EXECUTIVE COMMITTEE
AGENDA

Friday, January 11, 2008
9 to 10 a.m.
SANDAG, 7th Floor Conference Room
401 B Street
San Diego

AGENDA HIGHLIGHTS

• PROPOSED FY 2008 BUDGET AND OVERALL WORK PROGRAM AMENDMENT: COASTAL RAIL TRADE CORRIDOR PROJECTS

• SENATE BILL 375

PLEASE TURN OFF CELL PHONES DURING THE MEETING

MISSION STATEMENT

The 18 cities and county government are SANDAG serving as the forum for regional decision-making. SANDAG builds consensus, makes strategic plans, obtains and allocates resources, plans, engineers, and builds public transit, and provides information on a broad range of topics pertinent to the region’s quality of life.
Welcome to SANDAG. Members of the public may speak to the Executive Committee on any item at the time the Committee is considering the item. Please complete a Speaker’s Slip, which is located in the rear of the room, and then present the slip to Committee staff. Also, members of the public are invited to address the Committee on any issue under the agenda item entitled Public Comments/Communications/Member Comments. Speakers are limited to three minutes. The Executive Committee may take action on any item appearing on the agenda.

This agenda and related staff reports can be accessed at www.sandag.org under meetings on SANDAG’s Web site. Public comments regarding the agenda can be forwarded to SANDAG via the e-mail comment form also available on the Web site. E-mail comments should be received no later than noon, two working days prior to the Executive Committee meeting.

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EXECUTIVE COMMITTEE
Friday, January 11, 2008

ITEM #

+1. APPROVAL OF DECEMBER 7, 2007, MEETING MINUTES

RECOMMENDATION

APPROVE

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Members of the public will have the opportunity to address the Executive Committee on any issue within the jurisdiction of the Committee. Speakers are limited to three minutes each and shall reserve time by completing a ”Request to Speak” form and giving it to the Clerk prior to speaking. Committee members also may provide information and announcements under this agenda item.

CONSENT ITEMS (3 through 4)

+3. FEDERAL LEGISLATIVE STATUS REPORT (Victoria Stackwick)

INFORMATION

This status report provides an update on recent federal legislative activities.

+4. INFORMATION ON PROPOSITIONS 91 AND 93 ON THE FEBRUARY 5, 2008, PRESIDENTIAL PRIMARY BALLOT (Genevieve Morelos)

INFORMATION

This item summarizes state propositions relevant to SANDAG on the February 5, 2008, Presidential Primary ballot.

REPORTS (5 through 7)

+5. PROPOSED FY 2008 BUDGET AND OVERALL WORK PROGRAM AMENDMENT: COASTAL RAIL TRADE CORRIDOR PROJECTS

APPROVE

(Leisl Blanda)

The California Transportation Commission recently published guidance for the application and selection process for Proposition 1B Trade Corridor Improvement Fund (TCIF) projects. The San Diego region is preparing TCIF applications for a target amount of $400 million, which includes approximately $139 million for projects in the Coastal Rail Corridor. Development of the application materials for these rail projects requires consultant services as well as staff time. The Executive Committee is asked to approve the use of up to $100,000 of contingency reserve funds and an amendment to Work Element No. 3000900 of the FY 2008 Budget and Overall Work Program for the development of TCIF application materials for Coastal Rail Corridor projects.
SENATE BILL 375 (Genevieve Morelos)

Senate Bill (SB) 375 would create new provisions for the preparation of regional transportation plans (RTPs). Among the bill's provisions are new requirements for RTPs to include a sustainable communities strategy in order to achieve greenhouse gas reduction targets set by the state and to preserve significant resource areas and farmlands. SANDAG currently has an oppose position on SB 375. This item summarizes recent discussions concerning the bill and proposed amendments. The Executive Committee is asked to discuss and consider a possible position on SB 375.

REVIEW OF JANUARY 25, 2008, DRAFT BOARD AGENDA

UPCOMING MEETINGS

The next meeting of the Executive Committee is scheduled for Friday, February 8, 2008, at 9 a.m.

ADJOURNMENT
EXECUTIVE COMMITTEE DISCUSSION AND ACTIONS
DECEMBER 7, 2007

Chair Mary Sessom (East County) called the Executive Committee meeting to order at 9:01 a.m. The attendance sheet for the meeting is attached.

1. APPROVAL OF MINUTES

Upon a motion by Supervisor Ron Roberts (County of San Diego) and a second by Second Vice Chair Jerome Stocks (North County Coastal), the minutes of the November 9, 2007, Executive Committee meeting were unanimously approved.

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBERS COMMENTS

There were no public comments, communications, or member comments.

CONSENT (3)

3. FEDERAL LEGISLATIVE STATUS REPORT (INFORMATION)

This status report provides an update on federal legislative activities.

Action: Upon a motion by Second Vice Chair Stocks and a second by Supervisor Roberts, the Executive Committee voted to approve Consent Item No. 3.

REPORTS (4 through 7)

4. FINAL 2008 LEGISLATIVE PROGRAM (RECOMMEND)

Genevieve Morelos, Senior Legislative Analyst, reported that at the November 19 Executive Committee meeting the draft legislative program was reviewed, and Committee members requested several revisions. This version has incorporated those revisions.

Supervisor Roberts asked that item 3a, pursue amendments to statutes authorizing SANDAG to issue bonds and/or other funding mechanisms with voter approval for any tax measure to finance projects that implement the Regional Comprehensive Plan (RCP), be separated out for voting purposes. He does not support any extension of SANDAG taxation authority.
Mayor Mickey Cafagna (North County Inland) asked about the Supervisor’s concern. Supervisor Roberts said that this item asks for expansion of what this Board can put on the ballot in the form of a new tax.

Gary Gallegos, Executive Director, said that when the Board asked staff to look at quality of life issues, it was the opinion of legal counsel that unless you have a direct nexus to transportation SANDAG does not have taxing authority. This goal would seek legislation to add this authority to SANDAG to implement the RCP.

Supervisor Roberts said he doesn’t think the SANDAG Board needs this additional authority as there are a number of ways to get a measure on the ballot.

Mayor Cafagna clarified that this legislative solution would give SANDAG the authority to place a measure on the ballot directly. Mr. Gallegos agreed this would expand the authority to do things that are in the RCP.

Action: Upon a motion by Mayor Cafagna, and a second by Second Vice Chair Stocks, the Executive Committee voted to recommend that the Board of Directors approve the 2008 Legislative Program at its December 21, 2007, meeting; Supervisor Roberts voted in opposition.

5. ANNUAL PROPOSED AMENDMENTS TO BOARD POLICIES (RECOMMEND)

Julie Wiley, General Counsel, stated that at the November 9 Executive Committee meeting, proposed revisions to Board Policies Nos. 003, 004, and 016 were reviewed, and she would not review them again. This review will start with Board Policy No. 023, Procurement and Contracting - Equipment and Supplies. She also reviewed proposed changes to Board Policy No. 024, Procurement and Contracting – Construction. She noted that the changes proposed for this policy relate to having on-call contractors for small repair contracts under $2 million. Both the City of San Diego and County of San Diego already have this provision.

Second Vice Chair Stocks noted that they have done this in Encinitas.

Supervisor Roberts reiterated that the County has been doing this for some time, and the Metropolitan Transit System (MTS) uses this process as well.

Ms. Wiley added that this change would allow our member agencies to use our Job Order Contracting program.

Ms. Wiley continued her review of Board policy changes with Policy No. 025, Public Participation/Involvement. She introduced Sookyung Kim, Financial Programming Manager.

Ms. Kim indicated that that what is being proposed is already in practice at SANDAG; this change will formalize the existing process. She also reviewed proposed changes to Board Policy No. 027, Transportation Development Act (TDA). A number of changes reflect prior Board actions and have already been incorporated and are in practice.
Ms. Kim described proposed changes to Policy No. 031, TransNet Ordinance and Expenditure Plan Rules. Ms. Wiley reviewed draft revisions to Rules #18 and #20.

Mayor Cafagna asked if the change to Rule #18 is in fact a change. Ms. Wiley replied that it is not a change, merely a clarification.

**Action:** Upon a motion by Second Vice Chair Stocks, and a second by First Vice Chair Lori Holt Pfeiler (North County Coastal), the Executive Committee voted to recommend that the Board of Directors approve the proposed amendments to the Board Policies.

6. **FY 2008 BUDGET AMENDMENTS: CALIFORNIA TRANSPORTATION PLANNING GRANTS (APPROVE)**

Tim Watson, Budget Program Manager, reported that Caltrans allocates funds from several different planning grant programs. SANDAG submitted seven applications in 2006 and received funding for four of them. This amendment requests authority to accept these grants which are aligned with SANDAG goals and priorities. SANDAG has two years to complete the work. These grants require either a 10 percent or 11.47 percent local match in order to obtain the release of the grant funds. The required local match in FY 2008 totals $25,800 and will come from TDA funds. He reviewed the four grants. The first two grants are pass-through grants; one to MTS and one to the City Heights Community Development Corporation. The third grant will implement the third phase of the Interstate 15 Interregional Partnership with Riverside County. The fourth grant will continue the internship program for two graduate level students per year from San Diego State University.

