

California

Rural Counties Task Force



ruralcountiestaskforce.org

Alex Padilla, Vice Chair
 Tuolumne County Transportation Council
 209.533.5603

Woodrow Deloria, Chair
 El Dorado County Transportation Commission
 530.642.5260

Amber Collins, Secretary
 Calaveras Council of Governments
 209.754.2094

March 19, 2020

Paul Van Konynenburg, Chair
 California Transportation Commission
 1120 N Street, MS-52
 Sacramento, CA 95814

RE: Trade Corridor Enhancement Plan

Dear Chair Van Konynenburg:

In place of the typical report out by the Rural Counties Task Force (RCTF) during your Commission meetings, I am writing on behalf of the Rural Counties Task Force (RCTF) to express our gratitude for the extensive outreach and overwhelming effort of the CTC staff. The RCTF has been engaged with the CTC SB 1 program staff on the development of Trade Corridor Enhancement Program (TCEP) guidelines. CTC staff worked closely with RCTF members early and often, both directly and within the program workshops and technical working groups.

Hannah Walter and the TCEP team engaged rural agencies to ensure their concerns were heard and considered. RCTF members support the broadening of counties for which corridors are eligible, many of which are RCTF member counties.

For these reasons RCTF members support the approval of the TCEP Guidelines as presented to your Commission on March 25, 2020.

Sincerely,

Woodrow Deloria, Executive Director
 El Dorado County Transportation Commission
 Chair, Rural Counties Task Force

California

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March 19, 2020

Paul Van Konyenburg, Chair
California Transportation Commission
1120 N Street, MS-52
Sacramento, CA 95814

RE: Local Partnership Program

Dear Chair Van Konyenburg:

In place of the typical report out by the Rural Counties Task Force (RCTF) during your Commission meetings, I am writing on behalf of the Rural Counties Task Force (RCTF) to express our gratitude for the extensive outreach and overwhelming effort of the CTC staff. The RCTF has been engaged with the CTC SB 1 program staff on the development of Local Partnership Program (LPP) guidelines. CTC staff worked closely with RCTF members early and often, both directly and within the program workshops and technical working groups.

Christine Gordon and the LPP team went above and beyond to ensure rural agencies were heard and their issues and opportunities were considered. RCTF members are very supportive of the addition of system preservation performance to the LPP performance analytics and metrics to help capture bridge and pavement rehab project benefits that are so prevalent in rural regions. Furthermore, many small rural agencies are grateful for the increased minimum amount of LPP from \$100,000 to \$200,000. This increase will allow for more significant improvements to be made in an environment where project delivery costs are ever increasing.

RCTF members are grateful for all revenue available through SB 1. However, the competitive LPP is one of the primary SB 1 programs that rural agencies are hoping to capture to invest in the rural system statewide. For these reasons RCTF members support the approval of the LPP Guidelines as presented to your Commission on March 25, 2020.

Sincerely,

Woodrow Deloria, Executive Director
El Dorado County Transportation Commission
Chair, Rural Counties Task Force

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March 19, 2020

Paul Van Konynenburg, Chair
California Transportation Commission
1120 N Street, MS-52
Sacramento, CA 95814

RE: Active Transportation Guidelines

Dear Chair Van Konynenburg:

In place of the typical report out by the Rural Counties Task Force (RCTF) during your Commission meetings, I am writing on behalf of the Rural Counties Task Force (RCTF) to express our gratitude for the extensive outreach and overwhelming effort of the CTC staff. The RCTF has been engaged with the CTC SB 1 program staff, most recently the ATP, on the development of program guidelines. CTC staff worked closely with RCTF members early and often, both directly and within the program workshops, working groups, and branch workshops.

The recent ATP branch workshops facilitated by Laurie Waters and the ATP team were very helpful to our rural partners to help them better understand the parameters of the program and improve future rural ATP applications. Furthermore, the rural site visits during branch workshops allowed the CTC staff to see rural ATP needs and challenges firsthand. Rural agencies strongly support the flexibility and broadening of ATP project scoring metrics, recently included within the ATP guidance and scoring rubrics. More specifically, rural agencies appreciate the consideration of safety metrics to be used to rank and illustrate the need for a rural ATP project in the recent 2021 scoring rubric.

For these reasons RCTF members support the approval of the ATP Guidelines as presented to your Commission on March 25, 2020.

