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December 14, 2009

Susan Bransen
Associate Deputy Director
California Transportation Commission
1120 N Street, Room 2221
Sacramento, CA 95814

Re: 2010 Working Draft: California Regional Transportation Plan (RTP) Guidelines

Dear Susan:

Attached please find the Department's comments on the November 23, 2009 working draft of the RTP guidelines. The extraordinary level of effort that you and Caltrans staff have devoted to this effort and to working cooperatively with our Department and other stakeholders is greatly appreciated.

However, concern remains that the expedited schedule for this project cannot accommodate sufficient consideration and resolution of complicated issues, in part because of insufficient review time for working drafts, insufficient time for consideration across subcommittees, preparation of multiple drafts in short time frames, and comment due dates prior to scheduled meetings. We recommend that more time be allowed prior to the next scheduled working draft release.

Sincerely,

Linda M. Wheaton
Assistant Deputy Director

HCD Comments re 12.23.0 RTP Guidelines Draft: Attachment I

Page #, Sec. #	Comment
15: Sec. 1.3	This map should have a label, e.g., Figure I (same issue for all figures)
17- 29 : Sec's. 1.4, 1.6, 1.7, 2.1- 2.4	<p>The draft guidelines, both in the introduction and throughout the draft, lack a clear complete and coherent listing of the required content components of an RTP understandable to participating stakeholders and the public. In the introductory chapter, in summary or outline format, this should follow the RTP Purpose description, and should be detailed in what is now Ch.6 in a parallel manner integrating the federal and state required content components. The draft's current mixing (between several sections in the first 2 chapters) of content components with required processes and division by state and federal, with separate sections or descriptions for a portion of federal (SAFETEA-LU) and SB 375 is confusing for interpreting the actual <u>content</u> requirements of the RTP. The cumulative effect of the required contents should be represented, with the basis for the requirement (federal, state (noting SB 375 additions) denoted, rather than having the basis for requirements used as the primary basis for describing requirements in different sections. Some of these organizational issues are described below:</p> <p><u>Strongly recommend reordering of the chapters such that the content requirements (Ch. 6) follow the introductory chapter (instead of being at the end of the guidelines), such that it is clearer what the procedural, modeling, and environmental provisions must support.</u> The identification of the primary components in the introduction and Ch. 6 should be represented in a consistent manner. The content requirements (while acknowledging they may be incorporated in various formats, and in some cases, may be integrated) presumably include at least the following, with some components required only for certain MPOs/RTPAs:</p> <ul style="list-style-type: none"> - A Public Participation Plan (pg.18) - Executive Summary (pg. 96) (<i>is this required or recommended?</i>) - Identification of transportation facilities (pg. 19) - Safety element (pg. 20) - Policy & Financial elements (pg. 25) <ul style="list-style-type: none"> a) Operational & management strategies (pg. 19) b) Capital investment strategies (project listing?) (pg. 19) - An SCS (pg. 17) - Environmental and air quality documentation via (separate) EIR <p>Presumably the above components would encompass the 4 elements identified on pg. 25 as required: Policy element, SCS, Action element, Financial element. Footnoting, parenthetical or other indication in the text, or other means can be used to denote whether the requirement is based on federal or state law or regulation. Any format requirements, i.e. visualization techniques per pg. 20, should also be described.</p>
17 :1.4	