Mayor Cafagna asked if this was a competitive program. Mr. Watson responded affirmatively, and said it was a statewide program with several different categories. There were $600 million to $700 million available statewide.

**Action:** Upon a motion by Mayor Ron Morrison (South County), and a second by First Vice Chair Pfeiler, the Executive Committee voted to approve Resolution No. 2008-11 to amend the FY 2008 Budget and Overall Work Program to accept Caltrans Transportation Planning Grant Funds totaling $387,186.

7. **REVIEW OF DECEMBER 21, 2007, DRAFT BOARD AGENDA (APPROVE)**

Diane Eidam, Chief Deputy Executive Director, reviewed the draft agenda for the December 21, 2007, Board of Directors meeting.

First Vice Chair Pfeiler asked to add an item to this agenda related to open space and buffer zones. The management of open space has been recently discussed with the various resource agencies.

Mayor Cafagna said he wrote a letter to Mr. Gallegos asking that this subject be added to the Board’s agenda. We have a short timeframe to deal with buffer zones, and we need to have this discussion with the resource agencies. We should work with the resource agencies together as a countywide body.
Councilmember Matt Hall (North County Coastal) asked if the idea is to purchase more open space in buffer areas? Mayor Cafagna said that’s what we need to discuss. The current amount of buffer area is not adequate in some areas as evidenced by the recent wildfires. We need to figure out what we need to do to protect homes during these firestorms. The areas of concern will be different for each community.

First Vice Chair Pfeiler agreed that the topographical situation is different in each area.

Mayor Cafagna stated that we need to do a better job of clearing those areas.

Mr. Gallegos said that in terms of timing, we have been making some slow but steady progress on the Environmental Mitigation Program master agreement with the resource agencies. We are not far from having a draft master agreement come to the Board. We might already have a forum to discuss this with them.

Mayor Cafagna commented that the idea is to clear fire breaks in the East County so we can actually make a stand against such firestorms. We don’t have that anywhere now.

Second Vice Chair Stocks noted that winds going at 70-90 miles per hour are hard to control. He reminded everyone that the fire crossed Interstate 5. However, fuel management is critical.

First Vice Chair Pfeiler stated that we should get an update on what we’ve done.

**Action:** Upon a motion by Mayor Morrison, and a second by First Vice Chair Pfeiler, the Executive Committee voted to approve the agenda for the December 21, 2007, Board of Directors meeting with the addition of an item related to open space/buffer zone clearance.

8. **UPCOMING MEETINGS**

The next meeting of the Executive Committee is scheduled for Friday, January 11, 2008, at 9 a.m.

9. **ADJOURNMENT**

Chair Sessom adjourned the meeting at 9:38 a.m.

Attachment: Attendance Sheet
## CONFIRMED ATTENDANCE
### SANDAG EXECUTIVE COMMITTEE MEETING
#### DECEMBER 7, 2007

<table>
<thead>
<tr>
<th>GEOGRAPHICAL AREA</th>
<th>JURISDICTION</th>
<th>NAME</th>
<th>MEMBER/ALTERNATE</th>
<th>ATTENDING</th>
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<tbody>
<tr>
<td>North County Inland</td>
<td>City of Escondido</td>
<td>Lori Holt Pfeiler, 1&lt;sup&gt;st&lt;/sup&gt; Vice Chair</td>
<td>Member</td>
<td>Yes</td>
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<tr>
<td></td>
<td>City of Poway</td>
<td>Mickey Cafagna</td>
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<td>North County Coastal</td>
<td>City of Encinitas</td>
<td>Jerome Stock, 2&lt;sup&gt;nd&lt;/sup&gt; Vice Chair</td>
<td>Member</td>
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<td></td>
<td>City of Carlsbad</td>
<td>Matt Hall</td>
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<tr>
<td>South County</td>
<td>City of National City</td>
<td>Ron Morrison</td>
<td>Member</td>
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<td></td>
<td>City of Chula Vista</td>
<td>Cheryl Cox</td>
<td>Alternate</td>
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</tr>
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<td>East County</td>
<td>City of Lemon Grove</td>
<td>Mary Sessom, Chair</td>
<td>Member</td>
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<td>City of Santee</td>
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<td>Jerry Sanders</td>
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<td>Jim Madaffer</td>
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<td>Toni Atkins</td>
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<tr>
<td>County of San Diego</td>
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<td>Ron Roberts</td>
<td>Member</td>
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<td></td>
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<td>Greg Cox</td>
<td>1&lt;sup&gt;st&lt;/sup&gt; Alternate</td>
<td>No</td>
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<tr>
<td></td>
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<td>Bill Horn</td>
<td>2&lt;sup&gt;nd&lt;/sup&gt; Alternate</td>
<td>No</td>
</tr>
</tbody>
</table>

Other attendees: Marilyn Dailey, San Diego County Regional Water Authority
FEDERAL LEGISLATIVE STATUS REPORT

Introduction

Periodic status reports on legislative activities are provided to the Executive Committee during the year. This status report provides an update on recent federal legislative activities.

Discussion

FY 2008 Budget Process

On December 26, 2007, the President signed H.R. 2764, the FY 2008 Consolidated Omnibus Appropriations bill, containing the eleven remaining spending bills. The measure appropriates a total of $515.7 billion.

The omnibus bill provides about $800 million less in discretionary funds than the conference report. Congress kept discretionary spending inside the $932.8 billion limit imposed by the White House. As a result of the budget negotiations, an across-the-board 2 percent recession was made to all earmarks included in the Transportation section of the bill.

The omnibus bill approved funding for the following transportation projects in the San Diego region:

<table>
<thead>
<tr>
<th>Table 1 FY 2008 Transportation Appropriations Projects</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Route 56 Connectors and Interstate 5 Widening</td>
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<tr>
<td>State Route 76 widening and realignment</td>
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<tr>
<td>Balboa Park Trolleys</td>
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<tr>
<td>West Vista Way widening</td>
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<tr>
<td>East County Bus Facility</td>
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<tr>
<td>San Luis Rey Transit Center</td>
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<tr>
<td>Regional Bus Replacements</td>
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<tr>
<td>Shoal Creek Pedestrian Bridge</td>
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<tr>
<td>Leucadia at-grade safety improvements</td>
</tr>
<tr>
<td>Citracado Parkway Project</td>
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<tr>
<td>School Zone Safety Improvements, Chula Vista</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
</tbody>
</table>
Federal Highway Administration

The legislation funds the Federal Highway Administration (FHWA) at $40.2 billion, $1.25 billion above 2007 levels and $631 million above the President’s request. The measure also includes $1 billion for highway bridge projects, and $195 million in emergency funds to rebuild the collapsed Interstate 35 West Bridge in Minneapolis, Minnesota.

Federal Transit Administration

The omnibus bill funds the Federal Transit Administration (FTA) at $9.3 billion, $517 million above 2007 levels. The funding provided this year is an all time high for transit, however, it is below the $240 million authorized in SAFETEA-LU (Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users). While the legislation provides $9.3 billion in new budget authority for transit, a majority of this funding is contract authority, which is capped by the obligation level at $7.77 billion. The $9.3 billion is comprised of $7.77 billion for Formula Grants and $1.5 billion for Capital Investment Grants. During final negotiations on the budget, the Bus and Bus Facilities Programs was reduced by $44.8 million compared to 2007. The $1.5 billion included for the New Starts Program is a $3.1 million increase from last year, but $131 million below the authorized level in SAFETEA-LU.

The legislation also includes a provision, similar to language that was in the Transportation, Housing and Urban Development, and Related Agencies (THUD) Conference Report, limiting the FTA from spending more than 10 percent of unallocated Bus and Bus Facilities Program funds on any United States Department of Transportation (USDOT) congestion reduction initiative. The language was amended to extend the limitation to any new congestion-related programs created by the USDOT. The bill also includes language from the THUD Conference Report that prevents the FTA from implementing the final rule on the New Starts/Small Starts Program.

AMTRAK

The spending measure includes $1.32 billion for Amtrak, $31.4 million over 2007 levels and $425 million over the President’s request. The bill includes $30 million for a new grant program that will match state contributions for intercity passenger rail operations. The bill also includes language that prohibits Amtrak from moving any of its jobs overseas, and authorizes programs to improve rail security and implement operational changes.

SAFETEA-LU Technical Corrections Legislation

Despite a last minute push to approve the SAFETEA-LU Technical Corrections bill, H.R. 3248, Congress failed to clear the bill for the President’s signature before the session ended. Staff will continue to work with the Congressional delegation to address this issue in the second session of the 110th Congress.

Energy Legislation

On December 19, 2007, President Bush signed the Energy Independence and Security Act of 2007, Public Law 110-140. The measure requires the USDOT to raise fuel economy standards for cars and light trucks from 25 miles per gallon to 35 miles per gallon by 2020, the first such raise in standards in 30 years. The USDOT will begin to annually increase the standard beginning in 2011, and analysts
predict that the standard increase will cut United States oil consumption by more than 4 million barrels per day by 2030. The bill also requires 36 billion gallons of ethanol and other biofuels to be incorporated into gasoline by 2022.