Sincerely,

Woodrow Deloria, Executive Director
El Dorado County Transportation Commission
Chair, Rural Counties Task Force



March 20, 2020

Paul Van Konynenburg, Chair
California Transportation Commission
1120 N Street, MS-52
Sacramento, CA 95814

RE: Trade Corridors Enhancement Program Guidelines

Dear Chair Van Konynenburg:

On behalf of the Association of Monterey Bay Area Governments, I want to thank the California Transportation Commission for their efforts in the development of the revised Trade Corridors Enhancement Program (TCEP) Guidelines. In particular, the Guidelines Workshops provided a transparent and collaborative forum to discuss the Guidelines and proposed changes.

The Association of Monterey Bay Area Governments supports the staff recommendation to adopt the draft TCEP Guidelines.

Sincerely,

Maura F. Twomey
Executive Director

Cc: Mitchell Weiss, Executive Director, California Transportation Commission
Dawn Cheser, Deputy Director, California Transportation Commission
Hannah Walter, Associate Deputy Director, California Transportation Commission



March 20, 2020

Chair Paul Van Konynenburg
California Transportation Commission
1120 N. Street, MS 52
Sacramento Ca. 95814

Re: 2020 Trade Corridor Enhancement Program Guidelines

Dear Chair Van Konynenburg and Members of the Commission:

The Coalition for Clean Air (CCA) appreciates the opportunity to comment on the 2020 Guidelines for the Trade Corridor Enhancement Program (TCEP). We recognize that some of these recommendations may be difficult to implement in time for the immediate next cycle, but with a three-year long cycle and \$300 million per year in funding, there is no time to wait on protecting our public's health. We are committed to working with the Commission and partners to bring these recommendations to fruition for the TCEP program.

Below are recommendations that Coalition for Clean Air believes would lead to creating a more equitable TCEP process where public health and air quality are prioritized:

Prioritize funding infrastructure for zero-emission or near-zero-emission goods movement: We are encouraged by the addition of language that explicitly spells out eligibility for zero/near-zero-emission infrastructure in the eligible projects section. We agree that, "projects that employ advanced and innovative technology to improve the flow of freight, such as Intelligent Transportation Systems (ITS), public infrastructure (excluding vehicles) that enables zero-emission or near-zero emission goods movement," should be eligible in the TCEP program (p. 10.)

While this language brings awareness to this type of infrastructure and its eligibility, we would encourage language that also prioritizes these types of projects. As the draft California Freight Mobility Plan 2020 notes: "Looking ahead to the year 2040, zero- or near-zero-emissions vehicles and equipment will dominate California's freight system." P. 1.B-2. This transition, which will greatly benefit public health in California and reduce fuel and maintenance costs, will require major investments in new charging and fueling infrastructure. Therefore, it is not enough to bring only awareness of the eligibility of zero and near-zero technologies, and so the guidelines need specific language prioritizing these types of projects.

Eligibility: Do No Harm – Add Public Health Criteria

We are also encouraged to see eligibility includes projects that "implement technology or innovation to improve the freight system or reduce or avoid its negative impacts; or reduces or avoids adverse community and/or environmental impacts of the freight system." p. 9.

BUT, eligibility should be restricted only to those projects that reduce or avoid adverse community and/or environmental impacts of the freight system. Californians cannot afford to have our tax dollars used to impose adverse impacts on our communities.

The California Sustainable Freight Action Plan states that an estimated 2,200 Californians die prematurely each year from exposure to freight-related air pollution emissions and that these and other public health impacts from freight activities have a cost of approximately \$20 billion per year. (CSFAP, Appendix G, Table G-2, p. G-7.) Public health criteria for TCEP should be based upon the fundamental principle that the public should not suffer any increased adverse health impacts as a result of any TCEP project and that existing threats to and impacts upon public health from freight transportation activities should be minimized and, wherever possible, eliminated.

We thank you to the TCEP staff for their willingness to receive feedback and work to better the Trade Corridor Enhancement Program. We are excited to continue to partner with the California Transportation Commission to ensure this program protects public health, improves air quality and prevents climate change.

Sincerely,

A handwritten signature in black ink, appearing to read 'Julia Randolph', with a stylized flourish at the end.

