodology operates
4 accurately.

5 (ii) After adoption, a metropolitan planning organization shall
6 submit a sustainable communities strategy or an alternative
7 planning strategy, if one has been adopted, to the state board for
8 review, including the quantification of the greenhouse gas emission
9 reductions the strategy would achieve and a description of the
10 technical methodology used to obtain that result. Review by the
11 state board shall be limited to acceptance or rejection of the
12 metropolitan planning organization's determination that the strategy
13 submitted would, if implemented, achieve the greenhouse gas
14 emission reduction targets established by the state board. The state
15 board shall complete its review within 60 days.

16 (iii) If the state board determines that the strategy submitted
17 would not, if implemented, achieve the greenhouse gas emission
18 reduction targets, the metropolitan planning organization shall
19 revise its strategy or adopt an alternative planning strategy, if not
20 previously adopted, and submit the strategy for review pursuant
21 to clause (ii). At a minimum, the metropolitan planning
22 organization must obtain state board acceptance that an alternative
23 planning strategy would, if implemented, achieve the greenhouse
24 gas emission reduction targets established for that region by the
25 state board.

26 (K) Neither a sustainable communities strategy nor an alternative
27 planning strategy regulates the use of land, nor, except as provided
28 by subparagraph (J), shall either one be subject to any state
29 approval. Nothing in a sustainable communities strategy shall be
30 interpreted as superseding the exercise of the land use authority
31 of cities and counties within the region. Nothing in this section
32 shall be interpreted to limit the state board's authority under any
33 other provision of law. Nothing in this section shall be interpreted
34 to authorize the abrogation of any vested right whether created by
35 statute or by common law. Nothing in this section shall require a
36 city's or county's land use policies and regulations, including its
37 general plan, to be consistent with the regional transportation plan
38 or an alternative planning strategy. Nothing in this section requires
39 a metropolitan planning organization to approve a sustainable
40 communities strategy that would be inconsistent with Part 450 of

1 Title 23 of, or Part 93 of Title 40 of, the Code of Federal
2 Regulations and any administrative guidance under those
3 regulations. Nothing in this section relieves a public or private
4 entity or any person from compliance with any other local, state,
5 or federal law.

6 (L) Nothing in this section requires projects programmed for
7 funding on or before December 31, 2011, to be subject to the
8 provisions of this paragraph if they (i) are contained in the 2007
9 or 2009 Federal Statewide Transportation Improvement Program,
10 (ii) are funded pursuant to Chapter 12.49 (commencing with
11 Section 8879.20) of Division 1 of Title 2, or (iii) were specifically
12 listed in a ballot measure prior to December 31, 2008, approving
13 a sales tax increase for transportation projects. Nothing in this
14 section shall require a transportation sales tax authority to change
15 the funding allocations approved by the voters for categories of
16 transportation projects in a sales tax measure adopted prior to
17 December 31, 2010. For purposes of this subparagraph, a
18 transportation sales tax authority is a district, as defined in Section
19 7252 of the Revenue and Taxation Code, that is authorized to
20 impose a sales tax for transportation purposes.

21 (M) A metropolitan planning organization, or a regional
22 transportation planning agency not within a metropolitan planning
23 organization, that is required to adopt a regional transportation
24 plan not less than every five years, may elect to adopt the plan not
25 less than every four years. This election shall be made by the board
26 of directors of the metropolitan planning organization or regional
27 transportation planning agency no later than June 1, 2009, or
28 thereafter 54 months prior to the statutory deadline for the adoption
29 of housing elements for the local jurisdictions within the region,
30 after a public hearing at which comments are accepted from
31 members of the public and representatives of cities and counties
32 within the region covered by the metropolitan planning
33 organization or regional transportation planning agency. Notice
34 of the public hearing shall be given to the general public and by
35 mail to cities and counties within the region no later than 30 days
36 prior to the date of the public hearing. Notice of election shall be
37 promptly given to the Department of Housing and Community
38 Development. The metropolitan planning organization or the
39 regional transportation planning agency shall complete its next

1 regional transportation plan within three years of the notice of
2 election.

3 (N) Two or more of the metropolitan planning organizations
4 for Fresno County, Kern County, Kings County, Madera County,
5 Merced County, San Joaquin County, Stanislaus County, and
6 Tulare County may work together to develop and adopt
7 multiregional goals and policies that may address interregional
8 land use, transportation, economic, air quality, and climate
9 relationships. The participating metropolitan planning organizations
10 may also develop a multiregional sustainable communities strategy,
11 to the extent consistent with federal law, or an alternative planning
12 strategy for adoption by the metropolitan planning organizations.
13 Each participating metropolitan planning organization shall
14 consider any adopted multiregional goals and policies in the
15 development of a sustainable communities strategy and, if
16 applicable, an alternative planning strategy for its region.