Also included in the legislation were provisions to authorize the Energy Efficiency and Conservation Block Grant program at $2 billion annually from FY 2008 through FY 2012. The program would provide grants to states and local governments to help reduce fossil fuel emissions, reduce energy usage, and improve energy efficiency in transportation, building, and other appropriate sectors. Appropriated funds would be split as follows: 68 percent of funds allocated to local governments, 28 percent of funds allocated to states – including Washington, D.C., Puerto Rico, and U.S. territories and possessions – and the remaining 4 percent to Indian tribes and special grants.

On December 19, 2007, the U.S. Environmental Protection Agency (EPA) denied California’s request to impose greenhouse gas emissions limits on motor vehicles. It is the first time the EPA has ever denied a waiver request under the Clean Air Act. California sought a waiver of federal standards as the state is entitled to do under the Clean Air Act so that the state could adopt stricter emission standards. California's law would have required a 30 percent reduction in greenhouse gas emissions standards from motor vehicles by 2016, while the federal government does not regulate greenhouse gas emissions at all.

California's request has been supported by recent judicial decisions. In September 2007, a court decision in Vermont confirmed that states do have the ability to adopt California's motor vehicle greenhouse gas emissions standards. Sixteen states, comprising about 45 percent of all U.S. auto sales have adopted, or are in the process of adopting, California's standards. They include: Arizona, Colorado, Connecticut, Florida, Maine, Maryland, Massachusetts, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Utah, Vermont, and Washington.

California recently filed a lawsuit in the U.S. 9th Circuit Court of Appeals in San Francisco in an effort to overturn the EPA’s denial of the waiver.

KIM KAWADA
Policy and Legislative Affairs Program Manager

Key Staff Contact: Victoria Stackwick, (619) 699-6926, vst@sandag.org
INFORMATION ON PROPOSITIONS 91 AND 93
ON THE FEBRUARY 5, 2008, PRESIDENTIAL PRIMARY BALLOT

Introduction

There are seven propositions on the February 5, 2008, Presidential Primary ballot (Attachment 1). This item provides information on the two propositions that are relevant to the SANDAG work program: Propositions 91 and 93.

Discussion

**Proposition 91, “Transportation Funding Act of 2006, Initiative Constitutional Amendment”**

This initiative eliminates the state’s authority to suspend the transfer of gasoline sales tax revenues to the Transportation Investment Fund (TIF). This means that these revenues could not be used for nontransportation purposes, only for transportation purposes. The measure also requires that the amounts suspended in 2003-2004 and 2004-2005 be repaid by June 30, 2017.

Additionally, the measure deletes the authority to loan the gasoline sales tax revenues to the General Fund for multiple years. Under current law, the state may borrow these monies for three years only after the Governor declares a fiscal emergency and the Legislature enacts authorizing statutes. Proposition 91 authorizes the loaning of TIF funds to the General Fund only for short-term cash flow purposes within a fiscal year, to be repaid within 30 days of the adoption of a state budget for the following year.

Proponents of Proposition 91 are urging a “no” vote on this measure because they state that the initiative is no longer necessary with the passage of Proposition 1A (2006). In 2006, while Proposition 91 was being qualified, the California Legislature and Governor Schwarzenegger placed a different constitutional amendment on the November 2006 ballot that accomplished what Proposition 91 set out to do, but which allowed the state some flexibility to borrow TIF funding during fiscal emergencies. Proposition 1A was approved by 77 percent of California voters in November 2006.

**Proposition 93, “Limits on Legislators’ Terms in Office, Initiative Constitutional Amendment”**

This initiative would allow an individual to serve a total of 12 years in the Legislature, instead of the current limit of 14 years. Under Proposition 140 (1990) an individual’s service is restricted to six years in the Assembly (three two-year terms) and eight years in the Senate (two four-year terms). Proposition 93 would allow an individual to serve the entire 12 years in the Senate, the Assembly, or a combination of both.
Current members of the Legislature could serve up to a total of 12 years in their current legislative house regardless of how many years they have already served in the other house. This could mean that a current member has the potential of serving longer than the current limit of 14 years.

Proponents of Proposition 93 state that this reform will make the Legislature more effective by striking a reasonable balance between the need to elect new people and the need to have experienced legislators in the California Legislature. Opponents of Proposition 93 state that this initiative has a special loophole that benefits 42 incumbent elected officials, who are termed out by giving them more time in office.

KIM KAWADA
Policy and Legislative Affairs Program Manager


Key Staff Contact: Genevieve Morelos, (619) 699-1994, gmo@sandag.org
**Proposition 91**

**Transportation Funding. Initiative Constitutional Amendment and Statute**

Proponent: James Earp, c/o Richard D. Martland (916) 446-6752

Prohibits retention of funds earmarked for the Transportation Investment Fund in the General Fund for use unrelated to transportation after July 1, 2008. Requires repayment by June 30, 2017, of transportation funds retained in the General Fund in years prior to 2007-2008. Eliminates General Fund borrowing of specified transportation funds, except for cash-flow purposes (repayment required within 30 days of adoption of budget); current law allows borrowing for three years where Governor declares transfer would cause significant negative fiscal impact on governmental functions and Legislature enacts authorizing statute.

Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: No revenue or cost effects. Increases stability of funding to transportation in 2007-2008 and thereafter; reduces somewhat the state’s flexibility to use specified transportation funds for other (nontransportation) activities.

**Proposition 92**

**Community Colleges. Funding. Governance. Fees. Initiative Constitutional Amendment and Statute**

Proponents: Dennis Smith and Scott Lay, c/o Eugene Hill (916) 442-2952

Establishes in state constitution a system of independent public community college districts and Board of Governors. Generally, requires minimum levels of state funding for school districts and community college districts to be calculated separately, using different criteria and separately appropriated. Allocates 10.46 percent of current Proposition 98 school funding maintenance factor to community colleges. Sets community college fees at $15/unit per semester; limits future fee increases. Provides formula for allocation by Legislature to community college districts that would not otherwise receive general fund revenues through community college apportionment.


**Proposition 93**

**Limits on Legislators’ Terms in Office. Initiative Constitutional Amendment**

Proponents: Robin B. Johansen and Kari Krogseng, c/o James C. Harrison (510) 346-6200

Reduces the total amount of time a person may serve in the state legislature from 14 years to 12 years. Allows a person to serve a total of 12 years either in the Assembly, the Senate, or a combination of both. Provides a transition period to allow current members to serve a total of 12 consecutive years in the house in which they are currently serving, regardless of any prior service in another house.

Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: This measure would have no direct fiscal effect on state or local governments.
Proposition 94
Referendum Petition to Overturn Amendment to Indian Gaming Compact
Proponent: Jack Gribbon
If this petition is signed by the required number of registered voters and timely filed with the Secretary of State, it will stop the law (Chapter 40, Statutes of 2007) from going into effect, unless a majority of voters at the next statewide election vote in its favor. The challenged law ratifies an amendment to an existing gaming compact between the state and Pechanga Band of Luiseño Mission Indians; exempts certain projects from the California Environmental Quality Act; requires that revenue paid by tribe be deposited in the General Fund.

Proposition 95
Referendum Petition to Overturn Amendment to Indian Gaming Compact
Proponent: Jack Gribbon
If this petition is signed by the required number of registered voters and timely filed with the Secretary of State, it will stop the law (Chapter 38, Statutes of 2007) from going into effect, unless a majority of voters at the next statewide election vote in its favor. The challenged law ratifies an amendment to an existing gaming compact between the state and Morongo Band of Mission Indians; exempts certain projects from the California Environmental Quality Act; requires that revenue paid by the tribe be deposited in the General Fund.

Proposition 96
Referendum Petition to Overturn Amendment to Indian Gaming Compact
Proponent: Jack Gribbon
If this petition is signed by the required number of registered voters and timely filed with the Secretary of State, it will stop the law (Chapter 39, Statutes of 2007) from going into effect, unless a majority of voters at the next statewide election vote in its favor. The challenged law ratifies an amendment to an existing gaming compact between the state and Sycuan Band of the Kumeyaay Nation; exempts certain projects from the California Environmental Quality Act; specifies where revenue paid by tribe pursuant to the amendment is deposited.

Proposition 97
Referendum Petition to Overturn Amendment to Indian Gaming Compact
Proponent: Jack Gribbon
If this petition is signed by the required number of registered voters and timely filed with the Secretary of State, it will stop the law (Chapter 41, Statutes of 2007) from going into effect, unless a majority of voters at the next statewide election vote in its favor. The challenged law ratifies an amendment to an existing gaming compact between the state and Agua Caliente Band of Cahuilla Indians; exempts certain projects from the California Environmental Quality Act; requires that revenue paid by tribe be deposited in the General Fund.
PROPOSED FY 2008 BUDGET AND OVERALL WORK PROGRAM
AMENDMENT: COASTAL RAIL TRADE CORRIDOR PROJECTS
File Number 3000900

Introduction

The California Transportation Commission (CTC) recently published guidance for the application and selection process for Proposition 1B (Prop. 1B) Trade Corridor Improvement Fund (TCIF) projects. The San Diego region is preparing applications for a target amount of $400 million, which includes approximately $139 million for projects in the Coastal Rail Corridor. Development of the application materials for the Coastal Rail Corridor projects requires consultant services as well as staff time. An amendment of the FY 2008 Budget and Overall Work Program (OWP) to include development of Coastal Rail Corridor TCIF application materials would allow SANDAG to respond to the opportunity to seek such TCIF funding. TCIF applications are due to the CTC on or before January 17, 2008, however, there will be several weeks of follow-up work and public hearings by staff and consultants before the projects receive final approval. Contingency reserve funds in the amount of $100,000 are proposed to fund this effort.