Julia Randolph

Policy and Outreach Associate

March 20, 2020

Paul Van Konynenburg, Chair
California Transportation Commission
1120 N Street, MS 52
Sacramento CA, 95814

Submitted via email: CTC@catc.ca.gov

Subject: Comment on Trade Corridor Enhancement Program Guidelines

Dear Chair Van Konynenburg:

Thank you for the opportunity to comment on the proposed guidelines for the Trade Corridor Enhancement Program guidelines. The American Lung Association supports the direction of state transportation investments into programs that reduce or eliminate harmful pollutants and view this as a critical role of the California Transportation Commission.

Californians face the most difficult air pollution challenges in the United States, with over 90 percent of residents living in counties impacted by unhealthy air. According to our most recent State of the Air report, California is home to seven of the ten most ozone-polluted cities in the United States, and six of the ten cities most impacted by unhealthy particle pollution days. Los Angeles, Bakersfield and Fresno top the lists of most polluted cities for ozone and particle pollution, with many populations experiencing disproportionate exposure and impacts due to major local sources of harmful pollution.

Transportation is the leading source of harmful pollution in California, including greenhouse gas emissions that drive climate change. The ongoing challenges of air pollution impacts are being compounded by increasingly frequent and catastrophic wildfires, increased heat and other climate impacts that threaten our clean air progress and make effort to clean our air more difficult. A rapid, widespread transition to zero emission transportation, coupled with dedicated actions to reduce vehicle miles traveled through more sustainable transportation choices and planning, is critical to achieving clean air and climate standards. Targeted investment of public investments to alleviate pollution burdens on our most impacted communities must be a priority for sustainable transportation system.

As the Commission considers the guidelines for the Trade Corridor Enhancement Program, we offer the following comments to support the expansion of zero emission transportation choices, community engagement and ongoing focus on public health as programs and investments are designed:

- **Create priority for zero emission transportation infrastructure projects.** The American Lung Association appreciates the inclusion of eligibility for public infrastructure projects that enable zero emission goods movement (*Draft Guidelines, Project Eligibility, p. 10*). The inclusion of zero emission transportation infrastructure is a positive step to advance the widespread deployment of transportation technologies that reduce harmful pollution for all Californians. While the guidelines do not currently include eligibility for zero emission vehicle projects, we encourage continued evaluation of opportunities for investment in this component of a sustainable freight system.
- **Support for community engagement as criteria for project evaluation.** We support the addition of evaluation criteria for “demonstrated support for the project from community-based organizations” (*Draft Guidelines, Project Evaluation, p. 15*). Demonstrating outreach and dialogue to build local knowledge and support for projects can help to ensure that projects are designed with input from community partners and local impact mitigation/promoting community health considerations are built into proposals.
- **Maintain focus on evaluation of public health impacts and benefits of proposed projects.** Moving forward, the American Lung Association encourages the Commission to evaluate opportunities for reporting public health outcomes of given projects. Ultimately, public transportation funding should support, and not hinder, healthy and sustainable communities. Program guidelines should be clear that increases in harmful air pollution and other health risk factors cannot be a byproduct of proposals. We look forward to continued dialogue with staff on opportunities to advance health through program guidelines.

Thank you again for the opportunity to provide our perspective into this discussion, we look forward to working with the Commission, staff and stakeholders to ensure clean, healthy air for all Californians.

Sincerely,



Will Barrett
Clean Air Advocacy Director





**ADVANCED
ENERGY
ECONOMY**

**[Union of
Concerned Scientists]**

March 24, 2020

Chair Paul Van Konynenburg
California Transportation Commission
1120 N. Street, MS 52
Sacramento Ca. 95814

Re: 2020 Trade Corridor Enhancement Program Guidelines (Agenda Item 21)

Dear Chair Van Konynenburg and Members of the Commission:

Thank you for the opportunity to comment on the proposed guidelines for the Trade Corridor Enhancement Program (TCEP) guidelines. CALSTART, Advanced Energy Economy (AEE) and the Union of Concerned Scientists are all focused on the transformation of the transportation and goods movement sectors, and therefore support the direction of state transportation investments into programs that transform the trade sector, while improving public health. As stewards of both public investments and public health, we urge you to consider how the state's largest source of transportation funding (SB 1 funds) are used to advance this industry consistent with other state mandates, such as SB 350 and SB 32.