18: Sec. 1.4	<p>The process or how the scope was expanded by SB 375 (the first two numbered listings on pg. 17) should follow after, not before the above content description. The steps described as 1-8 do not include all of the components required (see above), and should be expanded and should indicate where modeling fits in the steps (forecasting). More variables than population and employment are required so delete those two and instead cross-reference the modeling section in the identification of the forecasting step.</p>
18 : Sec. 1.5	<p>Recommend revising/consolidating/cross-referencing the SB 375 description of pg. 17 with the SB 375 listing on of Sec. 1.7 (pg. 20) and pg. 27 – e.g. the APS requirement doesn't address the purpose of an RTP, which is the subject of this section.</p> <p>Recommend that the Programming Process section precede section 1.4 to establish the context for the RTP. Mere reference to a flow chart (Appendix A) is inadequate to describe how the transportation planning process affects the funds programming process. This section should include a brief description of the role of the RTP in the Planning and Programming Process diagramed in Appendix A, including its relationship to the RTIP, ITIP, STIP and FTIP and the CTC. It should also cross-reference Sec. 2.4, or alternatively include the more detailed description of the respective plans in Sec. 2.4 and this section should focus on how the RTP is used for programming decisions, and should describe what entities the funds, once programmed, are administered by.</p> <p>The role of and relationship to public transit /human services transportation plans should be included here; this is particularly critical given the role public transit or mode shift can be expected to play in the forecast development pattern of the SCS (move and expand the description from pg. 20).</p> <p>The description of relationship might be started something like the following, but with the addition of description of the how transit and local funds are affected by the state and federal match requirements (this is my rough stab at how it might begin, which should be expanded and corrected as needed):</p> <p><i>The RTP establishes the basis for programming local, state and federal funds for transportation projects within a region. RTPs and RTIPs are in effect proposals subject to the approval of the California Transportation Commission (CTC) for programming State Transportation Improvement Funds (STIP funds) and the Federal Transportation Improvement Program (FTIP).</i></p> <p><i>Projects must be identified within an RTP to be included in a Regional Transportation Improvement Program (RTIP) or the Inter-regional Transportation Improvement Program (ITIP). The RTIP implements the region's transportation</i></p>

	<p><i>projects and programs listed in the RTP over a short-term, e.g., six-year (?), period. County Transportation Commissions have the responsibility under State law of proposing county projects, using the current RTPs policies, programs, and projects as a guide, from among submittals by cities and local agencies. The locally prioritized lists of projects are forwarded to the MPO for review. From this list, the MPO develops the RTIP based on consistency with the RTP, inter-county connectivity, financial constraint and conformity requirements of State and federal law.</i></p>
19 : Sec. 1.6	<p>This (1.6) section could be eliminated as a separate section if all of its listings are instead included in the content or process description sections of Ch. 1, 2 or other appropriate chapter which include more detail (public participation plan of Sec. 4.2).</p>
25 :...Ch.2	<p>This chapter should be reorganized to clarify which processes are required (from descriptions currently in Ch. 1 sections) from those that are optional or best practices.</p>
27: Sec. 2.2	<p><u>Edit bullet #4. as follows:</u> Synchronizes the regional housing needs assessment (RHNA) process of State housing element law with the RTP update process; requires local governments to complete any rezoning of their general plans and zoning ordinances necessary to accommodate their RHNA within three years of housing element adoption, and provides that RHNA allocations must be consistent with the development pattern in the SCS. Housing element updates for non-attainment MPOs are also moved from five-year to eight-year update cycles.</p>
28 : Sec.2.4	<p>This section should also include the RTIP and ITIP in the text and table, and should actually explain how each document relates to the others (while the title indicates “Relationship”, the single sentence descriptions of each do not address the relationships between them).</p>
35: Chart	<p>This flow chart should have a label, e.g., Figure 2 Edit box in the middle of the page to indicates “Drafts of . . .” The second box from the left should reference CFR 23, Sec. 450.322 (see comment below for pg. 36, Sec. 2.8.). Last box on far right: recommend omission of “either revise the SCS”, as does not seem that could be a feasible option, as it would required adopting an amended RTP – presumably with all of the procedural requirements. It seems there would not be time for this within the timelines for either the RTP or the RHNA unless the processes were initiated <u>far</u> in advance of the requisite time for developing an update. (While I have made this comment before (re: 10.13. draft), I have never heard the matter discussed or a rationale explained for how it could be feasible for both RTP and RHNA requirements).</p> <p>The narrative for this section should state that the due date for the four-</p>