Discussion

Prop. 1B - the Highway Safety, Traffic Reduction, Air Quality and Port Security Act of 2006 - provided $2 billion to the Trade Corridors Improvement Fund for infrastructure improvement along corridors that have a high volume of freight movement. The CTC recently issued guidelines for project applicants that describe the application and selection process. TCIF applications must be received by the CTC no later than January 17, 2008, however, there will be several weeks of follow-up work and public hearings by staff and consultants before the projects receive final approval. Contingency reserve funds in the amount of $100,000 are proposed to fund this effort.

Required TCIF project application materials include completed Project Study Reports defining the need and purpose for the project as well as the project scope, budget, and schedule. There are several other associated application materials which respond to CTC selection criteria that are required to be developed.

In July 2007, the Board of Directors approved the list of goods movement candidate projects for the TCIF program (Attachment 1). The list includes border projects at State Routes 905 and 11 and the proposed East Otay Mesa crossing, maritime projects at the 10th Avenue and National City Marine Terminals, improvements to the South Line Rail, and Coastal Rail Corridor improvements.

Recommendation

The Executive Committee is asked to approve the use of up to $100,000 of contingency reserve funds and an amendment to Work Element No. 3000900 of the FY 2008 Budget and OWP for the development of TCIF application materials for Coastal Rail Corridor projects (Attachment 2).
The San Diego region has successfully participated in the TCIF development process, and staffs from SANDAG and its partner agencies are preparing applications for a target amount of $400 million. Many of the proposed TCIF projects from the San Diego region already have completed Project Study Reports, one of the CTC requirements for the TCIF program. Included in the San Diego region’s target amount of $400 million is approximately $139 million for Coastal Rail Corridor projects. SANDAG is taking the lead in the development of the TCIF application materials for the Coastal Rail Corridor projects. The proposed $139 million in TCIF funding would be matched with $139 million of TransNet funds. (Prop. 1B included a 50 percent matching fund requirement for TCIF projects.) The Coastal Rail Corridor projects are eligible for TCIF where projects improve the freight rail system.

Staff estimates the cost of the consultant services and staff hours will not exceed $100,000 for the Coastal Rail Corridor projects. Use of reserve funds for these activities would allow SANDAG to submit applications for and potentially receive up to $139 million in TCIF funding for Coastal Rail Corridor projects.

**Contingency Reserve**

Use of the contingency reserve is governed by Board Policy No. 030, Contingency Reserve Policy, and is subject to the approval of the Executive Committee. There has been one other approved use of the contingency reserve this fiscal year, $100,000 in additional work on the 2030 Regional Transportation Plan. One of the qualifying uses of the reserve is for “opportunities to advance urgent, high-priority needs.” The proposed use of up to $100,000 of the reserve to fund the development of TCIF application materials for the Coastal Rail Corridor projects is consistent with Policy No. 030.

The current projected contingency reserve balance for the end of FY 2008 is approximately $5.5 million, which exceeds the target of 5 percent established by Policy No. 030. The use of $100,000 of the reserve would bring the projected balance to $5.4 million, or approximately 10.7 percent of the FY 2008 OWP Budget.

JACK BODA
Director of Mobility Management and Project Implementation

Attachments: 1. Prop. 1B: TCIF Goods Movement Candidate Projects
2. OWP Work Element No 3000900: Goods Movement Planning

Key Staff Contact: Leslie Blanda, (619) 699-6907, lbl@sandag.org
### Prop. 1B: TCIF Goods Movement Candidate Projects

<table>
<thead>
<tr>
<th>Projects</th>
<th>Potential Investment Levels</th>
<th>Project Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Border/ SR 905 (1)</td>
<td>$75</td>
<td>$600</td>
</tr>
<tr>
<td>New Border Crossing/SR 11 (2)</td>
<td>$75</td>
<td>$500</td>
</tr>
<tr>
<td>Maritime / 32nd Street (3)</td>
<td>$50</td>
<td>$109</td>
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<tr>
<td>Maritime / National City (3)</td>
<td>$28</td>
<td>$56</td>
</tr>
<tr>
<td>Maritime / 10th Avenue (3)</td>
<td>$33</td>
<td>$66</td>
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<tr>
<td>South Line Rail (4)</td>
<td>$39, $100, $11</td>
<td>$325</td>
</tr>
<tr>
<td>Coastal Rail (5)</td>
<td>$100, $100, $111</td>
<td>$1,000</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>$200, $100, $100, $111</strong></td>
<td><strong>$2,656</strong></td>
</tr>
</tbody>
</table>

(1) This funding would complete the project.
(2) This investment would provide equity and the remainder would be covered by toll revenues.
(3) Maritime investments would be matched by the Port of San Diego.
(4) This project would be combined with Trolley improvement projects, and the local match would come from TransNet.
(5) This project would be combined with COASTER improvements, and the local match would come from TransNet.
PROGRAM WORK ELEMENT: 30009.1
TITLE: GOODS MOVEMENT PLANNING

FY 2008 BUDGET: $473,949  $573,949
STRATEGIC GOAL: IMPROVE MOBILITY

<table>
<thead>
<tr>
<th>Funds Source</th>
<th>Funds Application</th>
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<tr>
<td>FTA MPO Planning (5303)</td>
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<td>Salaries, Benefits, Indirect $2793,949</td>
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<tr>
<td>FTA Transit Planning (5307)</td>
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<td>FHWA Metropolitan Planning</td>
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<td>FHWA CMAQ (5309)</td>
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<td>Federal Other</td>
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<td>State Other</td>
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<td>TDA Planning/Administration</td>
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<td>Pass-through/In-kind Services $0</td>
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<td></td>
<td>$100,000</td>
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<tr>
<td>Member Assessment</td>
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<tr>
<td>Local Other*</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$573,949</strong></td>
<td><strong>$573,949</strong></td>
</tr>
</tbody>
</table>

* Contribution from Other Local Cities

**OBJECTIVE**

The objectives of this work element are to: (1) collaborate with interregional, state, and federal agencies and goods movement organizations to coordinate the development, operations, funding, and legislation for goods movement transportation systems; (2) coordinate with the region’s freight agencies to continue development and implementation of the regional freight strategy as outlined in the 2007 RTP; (3) complete the evaluation of the potential operation of trucks on the high occupancy vehicle (HOV)/Managed Lanes system in the region; and (4) complete the San Diego & Arizona Eastern Railway Gateway Feasibility and Improvements Study.

**PREVIOUS AND ONGOING WORK**

Completed work in FY 2007 includes the adoption of the San Diego Regional Goods Movement Action Plan (GMAP), the first step of developing a long-range regional freight/intermodal strategy. The GMAP provided a list of prioritized freight projects for the 2007 RTP. In FY 2007 SANDAG also was as a partner in the Southern California Multi-County Goods Movement Action Plan (MCGMAP), worked with the State of California on the development of its statewide Goods Movement Action Plan, and continued to participate in the West Coast Corridor Coalition (WCCC). Local studies include improved ground access to both the Tenth Avenue and National City marine terminals by the San Diego Unified Port District (SDUPD). SANDAG is preparing a Border Master Plan, and both the San Diego County Regional Airport Authority and the Port of San Diego are updating their facility master plans.

**Committee(s):** Transportation Committee
**Working Group(s):** Regional Freight Working Group  
**Project Manager:** Mike Hix, Christina Casgar

### PRODUCTS, TASKS, AND SCHEDULES

<table>
<thead>
<tr>
<th>LEVEL OF MANDATE</th>
<th>TASK #</th>
<th>% OF EFFORT</th>
<th>TASK DESCRIPTION / PRODUCT / COMPLETION DATE</th>
</tr>
</thead>
</table>
| RTPA             | RTP    | Goods Movement | 1 | 5 | **Task Description:** Collaborate with state and federal agencies to coordinate legislation, planning, policy, and funding for goods movement.  
**Product:** Quarterly progress reports  
**Completion Date:** 06/30/2008 |
| RTPA             | RTP    | Goods Movement | 2 | 5 | **Task Description:** Collaborate with Southern California Association of Governments to develop a coordinated Southern California Interregional Goods Movement Strategy.  
**Product:** Quarterly progress reports  
**Completion Date:** 06/30/2008 |
| RTPA             | RTP    | Goods Movement | 3 | **3530** | **Task Description:** Evaluate the feasibility of special freeway truck lanes and/or trucks using the Managed Lane system to define a regional trucking system plan and improve overall regional mobility.  
**Product:** Draft and final report  
**Completion Date:** 12/31/2007 |
| RTPA             | RTP    | Goods Movement | 4 | **3025** | **Task Description:** Coordinate with regional freight agencies on goods movement planning, operations, and implementation of the GMAP and the Freight/Intermodal component of the RTP.  
**Product:** Quarterly progress reports  
**Completion Date:** 06/30/2008 |
| RTPA             | RTP    | Goods Movement | 5 | **2015** | **Task Description:** Update the regional freight strategy to reflect the updated regional economic prosperity strategy and any updates to modal master plans, RCP elements, and technology planning.  
**Product:** Draft and final report  
**Completion Date:** 06/30/2008 |
| RTPA             | RTP    | Goods Movement | 6 | 5 | **Task Description:** Provide staff support for SANDAG's Regional Freight Working Group.  
**Product:** Agendas, minutes, actions  
**Completion Date:** 06/30/2008 |
| RTPA             | RTP    | Goods Movement | 7 | 15 | **Task Description:** Development of Coastal Rail Corridor TCIF Application materials including Project Study Reports. Respond to questions regarding the Application and develop additional materials as needed to respond.  
**Product:** TCIF Application, Project Study Reports, associated materials for Coastal Rail Corridor Projects  
**Completion Date:** 04/30/08 |