17 (3) An action element that describes the programs and actions
18 necessary to implement the plan and assigns implementation
19 responsibilities. The action element may describe all transportation
20 projects proposed for development during the 20-year or greater
21 life of the plan. The action element shall consider congestion
22 management programming activities carried out within the region.

23 (4) (A) A financial element that summarizes the cost of plan
24 implementation constrained by a realistic projection of available
25 revenues. The financial element shall also contain
26 recommendations for allocation of funds. A county transportation
27 commission created pursuant to Section 130000 of the Public
28 Utilities Code shall be responsible for recommending projects to
29 be funded with regional improvement funds, if the project is
30 consistent with the regional transportation plan. The first five years
31 of the financial element shall be based on the five-year estimate
32 of funds developed pursuant to Section 14524. The financial
33 element may recommend the development of specified new sources
34 of revenue, consistent with the policy element and action element.

35 (B) The financial element of transportation planning agencies
36 with populations that exceed 200,000 persons may include a project
37 cost breakdown for all projects proposed for development during
38 the 20-year life of the plan that includes total expenditures and
39 related percentages of total expenditures for all of the following:

40 (i) State highway expansion.

- 1 (ii) State highway rehabilitation, maintenance, and operations.
- 2 (iii) Local road and street expansion.
- 3 (iv) Local road and street rehabilitation, maintenance, and
- 4 operation.
- 5 (v) Mass transit, commuter rail, and intercity rail expansion.
- 6 (vi) Mass transit, commuter rail, and intercity rail rehabilitation,
- 7 maintenance, and operations.
- 8 (vii) Pedestrian and bicycle facilities.
- 9 (viii) Environmental enhancements and mitigation.
- 10 (ix) Research and planning.
- 11 (x) Other categories.
- 12 (C) The metropolitan planning organization or county
- 13 transportation agency, whichever entity is appropriate, shall
- 14 consider financial incentives for cities and counties that have
- 15 resource areas or farmland, as defined in Section 65080.01, for
- 16 the purposes of, for example, transportation investments for the
- 17 preservation and safety of the city street or county road system
- 18 and farm-to-market and interconnectivity transportation needs.
- 19 The metropolitan planning organization or county transportation
- 20 agency, whichever entity is appropriate, shall also consider
- 21 financial assistance for counties to address countywide service
- 22 responsibilities in counties that contribute toward the greenhouse
- 23 gas emission reduction targets by implementing policies for growth
- 24 to occur within their cities.
- 25 (c) Each transportation planning agency may also include other
- 26 factors of local significance as an element of the regional
- 27 transportation plan, including, but not limited to, issues of mobility
- 28 for specific sectors of the community, including, but not limited
- 29 to, senior citizens.
- 30 (d) Except as otherwise provided in this subdivision, each
- 31 transportation planning agency shall adopt and submit, every four
- 32 years, an updated regional transportation plan to the California
- 33 Transportation Commission and the Department of Transportation.
- 34 A transportation planning agency located in a federally designated
- 35 air quality attainment area or that does not contain an urbanized
- 36 area may at its option adopt and submit a regional transportation
- 37 plan every five years. When applicable, the plan shall be consistent
- 38 with federal planning and programming requirements and shall
- 39 conform to the regional transportation plan guidelines adopted by
- 40 the California Transportation Commission. Prior to adoption of

1 the regional transportation plan, a public hearing shall be held after
2 the giving of notice of the hearing by publication in the affected
3 county or counties pursuant to Section 6061.

4 SEC. 2. Section 75121 of the Public Resources Code is
5 amended to read:

6 75121. (a) The Strategic Growth Council is hereby established
7 in state government and it shall consist of the Director of State
8 Planning and Research, the Secretary of the Resources Agency,
9 the Secretary for Environmental Protection, the Secretary of the
10 Transportation Agency, the Secretary of California Health and
11 Human Services, the Superintendent of Public Instruction or his
12 or her designee, and one member of the public to be appointed by
13 the Governor. The public member shall have a background in land
14 use planning, local government, resource protection and
15 management, or community development or revitalization.

16 (b) Staff for the council shall be reflective of the council's
17 membership.

18 SEC. 3. If the Commission on State Mandates determines that
19 this act contains costs mandated by the state, reimbursement to
20 local agencies and school districts for those costs shall be made
21 pursuant to Part 7 (commencing with Section 17500) of Division
22 4 of Title 2 of the Government Code.