We also wish to express our sincere gratitude to the CTC Staff working on the TCEP Program Guidelines. We have found them exceptionally open to feedback and dialogues with stakeholders. They have demonstrated their commitment to advancing sustainable goods movement in California.

While acknowledging that the CTC staff has tried to advance this program with the most recent updates to the Draft Guidelines, we urge you to direct Staff to take further steps to improve this program in *this iteration of the guidelines*. We cannot wait another three years to make real progress on the sustainability of our freight and goods movement sectors.

Infrastructure to Support Zero-Emission Vehicles

We are especially supportive of the inclusion in the Draft Program Guidelines of Infrastructure to support Zero-Emission-Vehicles, by including "public infrastructure projects that enable zero emission goods movement" under Project Eligibility (p. 10). We presume this would include both charging infrastructure to support trucks, as well as port/ goods movement equipment, in addition to hydrogen fueling infrastructure for trucks. The inclusion of zero emission transportation infrastructure is a positive step to advance the widespread deployment of transportation technologies that reduce harmful pollution for all Californians.

Mitigating the negative environmental impacts of trade corridors will require a mass conversion of our existing truck fleet to zero-and-near-zero emission vehicles in the next 5-10 years. It is completely appropriate and consistent with the statutory mandate for SB 1 funds to be used for environmental mitigation to allow these funds to be used on ZEV infrastructure. We encourage the Commission to go one step further and to prioritize zero emission transportation infrastructure projects.

We also do not find anything in the state constitution or state statutes governing SB 1 that should be interpreted to require ZEV infrastructure be restricted to publicly owned infrastructure or infrastructure on a public right-of-way. It should be enough that the charging/ fueling infrastructure is *publicly accessible* and *located proximate to a port or designated trade corridor* so that any trucks using such port or corridor may have access to the infrastructure. The State Constitution does not require infrastructure to be public to be funded by SB 1, in particular when it is part of the expressly mandated environmental mitigation of trade infrastructure.

Funding Zero-Emission/ Near-Zero Emission Vehicle Pilot & Demonstration Projects for Trade Corridors

We find that zero-emission vehicle pilots would be a consistent use of funds per Article IX of the state constitution, as evidenced by the fact that in 2018 there was \$50 million designated by the legislature for the express purpose of funding zero-and-near-zero freight facilities (ZAN-ZEFF) pilot and demonstration projects. We do not find anything in Article IX that would prohibit funding that goes to projects demonstrating the potential for environmental mitigation of the negative air quality, noise, and other impacts from our freight system on nearby communities. We have yet to see a legal opinion generated by the CTC that argues against the inclusion of pilot & demonstration projects that are inclusive of both vehicles & infrastructure.

Zero-Emission Port/ Freight Equipment

We have expressed to Staff via their public workshops that we also believe zero-emission (Z-E) freight and goods-movement equipment (off-road equipment such as yard tractors, forklifts, etc.) and the charging infrastructure to support this equipment, should be an eligible use of TCEP funds. Replacing traditional equipment with zero-emission equipment can provide significant environmental mitigation at ports and other freight facilities, offering major community benefits. CARB recently launched the CORE program to incentivize the purchase of Z-E off-road equipment, with initial funding of \$40 million, and this funding has already been nearly exhausted. TCEP could be used to incentivize Z-E equipment for ports and freight facilities, and have major beneficial effects on the communities most impacted by our freight system.

Project Eligibility

We have also asked Staff to consider whether the guidelines should be less prescriptive regarding eligible projects being part of an existing regional transportation plan. These plans are completed in an even longer cycle than TCEP (5-year regional plans vs. 3-year TCEP funding cycles). The two may not sync-up well, and with such long planning cycles, regional planning organizations may not have, and likely did not predict advances in ZEVs or demand for ZEV infrastructure when their plans were completed. It seems appropriate that projects proposed to mitigate the negative

environmental effects of other corridor projects shouldn't necessarily need to be part of the regional plans.

Formalized Public Comment Process

We wish to express our significant concerns with the public process around the TCEP guidelines. These guidelines will govern the spending of **\$1billion** over the next 3 years. We commend staff for doing their best, given the resources available to them, but find that other agencies have a much more intensive public workshop, and formalized written public comment process, when giving away vastly smaller sums of money. The CTC needs to develop clearer processes for public input on documents like the Draft Guidelines, to build a record of stakeholder support or concern for the organization's spending decisions. We found the lack of opportunity to be "on the record" with our suggestions to be quite surprising and contrary to how many public agencies in California build a stakeholder record.