### FUTURE ACTIVITIES

Ongoing development of goods region's freight planning activities as required. Continued coordination with the West Coast Corridor Coalition, members of the MCGMAP, and other California freight planning agencies.
Introduction

Senate Bill (SB) 375 was introduced last year by Senator Darrell Steinberg (D-Sacramento) and is co-sponsored by the California League of Conservation Voters and the Natural Resources Defense Council. SANDAG currently has an oppose position on the bill; at its July 27, 2007, meeting, the SANDAG Board of Directors concurred with the Executive Committee’s action to oppose SB 375.

SB 375 would create new provisions for the preparation of regional transportation plans (RTPs). Among the bill’s provisions are new requirements for RTPs to include a sustainable communities strategy (SCS) in order to achieve greenhouse gas reduction targets set by the state and to preserve significant resource areas and farmlands. A key goal of the legislation is to reduce vehicle miles traveled as part of how California addresses greenhouse gas emissions.1

SB 375 is currently on the Assembly Appropriations Committee suspense file. Senator Steinberg’s staff and the bill sponsor have indicated that they intend to move SB 375 as early as February. The bill was last amended on September 12, 2007, and it incorporates many of the revisions requested to date by the Sacramento Council of Governments (SACOG), Metropolitan Transportation Commission (MTC), and other organizations. Currently, SACOG and MTC are in support of SB 375, and the Southern California Association of Governments (SCAG) has a neutral/watch position on the bill.

This item summarizes recent statewide discussions on the current September 12 version of the bill and possible amendments for Executive Committee consideration. A summary of the major provisions of SB 375 is included as Attachment 1. Proposed SANDAG amendments are included as Attachment 2 and are summarized below.

Discussion

Recent Meetings

Over the past several months, the League of California Cities has organized several meetings with elected officials and staff from regional agencies, Senator Steinberg’s staff, and the bill sponsor to discuss possible amendments to the September 12 version of the bill. SANDAG has participated in these meetings, and in December 2007, staff provided draft amendments to the Senator’s staff and the bill sponsor. They have indicated that they are willing to work on amendments if the changes

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1 Assembly Bill 32 (Nunez) – the California Global Warming Solutions Act of 2006 – established emission reduction targets to 1990 levels by 2020.
would increase support for the bill. It is the Senator’s intent to put a bill forward that the Governor can sign before the end of the session.

The League has scheduled the next working group meeting for Monday, January 7, 2008, in Sacramento. The goal of the meeting is to examine where all parties have a common interest and can work to develop language that would address those common concerns.

**Main Components of SB 375**

As currently amended, the main components of SB 375 include:

- Requires the California Transportation Committee (CTC) in consultation with the California Air Resources Board (CARB) to adopt guidelines for travel demand models used in the development of RTPs by July 1, 2008.

- Requires transportation agencies to report to the CTC about the relationship of projects included in the regional transportation improvement program (RTIP) to the RTP and SCS supplement.

- Requires regional agencies to prepare an SCS to meet greenhouse gas emissions targets by 2020 and 2035, as provided by CARB. In the event that the SCS does not reach the targets, requires the Metropolitan Planning Organization/Regional Transportation Planning Agency to submit a supplement that would achieve the targets through alternative development patterns or additional transportation measures.

- Requires the action element of the RTP to describe all transportation projects proposed for development during the life of the plan to be consistent with the SCS.

- Provides for a streamlined California Environmental Quality Act (CEQA) process for projects that are located within jurisdictions whose general plans are consistent with an SCS and that meet specific requirements.

**Sustainable Communities Strategy**

If passed, SB 375 would add Government Code Section 65080 (b)(2)(A) through (J) to require regional agencies to develop an SCS that:

1. Identifies areas within the region sufficient to house all the population of the region, including all economic segments of the population over the course of the planning period taking into account net migration into the region, population growth, household formation, and employment growth.

2. Identifies a transportation network to service the transportation needs of the region.

3. Using the best practically available scientific information, identifies resource areas and significant farmland. "Significant resource areas" are defined as:

   a. all publicly owned parks and open space;

   b. open space or habitat areas protected by natural community conservation plans, habitat conservation plans, and other adopted natural resource protection plans;
c. habitat for species identified as candidate, fully protected, sensitive, or species of special status by local, state, or federal agencies or protected by the Federal Endangered Species Act of 1973, the California Endangered Species Act, or the Native Plan Protection Act;

d. lands subject to conservation or agricultural easements for conservation or agricultural purposes by local governments, special districts, or nonprofit 501(c)(3) organizations, and lands under Williamson Act contracts;

e. areas designated for open-space uses in adopted open-space elements of the local general plan or by local ordinance;

f. habitat blocks, linkages, or watershed units that protect regional populations of native species, including sensitive, endemic, keystone, and umbrella species, and the ecological processes that maintain them; and

g. an area subject to flooding where a development project would not, at the time of development in the judgment of the agency, meet the requirements of the National Flood Insurance Program or where the area is subject to more protective provisions of state law or local ordinance.

4. Sets forth a development pattern for the region, a transportation network, and other transportation measures that will reduce the greenhouse gas emissions from automobiles and light trucks to achieve, if there is a feasible way to do so, the targets developed by CARB.

5. Will allow the RTP to comply with the Federal Clean Air Act.

Major SANDAG Proposals

SANDAG staff has reviewed the September 12, 2007, version of SB 375 and is proposing possible amendments. The key amendments would include:

1. Don’t require regions that have adopted regional blueprint plans and adopted habitat conservation plans (HCP) to start from scratch.
   - Allow an alternative that allows regions that have an adopted regional plan consistent with state law, to satisfy the requirements of the SCS to identify lands for housing the region's population and to identify the transportation network to serve the region.
   - Allow an alternative that allows regions that have approved HCPs consistent with state law by December 31, 2010, to satisfy the requirements of the SCS to identify significant resource areas and significant farmlands under the new planning methodology outlined in SB 375.

2. Ensure consistency between SB 375 and the comprehensive greenhouse gas reduction process already established under current law (AB 32).
   - Under current law, CARB is required to adopt comprehensive statewide regulations for greenhouse gas emission (GHG) limits by January 1, 2011. This timeline was intended to allow time for CARB to receive input from various entities and the public, and to obtain comprehensive information regarding the contribution of each source or category of sources to statewide emissions of greenhouse gases before creating the new
regulations. AB 32 also requires that the regulations promulgated by CARB for gas emission reduction targets are “real, permanent, quantifiable, verifiable, and enforceable by the state board.” This directive makes it important for CARB to take the time to ensure its regulations are thoroughly thought out. The current version of SB 375 would require CARB to piecemeal the targets by region instead of source and to focus on vehicle emissions sources, instead of considering all of the various sources of greenhouse gases. Under SB 375, CARB would be required to develop the vehicle emission targets by January 1, 2009, a full two years before the comprehensive process laid out for CARB in AB 32 is scheduled for completion.

- Relevant language from AB 32 (2006) should be incorporated into SB 375 to ensure consistency in legal standards and interpretation. For example, the development of the SCS should “achieve the technologically feasible and cost-effective reductions in GHG in furtherance of the targets set by CARB.”

3. Revise the SB 375 definition of “significant resource areas” and “significant farmlands” to ensure consistency with local adopted plans.

- The current definitions of “significant resource areas” and “significant farmlands” are too broad. Significant resource areas and farmlands should be limited to those designated by local governments or special districts in adopted plans or in accordance with federal or state endangered species acts.

4. Delete the current definition and remove references that would require transportation projects or improvements in the RTIP to be “consistent with the sustainable communities strategy.”

- As currently defined in SB 375, “consistent with the SCS” means that the capacity of the transportation projects or improvements does not exceed that which is necessary to provide reasonable service levels for the existing population and planned growth of the region as set forth in the SCS. This current definition is unclear and can be misconstrued to limit the flexibility for developing new transportation improvements to serve the needs of a growing region. State and federal laws already require projects in an RTIP to be consistent with an approved RTP.

