

AMENDED IN SENATE APRIL 8, 2014

AMENDED IN SENATE MARCH 24, 2014

SENATE BILL

No. 1122

Introduced by Senator Pavley

February 19, 2014

An act to add Division 44 (commencing with Section 75200) to the Public Resources Code, relating to sustainable communities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1122, as amended, Pavley. Sustainable communities: Strategic Growth Council.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. Existing law authorizes moneys from the fund to be allocated for the purpose of reducing greenhouse gas emissions in this state through specified investments, including funding to reduce greenhouse gas emissions through strategic planning and development of sustainable infrastructure projects.

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 under 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.

Existing law establishes the Strategic Growth Council and requires the council to, among other things, manage and award grants and loans to support the development, adoption, or implementation of a regional plan or other planning instrument consistent with a regional plan that achieves specified objectives, including meeting the goals of the California Global Warming Solutions Act of 2006. Existing law specifies that the financial assistance provided shall be funded by the bond proceeds from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.

This bill would additionally require the council to provide financial assistance for those purposes, to be funded from moneys from the Greenhouse Gas Reduction Fund, upon appropriation by the Legislature, and would additionally require the regional plan or other planning instrument to meet the requirements of an applicable sustainable communities strategy. The bill would authorize the council to develop and implement regional grant programs to support the implementation of sustainable communities strategies, alternative transportation plans, or other regional greenhouse gas emission reduction plans within a developed area. The bill would require the council, in consultation with specified public agencies, to establish standards for integrated modeling systems and measurement methods, and standards for the use of moneys awarded. The bill also would authorize the council to award financial assistance for the development and implementation of agricultural, natural resource, and open space land protection plans that are consistent with the implementation of sustainable communities strategies, alternative transportation plans, or other regional greenhouse gas emission reduction plans.

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

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

1 SECTION 1. Division 44 (commencing with Section 75200)
2 is added to the Public Resources Code, to read:

3
4 DIVISION 44. SUSTAINABLE COMMUNITIES
5 IMPLEMENTATION

6
7 CHAPTER 1. GENERAL PROVISION
8

9 75200. For the purposes of this division, “council” means the
10 Strategic Growth Council established pursuant to Section 75121.

11
12 CHAPTER 2. SUSTAINABLE COMMUNITIES
13

14 75210. (a) To support the planning and development of
15 sustainable communities, the council shall manage and award
16 financial assistance to a council of governments, metropolitan
17 planning organization, regional transportation planning agency,
18 city, county, or joint powers authority to develop, adopt, or
19 implement a regional plan or other planning instrument consistent
20 with a regional plan that improves air and water quality, improves
21 natural resource protection, increases the availability of affordable
22 housing, improves transportation, meets the goals of the California
23 Global Warming Solutions Act of 2006 (Division 25.5
24 (commencing with Section 38500) of the Health and Safety Code),
25 encourages sustainable land use, and meets the requirements of
26 Section 65080 of the Government Code. Moneys from the
27 Greenhouse Gas Reduction Fund established pursuant to Section
28 16428.8 of the Government Code shall, upon appropriation by the
29 Legislature, be expended by the council for providing financial
30 assistance pursuant to this section.

31 (b) To support the implementation of sustainable communities
32 strategies, alternative transportation plans, or other regional
33 greenhouse gas emission reduction plans within a developed area,
34 the council may adopt criteria and requirements for the
35 development and implementation of regional grant programs that
36 include all of the following:

1 (1) Require that projects be selected within each region by the
2 regional granting authority through a competitive public process
3 based on reduction in the emissions of greenhouse gases.

4 (2) Establish the methods for evaluating, monitoring, and
5 verifying project effectiveness, including those related to travel
6 demand reduction, system efficiency, safety improvements,
7 demographic characteristics, and integrated land use and
8 transportation strategies.

9 (3) Provide for the development and implementation of projects
10 that integrate infrastructure investment with land use or local code
11 changes to achieve the maximum reduction in the emissions of
12 greenhouse gases.

13 (4) Provide for public participation in the review of proposed
14 projects.

15 (5) Provide for consultation and coordination with air pollution
16 control districts and air quality management districts.

17 (c) The council, in consultation with the State Air Resources
18 Board and the metropolitan planning organizations, shall establish
19 standards for integrated modeling systems and measurement
20 methods to ensure consistency in evaluating the potential
21 effectiveness of projects and verifying the actual benefits of
22 projects after completion.

23 (d) The council, in consultation with the California
24 Transportation Commission and the State Air Resources Board,
25 shall establish standards for the use of moneys to ensure
26 compliance with ~~this division~~ *division and Section 39713 of the*
27 *Health and Safety Code*. Eligible uses of the moneys shall include
28 any of the following:

29 (1) Transportation network and demand management, including,
30 but not limited to, trip reduction programs, congestion pricing,
31 safe routes to schools, and roadway modifications, such as
32 roundabouts.

33 (2) Public transportation, including operations, maintenance,
34 and capital costs.

35 (3) Road and bridge maintenance; operations and retrofits for
36 complete streets, bike and pedestrian safety enhancements; and
37 urban greening.

38 (4) Clean transportation fueling infrastructure and support.

39 (5) Multimodal network connectivity to reduce travel distances
40 and improve access to parks, schools, jobs, housing, and markets

1 for rural and urban communities, including neighborhood scale
2 planning.

3 (6) Development and adoption of local plans and land use
4 policies that help to implement regional ~~plans~~. *plans that improve*
5 *air and water quality, improve natural resource protection,*
6 *increase the availability of affordable housing, improve*
7 *transportation, meet the goals of the California Global Warming*
8 *Solutions Act of 2006 (Division 25.5 (commencing with Section*
9 *38500) of the Health and Safety Code), encourage sustainable*
10 *land use, and meet the requirements of Section 65080 of the*
11 *Government Code.*

12 (7) Community infrastructure, including public works and
13 municipal improvements necessary to support transit-oriented
14 development, affordable housing, infill in existing urbanized areas,
15 and small walkable communities in rural neighborhoods.

16 (8) Multiuse facilities and accommodations for bicyclists,
17 pedestrians, and neighborhood electric vehicles.

18 (9) Administrative costs and development, and use of evaluation,
19 monitoring, and verification systems.

20 (e) The council shall review the implementation of this section
21 on an annual basis and may revise the criteria and requirements
22 for project selection, evaluation, monitoring, and verification
23 developed pursuant to paragraphs (1) and (2) of subdivision (b),
24 as needed, to improve program performance.

25 (f) Moneys that are allocated for the regional grant programs
26 pursuant to the criteria and requirements adopted pursuant to
27 subdivision (b) shall be allocated to the regional granting authority
28 in each region on a per capita basis.

29 75211. The council may award financial assistance to a city,
30 county, city and county, or regional agency for the development
31 and implementation of agricultural, natural resources, and
32 open-space land protection that reduce the emissions of greenhouse
33 gases and that are consistent with and support the implementation
34 of sustainable communities strategies, alternative planning
35 strategies, or other regional greenhouse gas emissions reduction
36 plans.

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