36: Sec. 2.8	<p>year RTP update for nonattainment MPOs runs from the date of their prior conformity finding on their RTP.</p> <p>CFR 23 § 450.322 Development and content of the metropolitan transportation plan. (a) The metropolitan transportation planning process shall include the development of a transportation plan addressing no less than a 20-year planning horizon as of the effective date. In nonattainment and maintenance areas, the effective date of the transportation plan shall be the date of a conformity determination issued by the FHWA and the FTA. In attainment areas, the effective date of the transportation plan shall be its date of adoption by the MPO.</p>
37: Sec. 2.8 Mid-page	<p>Re: Readopting the existing RTP- This paragraph should be revised, as how could this be feasible for MPOs in the update cycle when they are to synchronize with the pending RHNA for the next housing element update cycle or if they had not yet adopted an SCS?</p>
37: Sec. 2.8, mid-page	<p>The text should clarify that all four-year updates are major amendments. Wouldn't that mean that this sentence should be edited as follows? "When an MPO/RTPA prepares an RTP amendment,"</p>
54: Sec. 3.2	<p>Post- Processing par.: The "D's" should be identified in this paragraph (included on page 60).</p>
<u>42-61: Ch.3</u>	<p>This chapter is confusing and should be reorganized and revised to more clearly indicate what criteria or modeling processes are <u>required</u> vs. recommended, including which are required for the initial RTP updates adopted after September 2010 (when the regional targets take effect). The characterization in the last sentence of the first par. Of pg. 32 should specifically identify which MPOs (only those w/pop. >200K which are non-attainment?) must meet specific modeling requirements.</p> <p>Many of these provisions regarding land use assumptions and the process by which they are made, overlap the SCS provisions of Ch. 6, and should be cross-referenced. One of the federal requirements missing from this section is that in many case these assumptions are determined by inter-agency consultation.</p>
46-47: 3.2.1	<p>Since no federal or state laws or regulations are cited as basis for the "shoulds" which are included in so many of the recommendations, its unclear what the basis is for each of them, or what entity would be reviewing the modeling for their inclusion. While recognizing model improvement efforts will be under way for some time, the frequent use of the phrase "in a few years" is so indefinite as to be meaningless for the purpose of comparability indicated on pg. 45, and consistency recommended on page 57 (#2).</p>
52: 3.2.1.	<p>The basis for the categorizations is unclear What is distinction between A & B, only one county proposed for Cat. B, Cat. C indicates <200,000, yet includes 2 counties >200,000; Cat. E text references</p>

52: 3.2.2.	<p>RTPAs as well as MPOs, yet no RTPAs are indicated, etc. Assumption of the criteria for the categories being cumulative via recommending “all of the recommendations” of the prior or lower category + additional criteria for each is confusing as , for example, all of the recommendations for the lower capacity categories (A,B,C,D) are not applicable to Cat. E. Are there no modeling “requirements” for Category A RTPAs?</p> <p>Item # 2, par. beginning “Agencies can take transit capacity constraints into consideration.” The potential implications of this statement and remainder of the paragraph should be clarified.</p>
	<p>It would be clearer what the requirements are if this section on statewide requirements preceded Section 3.2.1 as that section is predominated by recommendations (except for the requirements of Cat. D).</p> <p>-Shouldn't this statewide requirements section indicate or at least reference the requirements of the “Conformity Analysis Documentation” checklists that relate to modeling (Appdx F1 & F2)? (the first statement in Sec. 3.2.2 references MPOs in Cat. A, but there are only RTPAs in Cat. A)</p> <p>- Bullet #1 reference to Sec. 4.33-4.37 & bullet #5 references to Sec. 4.41 are incorrect because those subsections are not found.</p>
54-55: Sec. 3.2	<p>Re Inter-Regional Modeling: This description begs elaboration and is critical relative to evaluation of whether regional targets can be met by individual regions. As RTPs between different regions are updated at different times, what will the process be for identifying “dissimilar inter-regional (travel) volumes”, i.e., what entity will be responsible for evaluating this, at what points in the respective processes, and concluding the need for “facilitating consensus.” What if consensus isn't reached?</p>
56: 3.4	<p>This or a related section should require development or use of common data definitions and sources, particularly for population, employment, and housing estimates and projections, e.g.:</p> <p><u>Requirement</u> All MPOs and RTPAs should use common data definitions, sources, and performance measures for data including, but not limited to population, employment, and housing estimates and projections, labor force ages, and vehicle miles traveled.</p>
61: 3.5.	<p>Bullet #4.- This par. should be revised omitting or clarifying the phrase “quantifiably valid forecast.”</p>
94-133: Ch.6	<p>See above recommendation for moving this chapter to follow introduction.</p>
120-135: Sec. 6.23	<p>THIS SECTION IS YET PENDING RESOLUTION & WILL AFFECT OTHER CHAPTERS</p>