5. Encourage better climate change planning through incentives that are meaningful to local governments and regional agencies (e.g., priority funding for planning and infrastructure, regulatory reforms to CEQA and/or Regional Housing Needs Assessment process).

KIM KAWADA
Policy and Legislative Affairs Program Manager

Attachments: 1. Summary of Key Provisions of SB 375
2. SANDAG Proposed Amendments to SB 375

Key Staff Contacts: Kim Kawada, (619) 699-6994, kka@sandag.org;
Genevieve Morelos, (619) 699-1994, gmo@sandag.org
Summary of Key Provisions of SB 375

As currently amended, the main components of SB 375 include:

- Requires the California Transportation Committee (CTC) in consultation with the California Air Resources Board (CARB) to adopt guidelines for travel demand models used in the development of Regional Transportation Plans (RTP) by July 1, 2008.

- Requires transportation agencies to report to the CTC about the relationship of projects included in the regional transportation improvement program (RTIP) to the RTP and sustainable communities strategy (SCS) supplement.

- Requires regional agencies to prepare an SCS to meet greenhouse gas emissions targets by 2020 and 2035, as provided by CARB. In the event that the SCS does not reach the targets, requires the Metropolitan Planning Organization/Regional Transportation Planning Agency (MPO/RTPA) to submit a supplement that would achieve the targets through alternative development patterns or additional transportation measures.

- Requires the action element of the RTP to describe all transportation projects proposed for development during the life of the plan to be consistent with the SCS.

- Provides for a streamlined California Environmental Quality Act (CEQA) process for projects that are located within jurisdictions whose general plans are consistent with an SCS and that meet specific requirements.

Sustainable Communities Strategy

If passed, SB 375 would add Government Code Section 65080 (b)(2)(A) through (J) to require regional agencies to develop an SCS that:

1. Identifies areas within the region sufficient to house all the population of the region, including all economic segments of the population over the course of the planning period taking into account net migration into the region, population growth, household formation, and employment growth.

2. Identifies a transportation network to service the transportation needs of the region.

3. Using the best practically available scientific information, identifies resource areas and significant farmland: “significant resource areas” are defined as:
   a. all publicly owned parks and open space;
   b. open space or habitat areas protected by natural community conservation plans, habitat conservation plans, and other adopted natural resource protection plans;
   c. habitat for species identified as candidate, fully protected, sensitive, or species of special status by local, state, or federal agencies or protected by the Federal Endangered Species Act of 1973, the California Endangered Species Act, or the Native Plan Protection Act;
d. lands subject to conservation or agricultural easements for conservation or agricultural purposes by local governments, special districts, or nonprofit 501(c)(3) organizations, and lands under Williamson Act contracts;

e. areas designated for open-space uses in adopted open-space elements of the local general plan or by local ordinance;

f. habitat blocks, linkages, or watershed units that protect regional populations of native species, including sensitive, endemic, keystone, and umbrella species, and the ecological processes that maintain them; and

g. an area subject to flooding where a development project would not, at the time of development in the judgment of the agency, meet the requirements of the National Flood Insurance Program or where the area is subject to more protective provisions of state law or local ordinance.

4. Sets forth a development pattern for the region, a transportation network, and other transportation measures that will reduce the greenhouse gas emissions from automobiles and light trucks to achieve, if there is a feasible way to do so, the targets developed by CARB.

5. Will allow the RTP to comply with the Federal Clean Air Act.

The MPO/RTPA shall identify lands for growth in housing and employment in the SCS in accordance with the following priorities:

1. Infill and redevelopment in existing urbanized areas, and any lands within spheres of influence.

2. Vacant lands or substantially undeveloped lands other than in (1) above, that are adjacent to an existing or reasonably foreseeable planned development area and do not include a significant resource area or significant farmlands.

3. If it is not feasible to identify lands for all of the projected growth in jobs and housing on lands in (1) and (2) above, then the SCS may identify future development on vacant lands or substantially undeveloped lands that contain significant resource areas as defined under subsections (d) through (g) above.

4. If it is not feasible to identify lands for all of the projected growth in jobs and housing on lands in (1), (2) and (3) above, then the SCS may identify future development on vacant lands or substantially undeveloped lands that contain significant resource areas as defined under subsection (c) above.

5. If it is not feasible to identify lands for all of the projected growth in jobs and housing on lands in (1), (2), (3) and (4) above, then the SCS may identify future development on vacant lands or substantially undeveloped lands that contain significant resource areas as defined under subsections (a) and (b) above.

“Consistent with the SCS” means that the capacity of the transportation projects or improvements does not exceed that which is necessary to provide reasonable service levels for the existing population and planned growth of the region as set forth in the SCS.
SEC. 4. Section 14527 of the Government Code is amended to read:

14527. (a) After consulting with the department, the regional transportation planning agencies and county transportation commissions shall adopt and submit to the commission and the department, not later than December 15, 2001, and December 15 of each odd-numbered year thereafter, a five-year regional transportation improvement program in conformance with Section 65082. In counties where a county transportation commission has been created pursuant to Chapter 2 (commencing with Section 130050) of Division 12 of the Public Utilities Code, that commission shall adopt and submit the county transportation improvement program, in conformance with Sections 130303 and 130304 of that code, to the multicounty-designated transportation planning agency. For each project included in the program, an explanation report shall be submitted to the commission on the relationship of the project to the regional transportation plan and supplement, if any, prepared pursuant to Section 65080. Other information, including a program for expenditure of local or federal funds, may be submitted for information purposes with the program, but only at the discretion of the transportation planning agencies or the county transportation commissions. As used in this section, "county transportation commission" includes a transportation authority created pursuant to Chapter 2 (commencing with Section 130050) of Division 12 of the Public Utilities Code.

(b) The regional transportation improvement program shall include all projects to be funded with the county share under paragraph (2) of subdivision (a) of Section 164 of the Streets and Highways Code. The regional programs shall be limited to projects to be funded in whole or in part with the county share that shall include all projects to receive allocations by the commission during the following five fiscal years. For each project, the total expenditure for each project component and the total amount of commission allocation and the year of allocation shall be stated. The total cost of projects to be funded with the county share shall not exceed the amount specified in the fund estimate made by the commission pursuant to Section 14525.

(c) The regional transportation planning agencies and county transportation commissions may recommend projects to improve state highways with the interregional share pursuant to subdivision (b) of Section 164 of the Streets and Highways Code. The recommendations shall be separate and distinct from the regional transportation improvement program. A project recommended for funding pursuant to this subdivision shall constitute a usable segment and shall not be a condition for inclusion of other projects in the regional transportation improvement program.

(d) The department may nominate or recommend the inclusion of projects in the regional transportation improvement program to improve state highways with the county share pursuant to paragraph (2) of subdivision (a) and subdivision (e) of Section 164 of the Streets and Highways Code. A regional transportation planning agency and a county transportation commission shall have sole authority for determining whether any of the project nominations or recommendations are accepted and included in the regional transportation improvement program adopted and submitted pursuant to this section. This authority provided to a regional transportation planning agency or to a county transportation commission extends only to a project located within its jurisdiction.
(e) Major projects shall include current costs updated as of November 1 of
the year of submittal and escalated to the appropriate year, and shall be
consistent with, and provide the information required in, subdivision (b) of
Section 14529.

(f) The regional transportation improvement program may not change the
project delivery milestone date of any project as shown in the prior adopted
state transportation improvement program without the consent of the
department or other agency responsible for the project's delivery.

(g) Projects may not be included in the regional transportation
improvement program without a complete project study report or, for a project
that is not on a state highway, a project study report equivalent or major
investment study.

(h) Each transportation planning agency and county transportation
commission may request and receive an amount not to exceed 5 percent of its
county share for the purposes of project planning, programming, and
monitoring.

SEC. 7.  SEC. 5.  Section 65080 of the Government Code is amended to
read:

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

(b) The regional transportation plan shall include all of the following:

(1) A policy element that describes the transportation issues in the
region, identifies and quantifies regional needs, and describes the desired
short-range and long-range transportation goals, and pragmatic objective and
policy statements. The objective and policy statements shall be consistent
with the funding estimates of the financial element. The policy element of
transportation planning agencies with populations that exceed 200,000 persons
may quantify a set of indicators including, but not limited to, all of the
following:

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

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

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

(i) Single occupant vehicle.

(ii) Multiple occupant vehicle or carpool.
(iii) Public transit including commuter rail and intercity rail.
(iv) Walking.
(v) Bicycling.

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

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

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

(2) (A) Within the region under the jurisdiction of each of the agencies described in paragraph (1) of subdivision (a) of Section 14522.1, a preferred growth scenario no later than January 1, 2011, the State Air Resources Board, working in consultation with the affected transportation planning agencies and after at least one public workshop, shall provide each affected region with greenhouse gas emission reduction targets from the automobile and light truck sector for 2020 and 2035, respectively.

(i) The emission targets shall be calculated on the basis of “greenhouse gas emission sources” as that term is defined in Health and Safety Code section 38505 (i) and consistent with the regulations promulgated pursuant to the California Global Warming Solutions Act of 2006 (Health and Safety Code section 38500 et seq).