Even now, the opportunity to comment in person at the voting meeting is unclear, and the time to review the "final draft" of the guidelines before the Commission voting meeting was extremely brief. In contrast, while it is a ratemaking body with different constitutional mandates, we ask that you consider the public process requirements for the California Public Utilities Commission (CPUC). Before the CPUC votes on any proposed action, there has been a draft decision/ action in print, with an opportunity for interested parties/ stakeholders to review for at least 7 days, and then formally register their opinions before the Commission votes. Similarly, although funding decisions are not subject to the rules of the Office of Administrative Law, we find that the 14 day notice requirements before a regulatory body can vote on a proposed regulation are also a general "best practice" that should be followed by all voting bodies, especially those allocating enormous sums of public money.

We appreciate your consideration of our comments and concerns. We again wish to thank the CTC staff for their willingness to receive feedback and work to improve the Trade Corridor Enhancement Program. The CTC staff has shown that they are extremely dedicated to ensuring that the TCEP works with, and not against, the state's laws aimed at slowing climate change and transforming the transportation sector into one that is equally efficient, while reducing air pollution and improving public health in those communities most impacted by our state's goods movement sector.

Sincerely,

Meredith Alexander, J.D.
Policy Director
CALSTART

James O'Dea, Ph.D.
Senior Vehicles Analyst
Union of Concerned
Scientists

Amisha Rai
Managing Director
Advanced Energy
Economy

CC: Secretary David Kim, California Transportation Agency
Secretary Jared Blumenfeld, Cal-EPA

From: [Cheser, Dawn@CATC](mailto:Cheser.Dawn@CATC)
To: [Remedios, Douglas@CATC](mailto:Remedios.Douglas@CATC)
Cc: [Walter, Hannah@CATC](mailto:Walter.Hannah@CATC); [Weiss, Mitchell@CATC](mailto:Weiss.Mitchell@CATC)
Subject: Fwd: Request to Delay Application Deadlines for 2020 Trade Corridor Enhancement Program (TCEP)
Date: Tuesday, March 24, 2020 4:50:00 PM

This may need to be included as comment Letter.

Sent from my iPhone

Begin forwarded message:

From: Allison Brooks <abrooks@bayareametro.gov>
Date: March 24, 2020 at 4:12:57 PM PDT
To: "Walter, Hannah@CATC" <Hannah.Walter@CATC.CA.GOV>, "Cheser, Dawn@CATC" <Dawn.Cheser@catc.ca.gov>
Cc: Lucian Go <lgo@bayareametro.gov>
Subject: Request to Delay Application Deadlines for 2020 Trade Corridor Enhancement Program (TCEP)

EXTERNAL EMAIL. Links/attachments may not be safe.

Dear California Transportation Commission,

The Bay Area Regional Collaborative (BARC) is a consortium of regional government agencies that works together to address issues of regional significance in the San Francisco Bay Area. Our member agencies are the Metropolitan Transportation Commission (MTC), the Association of Bay Area Governments (ABAG), the Bay Area Air Quality Management District (BAAQMD), and the Bay Conservation and Development Commission (BCDC).

BARC member agencies MTC and BAAQMD are working collaboratively with the Port of Oakland to apply for TCEP funds for an EV charging facility at the Port. This project would provide long-term emissions reductions and public health benefits to the West Oakland community, and would help lay the groundwork for the transition to zero-emission trucking at the Port of Oakland. Furthermore, it would be an important step forward in the region's implementation of AB 617 (Garcia, 2017), which seeks to reduce criteria pollutant and toxic air contaminant exposure in the most socio-economically vulnerable communities across the state.

Given the significant impacts that COVID-19 is having on our member agencies and regional partners, including the Port of Oakland, we strongly encourage CTC to consider delaying the application due date for the 2020 Trade Corridor Enhancement Program (TCEP). Recognizing the extraordinary circumstances at hand,

delaying the TCEP program deadlines would give BARC's member agencies, and its partner the Port of Oakland, sufficient time to return to full staff capacity and apply for this regionally-important project.

Thank you for your consideration of this request during this difficult time.

Allison Brooks
Executive Director
Bay Area Regional Collaborative (BARC)

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