



June 27, 2023

Memo to: California Transportation Commission

From: Howard Penn, Planning and Conservation League, Executive Director

Re: Recommended Award for SE Connector Project in Sacramento County

I am a concerned citizen questioning the recommendation that TCEP funds provide \$3 million for pre-construction work on a segment of the SE Connector in Sacramento County.

1. TCEP Guidelines require that TCEP funds not be used to “supplant other committed funds” or “fund a project that is already fully funded.”

Earlier this year, the SE Connector Joint Powers Authority (JPA) staff were actively pursuing funding for the next phase of that project from five other sources beyond TCEP: SACOG, Sacramento Transportation Authority (STA), Sacramento County, the City of Rancho Cordova, and the Federal Government (January STA Connector Board of Directors staff report). This month, local governments adopted budgets for the upcoming fiscal year, which include local funding for this project well in excess of the pre-construction budget itemized in the TCEP application:

- STA’s new budget earmarks \$6million for pre-construction work for the same segment of the Connector included in the TCEP applications, plus one additional mile south of Douglas Road. Excerpts from page 88 of the STA’s adopted budget state: “The Authority staff along with the staff from the County of Sacramento, City of Rancho Cordova, and Capital SouthEast Connector JPA have developed a funding strategy to advance Grant Line Road between the Chrysanthy Blvd intersection and the White Rock Road intersection as a shovel-ready phased project compatible with the ultimate design. Total funding to get this project shovel-ready is approximately \$10,00,000 with \$6,000,000 of capital allocation and the other \$4,000,000 coming from the County of Sacramento and City of Rancho Cordova less any grant funds or additional capital allocation that could be provided. Grant funds would be pursued for the construction phase”.
- Sacramento County adopted a budget with \$2.2 million in funding for the Connector
- The City of Rancho Cordova adopted a budget with \$1.2 million in funding for the same segment of the Connector funded by STA and the County.

Altogether, there is now \$9.4million in local funds in adopted budgets for this project (with the addition of the 1 mile of roadway south of Douglas) that was budgeted at \$5.2 million in the proposal by SE Connector JPA which they submitted for TCEP funds. If CTA now awards the staff recommended \$3 million, this action would be in direct violation of the TCEP Guidelines that both prohibit supplanting local funds and providing funds for a project that is already fully funded.

2. TCEP Guidelines require that funds not be used to “fund a capital improvement that is required as a condition for private approval or permits”.

Sacramento County’s development approval for the Cordova Hills development, which is specified in a phasing and financing plan, requires the Cordova Hills LLC to be responsible for the following transportation improvements that overlap directly with the segment of the Connector proposed for construction funding in this TCEP application:

- Grant Line Road and White Rock Road – Modify the intersection and traffic signal to provide dual left turn lanes and a two through lanes on the northbound approach; provide a two through lanes and a separate right turn lane on the southbound approach; and provide two left turn lanes and a separate right turn lane on the eastbound approach. On the western leg of the intersection, two westbound departure lanes are required.
- Grant Line Road and Douglas Road-- Construct a new traffic signal. Provide dual left turn lanes and a separate through lane on the northbound, a through lane and a through-right turn shared lane on the southbound approach, and a separate left turn lane and a free-right turn lane on the eastbound approach.
- Also, an extra southbound departure lane is needed for the eastbound free-right movement. To be consistent with the segment mitigations a second northbound through lane is included.
- Grant Line Road from Douglas Road to White Rock Road – Increase roadway capacity by widening this segment to 4 lanes and upgrading the capacity class to an arterial with moderate access control.
- Construct interim sidewalks improvements (typically a detached asphaltic concrete path) and bicycle lanes along Grant Line Road from Douglas Road to White Rock Road and on Douglas Road from Rancho Cordova Parkway to Grant Line Road, to the satisfaction of the Sacramento County Department of Transportation (Final EIR Mitigation Measure TR-7).
- Grant Line Road and Douglas Road – Provide a third southbound through lane and overlap phasing on the eastbound right turn lane. To be consistent with the segment mitigations a third northbound through lane is included.
- Grant Line Road from Douglas Road to White Rock Road – Increase roadway capacity by widening this segment to a 6 lane arterial with moderate access control (Final EIR Mitigation Measure TR-11).

These requirements of the developer are consistent with the County’s General Plan, which requires all new developments like Cordova Hills provide this infrastructure themselves, and not rely on general taxpayer or ratepayer funds to pay the costs of the development’s impacts. General Plan Policy PC-7, Services Plan, follows:

“Required: Inclusion of a Services Plan to demonstrate: that provision of services to the proposed UPA expansion/Master Plan are cost-neutral to the County’s General Fund and existing ratepayers;”

**This TCEP application should have been rejected outright since TCEP Guidelines prohibit use of TCEP funds for projects required to be paid by the private developers.**

3. SB1 requires TCEP funded projects be consistent with adopted regional Sustainable Communities Strategies. An error was made by the Sacramento Area Council of Governments when it communicated to the CTC that the SE Connector’s application *was consistent* with its adopted

SCS. **It is not.** The application seeks to construct a four-lane segment of the SE Connector by 2028. This does not conflict with SACOG's analysis of compliance the State's SB375 carbon reduction targets, **but it does conflict with the Federal Clean Air Act conformity determination.** The statutory definition of an SCS requires consistency with federal Clean Air Act requirements. SACOG's current federally-approved air quality conformity plan lists this segment of the SE Connector included in the TCEP application for *construction by 2035*, but this TCEP application states it will be *constructed by 2028*. That 7-year change in timing is thus inconsistent with the SCS and would, in fact, require SACOG to file for a new regional plan for federal approval. This would likely halt the use of federal funds for the construction of capacity projects in all 6 SACOG counties until such a new conformity plan could be written and approved, *a process that takes at least one year*. My understanding is that SACOG staff were unaware of this conflict in construction timing, in part because they never received a copy of the full TCEP application to review which included the 2028 date. Regardless, the application is inconsistent with the SCS and should have been rejected during the proposal review process for failing to meet this basic requirement.

Finally, the technical analysis supporting the travel and other impacts of this road segment construction is inconsistent with the SACOG travel modeling and air quality modeling approved by state and federal agencies for use in certifying their regional plan to meet environmental standards. SACOG staff's technical analysis for its May 2022 Board meeting describes the differences, which very much relate to the fact that constructing the SE Connector will induce a substantial amount of growth on the periphery of the County, with the attendant increases in vehicle miles travelled and air pollution. I realize that this technical consistency is not required by your current TCEP Guidelines but very much hope that in the future you will amend the guidelines to address this gap. It just makes no sense for one state agency, CARB, to certify compliance with SB375 based on one technical methodology while another state entity, the CTC, agrees to award funding based on a completely different technical analysis.

In light of these issues we request you delete this \$3 million funding for the SE Connector project from your list of funded TCEP projects at your June 28 meeting.

Thank you very much for your consideration.



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Planning and Conservation League