(ii) The state board shall update the regional targets consistent with each agency’s timeframe for updating its regional transportation plan under federal law until 2050.

(iii) In making these determinations, the state board shall consider greenhouse gas emission reductions that will be achieved by improved vehicle emission standards, changes in fuel consumption, and other measures it has approved that will reduce greenhouse gas emissions in the affected regions, and prospective measures the state board plans to adopt to reduce greenhouse gas emissions from other sources.

(B) Each agency described in paragraph (1) of subdivision (a) of Section 14522.1 shall prepare a sustainable communities strategy consistent with the requirements of Section 450 of Title 23 of, and Section 93 of Title 40 of, the Code of Federal Regulations, that (i) identifies areas within the region sufficient to house all the population of the region including all economic segments of the population over the course of the planning period taking into account net migration into the region, population growth, household formation and employment growth; (ii) identifies a transportation network to service the transportation needs of the region; (iii) using the best practically available scientific information, identifies significant resource areas and significant farmland and excludes from development areas in the preferred growth scenario the significant resource
areas defined in paragraphs (1), (2), and (3) of subdivision (a) of Section 65086.6 and other adopted natural resource protection plans, and, except as provided in subparagraph (F), the significant resource areas defined in paragraphs (4), (5), (6), and (7) of subdivision (a) of Section 65086.6 and significant farmlands; and (iv) will allow the farmland; (iv) sets forth a development pattern for the region, a transportation network, and other transportation measures that will reduce the greenhouse gas emissions from automobiles and light trucks to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions in furtherance of, if there is a feasible way to do so, the targets developed by the air resources board; and (v) will allow the regional transportation plan to comply with Section 176 of the federal Clean Air Act (42 U.S.C. Sec. 7506).

(B) No later than ____, the State Air Resources Board, working in consultation with the affected transportation agencies and after at least one public workshop, shall provide each affected region with greenhouse gas emission reduction targets from the automobile and light truck sector for 2020 and 2035, respectively, in order to implement Chapter 488 of the Statutes of 2006.

(i) The board shall update the regional targets consistent with each agency’s timeframe for updating its regional transportation plan under federal law until 2050.

(ii) In making these determinations, the board shall consider greenhouse gas emission reductions that will be achieved by improved vehicle emission standards, changes in fuel consumption, and other measures it has approved that will reduce greenhouse gas emissions in the regions, and prospective measures the board plans to adopt to reduce greenhouse gas emissions from other sources.

(iii) Consistent with data provided by the board, a preferred growth scenario, prepared pursuant to subparagraph (A), shall inventory the region's emission of greenhouse gases from the automobile and light truck sector and establish measures to reduce these emissions, to the greatest extent feasible, to achieve the targets developed by the board.

(C) An agency may satisfy the requirements of subsection (B)(i) and (ii) by having an adopted regional plan consistent with the requirements of Public Utilities Code section 132360.1. An agency may satisfy the requirements of subsection B(iii) by having one or more approved habitat conservation plans consistent with Fish and Game Code Section 2800 et seq. covering its entire jurisdiction by December 31, 2010.

(DD) In a multicounty transportation planning agency, a county and the cities within that county may propose the sustainable communities strategy for that county. That sustainable communities strategy may be approved as part of the sustainable communities strategy for the region provided that the strategy for the region complies with the requirements of this section.

(C) A preferred growth scenario

(ED) A sustainable communities strategy shall be consistent with the state planning priorities specified pursuant to Section 65041.1.
In preparing a sustainable communities strategy, the transportation planning agency shall consider spheres of influence that have been adopted within its region.

Each agency described in paragraph (1) of subdivision (a) of Section 14522.1 shall identify the lands for growth in housing and employment in the sustainable communities strategy in accordance with the following priorities:

(i) Infill and redevelopment in existing urbanized areas, and any lands within spheres of influence as of July 1, 2007.

(ii) Vacant lands or substantially undeveloped lands other than those identified in clause (i) that are adjacent to an existing or reasonably foreseeable planned development area and do not include a significant resource area or significant farmlands.

(iii) If it is not feasible to identify lands for all of the projected growth in jobs and housing on lands in clauses (i) and (ii), then it may identify future development on vacant lands or substantially undeveloped lands adjacent to an existing or reasonably foreseeable planned development or within a city sphere of influence that contain significant resource areas as defined in paragraphs (4), (5), (6), or (7) of subdivision (a) of Section 65080.01 or significant farmland to the extent consistent with other provisions of local, state, or federal law.

(iv) If it is not feasible to identify lands for all of the projected growth in jobs and housing on lands in clauses (i), (ii), and (iii), then it may identify future development on other lands, to the extent consistent with other provisions of local, state, or federal law, but not on significant resource areas defined in paragraph (1) or (2) of subdivision (a) of Section 65080.01.

(v) If it is not feasible to identify lands for all of the projected growth in jobs and housing on lands in clauses (i), (ii), (iii), and (iv), then it may identify future development on other lands, to the extent consistent with other provisions of local, state, or federal law, but not on significant resource areas defined in paragraph (1) or (2) of subdivision (a) of Section 65080.01.

(vi) If the sustainable communities strategy identifies development on lands in clauses (iii), (iv), or (v) it shall describe feasible measures to mitigate the impact of projected development on those lands.

Prior to adopting a sustainable communities strategy, the regional transportation planning agency shall either (i) find that zoning has been enacted within the region for a five-year supply of the housing need identified in the sustainable communities strategy, or (ii) state with specificity why the development pattern set forth in the sustainable communities strategy is the development pattern that is most likely to occur.

If the preferred growth scenario

If the sustainable communities strategy, prepared in compliance with subparagraphs (A) and subparagraph (B), is unable to reduce greenhouse gas emissions to achieve the targets established by the
board, the transportation planning agency shall prepare a supplement to the preferred growth scenario showing how sustainable communities strategy that would achieve those greenhouse gas emission targets could be achieved through additional transportation investments, land use incentives, or other programs and incentives. Through alternative development patterns or additional transportation measures. The supplement shall be a separate document and shall not be part of the regional transportation plan.

(E) A preferred growth scenario

(A sustainable communities strategy does not regulate the use of land, nor shall it be subject to any state review or approval. Nothing in a preferred growth scenario sustainable communities strategy shall be interpreted as superseding or interfering with the exercise of the land use authority of cities and counties within the region. Nothing in this section requires an agency to approve a sustainable communities strategy that would be inconsistent with Part 450 of Title 23 of, or Part 93 of Title 40 of, the Code of Federal Regulations and any administrative guidance under those regulations. Nothing in this section relieves a public or private entity or any person from compliance with any other local, state, or federal law.

(F) On and after January 1, 2009, projects and improvements to be funded shall be consistent with regional transportation plans developed pursuant to Section 65080. Projects programmed for funding on or before December 31, 2011, are not required to be consistent with the preferred growth scenario sustainable communities strategy if they (i) are contained in the 2006 or 2008 Federal 2007 or 2009 Federal Statewide Transportation Improvement Program or, (ii) are funded pursuant to Chapter 12.49 (commencing with Section 8879.20) of Division 1 of Title 2 or, (iii) were specifically listed in a ballot measure prior to December 31, 2006, approving a sales tax increase for transportation projects.

(G) Before identifying either a significant resource area defined in paragraph (4), (5), (6), or (7) of subdivision (a) of Section 65086.6 or significant farmlands as a development area, the transportation planning agency shall adopt findings that (i) the area is adjacent to an existing developed area or is within an infill area as defined in Division 13 (commencing with Section 21000) of the Public Resources Code; (ii) the area is served by all necessary utilities; (iii) there is no feasible alternative to identifying the area as a development area; (iv) the loss of a significant resource area will be fully mitigated; and (v) the area will be efficiently utilized for development with a density of at least 10 dwelling units per acre.

(3) An action element that describes the programs and actions necessary to implement the plan and assigns implementation responsibilities. The action element may describe all transportation projects proposed for development during the 20-year or greater life of the plan. Proposed projects shall be consistent with the preferred growth scenario sustainable communities strategy, except as provided in subparagraph (F) of paragraph (2).
The action element shall consider congestion management programming activities carried out within the region.

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

(B) The financial element of transportation planning agencies with populations that exceed 200,000 persons may include a project cost breakdown for all projects proposed for development during the 20-year life of the plan that includes total expenditures and related percentages of total expenditures for all of the following:
   (i) State highway expansion.
   (ii) State highway rehabilitation, maintenance, and operations.
   (iii) Local road and street expansion.
   (iv) Local road and street rehabilitation, maintenance, and operation.
   (v) Mass transit, commuter rail, and intercity rail expansion.
   (vi) Mass transit, commuter rail, and intercity rail rehabilitation, maintenance, and operations.
   (vii) Pedestrian and bicycle facilities.
   (viii) Environmental enhancements and mitigation.
   (ix) Research and planning.
   (x) Other categories.

(c) Each transportation planning agency may also include other factors of local significance as an element of the regional transportation plan, including, but not limited to, issues of mobility for specific sectors of the community, including, but not limited to, senior citizens.

(d) Except as otherwise provided in this subdivision, each transportation planning agency shall adopt and submit, every four years, an updated regional transportation plan to the California Transportation Commission and the Department of Transportation. A transportation planning agency located in a federally designated air quality attainment area or that does not contain an urbanized area may at its option adopt and submit a regional transportation plan every five years. When applicable, the plan shall be consistent with federal planning and programming requirements and shall conform to the regional transportation plan guidelines adopted by the California Transportation Commission. Prior to adoption of the regional transportation plan, a public hearing shall be held after the giving of notice of the hearing by publication in the affected county or counties pursuant to Section 6061.
SEC. 6. Section 65080.01 is added to the Government Code, to read:

65080.01. The following definitions apply to terms used in Section 65080:

(a) "Significant resource areas" include (1) all publicly owned parks and open space; (2) open space or habitat areas protected by natural community conservation plans, habitat conservation plans, and other adopted natural resource protection plans; (3) habitat for species identified as candidate, fully protected, sensitive, or species of special status by local, state, or federal agencies or protected by the federal Endangered Species Act of 1973, the California Endangered Species Act, or the Native Plan Protection Act; (4) lands designated by subject to conservation or agricultural easements for conservation or agricultural purposes by local governments or special districts, or nonprofit 501(c)(3) organizations, and lands under Williamson Act contracts; (5) areas designated for open-space uses in adopted open-space elements of the local general plan or by local ordinance; and (6) lands designated by local governments or special districts as habitat blocks, linkages, or watershed units that protect regional populations of native species, including sensitive, endemic, keystone, and umbrella species, and the ecological processes that maintain them; and (7) an area subject to flooding where a development project would not, at the time of development in the judgment of the agency, meet the requirements of the National Flood Insurance Program or where the area is subject to more protective provisions of state law or local ordinance.

(b) "Significant farmland" means farmland that is classified by a local agency in a general plan as prime or unique farmland, or farmland of statewide importance and is outside all existing city spheres of influence or city limits as of January 1, 2007.

(c) "Consistent with the sustainable communities strategy" means that the capacity of the transportation projects or improvements does not exceed that which is necessary to provide reasonable service levels for the existing population and the planned growth of the region as set forth in the sustainable communities strategy.

(cd) "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.
REVIEW OF JANUARY 25, 2008, DRAFT BOARD AGENDA

+1. APPROVAL OF MEETING MINUTES

A. DECEMBER 7, 2007, POLICY MEETING MINUTES
B. DECEMBER 21, 2007, MEETING MINUTES

2. PUBLIC COMMENTS/COMMUNICATIONS/MEMBER COMMENTS

Members of the public shall have the opportunity to address the Board on any issue within the jurisdiction of SANDAG. Anyone desiring to speak shall reserve time by completing a “Request to Speak” form and giving it to the Clerk of the Board prior to speaking. Public speakers should notify the Clerk of the Board if they have a handout for distribution to Board members. Speakers are limited to three minutes. Board members also may provide information and announcements under this agenda item.

+3. ACTIONS FROM POLICY ADVISORY COMMITTEES

This item summarizes the actions taken by the Executive and Borders Committees on January 11, and the Transportation and Public Safety Committees on January 18, 2008.

CONSENT ITEMS (4 through XX)

+4. FY 2009 FEDERAL TRANSPORTATION APPROPRIATIONS PROPOSALS (Victoria Stackwick)

In October 2007, the Transportation Committee approved the criteria for selecting projects for consideration in the FY 2009 federal transportation appropriations process. Staff has worked with Caltrans, the transit agencies, and local jurisdictions to develop the priorities for the FY 2009 funding cycle. The Transportation Committee recommends that the Board of Directors approve the prioritized list of FY 2009 federal transportation funding requests.

+5. PROPOSED AMENDMENTS TO CONFLICT OF INTEREST CODE (Julie Wiley)

Every two years, staff reviews SANDAG Conflicts of Interest Code to determine if updates or modifications are necessary. The Board is asked to approve the proposed amendments to the SANDAG Conflicts of Interest Code.
+6. APPOINTMENT OF POLICY ADVISORY COMMITTEE MEMBERS

SANDAG Board Policy No. 002 requires the City of San Diego, County of San Diego, and Board members from each of the four subregions (North County Coastal, North County Inland, East County, and South County) to make their appointments to the five Policy Advisory Committees by January 31 of each year. This item summarizes the various members appointed to the Executive, Transportation, Planning, Borders, and Public Safety Committees.

+7. CULMINATING REPORT ON THE REGIONAL PLANNING STAKEHOLDERS WORKING GROUP (Councilmember Crystal Crawford, Chair of the SWG; Carolina Gregor)

The SANDAG Board of Directors created the Regional Planning Stakeholders Working Group (SWG) in December 2004 to assist with the implementation of the Regional Comprehensive Plan and the development of the 2030 Regional Transportation Plan (RTP). The SWG met for two and a half years, first chaired by Santee Councilmember Jack Dale and then chaired by Del Mar Councilmember Crystal Crawford. The SWG has fulfilled its responsibilities and has sunned, per its Charter, upon adoption of the final 2030 RTP. This item summarizes the working group’s contributions and accomplishments during this time period. A reception will be held immediately after the Board meeting to recognize the group’s contributions to the planning process.

+8. REPORT SUMMARIZING DELEGATED ACTIONS TAKEN BY EXECUTIVE DIRECTOR* (Renee Wasmund)

In accordance with SANDAG Board Policy Nos. 003 (Investment Policy), 017 (Delegation of Authority), and 024 (Procurement and Contracting-Construction), this report summarizes certain delegated actions taken by the Executive Director since the last Board meeting.

+9. REPORTS ON MEETINGS AND EVENTS ATTENDED ON BEHALF OF SANDAG

Board members will provide brief reports orally or in writing on external meetings and events attended on behalf of SANDAG since the last Board of Directors meeting.

+10. DRAFT FY 2007 COMPREHENSIVE ANNUAL FINANCIAL REPORT (Lauren Warrem)

In accordance with SANDAG Bylaws, the Draft FY 2007 Comprehensive Annual Financial Report, including the independent auditor’s financial and compliance opinions, are presented for informational purposes. When complete, copies of the final report will be distributed to each member agency.
SANDAG received a cooperative transit planning grant from Caltrans to partner with tribal governments to conduct a feasibility study for implementing transit service in one or two key transportation corridors. SANDAG and the Reservation Transportation Authority (RTA) partnered to examine traditional public transit services as well as the potential for non-traditional services that could be funded by private sources or other funding sources. The Interagency Technical Working Group on Tribal Transportation Issues served as the project advisory group. The Borders Committee recommended that the Board of Directors accept this final report on the tribal transit feasibility study.

This item provides a status on the FasTrak program following the first six months of the implementation of the new account and transponder fee changes, which took affect May 1, 2007. The Board of Directors also is requested to approve the revenue contribution agreements with Caltrans and the Metropolitan Transit System.

SANDAG, Caltrans, and the North County Transit District are working on a joint pilot project in coordination with University of California, Berkeley, Partners for Advance Transit and Highways to assess the application of smart parking technology to collect parking management data, provide real-time parking information, and examine innovative parking pricing methods. The Transportation Committee recommends that the Board of Directors approve an amendment to the FY 2008 Budget and Overall Work Program to accept $640,000 in federal funding and to add a new work element for the Smart Parking Pilot Project.
+16. UPDATE ON SANDAG CLIMATE CHANGE PLANNING ACTIVITIES INFORMATION
(Bob Leiter)

As a result of the partnership between the California Energy Commission and SANDAG, staff has initiated the preparation of the Climate Action Plan and the Regional Energy Strategy update. In addition, the recent adoption of the 2030 Regional Transportation Plan requires SANDAG to implement mitigation measures to address greenhouse gas emission reduction. Staff will provide the Board with an update on those activities as well as the status of state legislation that addresses greenhouse gas emissions and climate change.

+17. POSSIBLE CLOSED SESSION (Julie Wiley)

18.

19.

20. UPCOMING MEETINGS INFORMATION

The next Policy meeting of the Board of Directors is scheduled for Friday, February 8, 2008, at 10 a.m. The next Business meeting of the Board of Directors is scheduled for Friday, February 22, 2008, at 9 a.m.

21. ADJOURNMENT

+ next to an agenda item indicates an attachment
* next to an agenda item indicates a San Diego Regional Transportation Commission item
Recommendation

Approve the use of up to $100,000 of contingency reserve funds and amend Work Element # 3000900 of the FY 2008 Budget and OWP for the development of TCIF application materials for the Coastal Trail Corridor projects.
Amendment to SANDAG's Proposed Amendment #3 on SB 375

- #3 – Revise the SB 375 definition of "significant resource areas" and "significant farmlands" to ensure consistency with local adopted plans.

  (b) "Significant farmland" means farmland that is classified by a local agency in a general plan as prime or unique farmland, or farmland of statewide importance or lands that are identified in other local programs established for the protection of agricultural resources and is outside all existing city spheres of influence or city limits as of January 1, 2007.

- It would be good to cover other future programs that protect agricultural resources as significant resource areas. For example, a voluntary purchase of agricultural conservation easements (PACE) program that would help incentivize local farmers to keep agricultural land and provide opportunities for state or federal grant awards.