



27 June 2023

California Transportation Commission
1120 N Street
Sacramento, CA 95814

RE: Misalignment of TCEP staff recommendations with E.O. N19-19 and CAPTI

Dear Chair Eager and Transportation Commissioners (in BCC):

We write on behalf of NRDC (Natural Resources Defense Council) to express our concern with the proposed TCEP funding allocations with respect to California’s Climate Action Plan for Transportation Infrastructure (CAPTI) policy and with Governor Newsom’s Executive Order N19-19. NRDC’s analysis suggests that more than 35 percent of proposed funding under CTC’s consideration this week will increase vehicle miles traveled (VMT) and greenhouse gas emissions in California, overwhelmingly due to VMT-increasing projects proposed for funding under TCEP. Further, because several of the included VMT-increasing projects underwent environmental review prior to SB 743 implementation, it is likely the case the associated VMT increases are not being mitigated. **We respectfully request that you work with CTC staff, Caltrans, and CalSTA to bring the projects funded under TCEP into full alignment with CAPTI and E.O N19-19 before voting to approve funding for the TCEP project list.**

We also want to call the Commission’s attention to notable progress toward overall alignment with CAPTI’s climate goals. It marks an important milestone that, by our estimation, slightly more funding in this package is supporting projects that we deem likely to reduce VMT than to increase driving and congestion—at just over 36 percent. The remaining 28 percent of proposed funding will maintain the current system without seizing an opportunity to reduce emissions. While there is more work to be done, each of the three funding programs before you has shown marked improvement in CAPTI alignment relative to the previous funding cycle.

Governor Newsom’s Executive Order N-19-19 requires that “The State Transportation Agency shall leverage the more than \$5 billion in annual state transportation spending for construction, operations, and maintenance to help *reverse* the trend of increased fuel consumption and reduce greenhouse gas emissions associated with the transportation sector.” [emphasis ours] As the NRDC analysis summarized below makes clear, the package of investments outlined in TCEP (and two major SCCP investments) is likely to increase fuel consumption and pollution from the transportation system, and therefore will fail to reverse the trends of increased fuel consumption and greenhouse gas emissions.

NRDC has conducted and will soon publish an analysis of the transportation project pipelines across several major state funding programs, including the three under consideration this week by the CTC—the Solutions for Congested Corridors Program (SCCP), the competitive Local Partnership Program (LPP), and the Trade Corridor Enhancement Program (TCEP). Our peer-reviewed analysis evaluates, at project- and dollar amount–levels, the proportions of the state’s investments that are likely to increase vehicle miles traveled (VMT), decrease VMT, or have minimal impact. We have now reviewed the package of investments before you for approval using the same, Office of Planning and Research–developed methodology, and compared the program-level results in order to evaluate CAPTI implementation progress.

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The proposed LPP portfolio now appears to be fully aligned with CAPTI—a laudable achievement. SCCP also shows significant improvement, having shifted from majority (55 percent) VMT-increasing in 2020 to 70 percent VMT-decreasing in the newly-proposed project slate (a proposed Highway 101 project being the most deserving of further scrutiny). **TCEP remains the worst offender in driving VMT increases, with 43 percent of its proposed funding supporting VMT-increasing projects, and less than 13 percent contributing to VMT-reducing projects.** CTC should generally deprioritize highway capacity projects in favor of those that advance zero-emissions freight projects that reduce—rather than exacerbate—pollution, noise, and safety burdens placed on disadvantaged communities by the goods movement system (projects with associated zero-emissions transportation investments are noted in the table attached to the end of this memo).

These estimates (with further detail attached) provide valuable insight above and beyond the information you have already received and reviewed in your briefing materials—but the fact that our independent analysis may be the only source of insight available to you should be of concern and could be easily remedied with the support of your capable staff and partner agencies. We recommend three additional follow-up actions that you as Commissioners can take to address the remaining disconnect between California’s climate goals and the likely outcomes of proposed project investments:

- **First, that you ask CTC and Caltrans staff to provide transparent further details regarding any project that includes an expanded footprint of the highway system, and therefore carries the risk of inducing VMT—including but not limited to general purpose, HOV and HOT lane-miles, as well as interchange expansion projects. These projects, at minimum, merit additional scrutiny and should be able to clearly demonstrate full CAPTI alignment and appropriate VMT mitigations before receiving your funding approval.**
- **Second, that you ask CTC staff to carefully review program funding guidelines in order to identify any actions necessary to bring (and, for LPP, keep) these programs into full alignment with CAPTI.**
- **And finally, that you ask CTC and Caltrans staff to provide estimates for each portfolio of funding decisions brought before you regarding overall alignment with the State’s [“Core Four” strategic transportation priorities](#)—safety, equity, climate, and economic prosperity.**

The first action would bring added and appropriate scrutiny to the projects most deserving of your careful attention to avoid harm, especially in and to disadvantaged communities. The second will ensure that CTC iterates on funding guidelines to realize full CAPTI alignment. While it is clear that current guidelines have helped the State take a significant step forward, it is also clear that they have fallen short of the intended and necessary impacts.

With respect to the third and final action, CTC commissioners and all the State’s transportation leaders currently operate at a stark information deficit in the context of aligning our state’s transportation spending with our values. The information you have received in your pre-meeting briefing materials is insufficient for you to take informed votes on these consequential funding decisions. Across CTC, Caltrans, and CalSTA, state transportation agency staff surely have the capacity to provide insight on the degree to which proposed projects and portfolios advance the state’s “core four” priorities; whether the proposed investment decisions and shifts add up to achieving those goals; and what would need to change to close any remaining or foreseen performance gaps. Without this information, it is not possible for you to know whether your decisions are advancing these goals.

Overall, we estimate at least 60 new lane miles of highway capacity investment that are likely to induce tens of millions of VMT per year across these programs’ proposed investments. CARB analysis and a wide variety of best-in-class scientific analyses make clear that we cannot achieve climate goals in the transportation sector if we keep digging our VMT and emissions holes deeper. We have made important progress but more remains to be done.

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Thank you for your time and attention. We would welcome the opportunity to discuss our findings and recommendations with you further.

Sincerely,

Zak Accuardi
Senior Transportation Advocate

Carter Rubin
Senior Transportation Lead

cc:

Tanisha Taylor, Executive Director, California Transportation Commission
Toks Omishakin, Secretary, California State Transportation Agency
Tony Tavares, Director, California Department of Transportation
James Hacker, Deputy Cabinet Secretary, Office of Governor Gavin Newsom
The Honorable Laura Friedman, Chair, Assembly Transportation Committee
The Honorable Lena Gonzalez, Chair, Senate Transportation Committee
The Honorable Steve Bennett, Chair, Assembly Budget Sub-Committee no. 3
The Honorable Maria Elena Durazo, Chair, Assembly Budget Sub-Committee no. 5

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ATTACHMENTS: VMT impact summary by program and impact estimate by project

Program name	VMT-reducing	VMT no-impact	VMT-increasing
SCCP 2020	\$222	\$0.5	\$278
SCCP Proposed 2022	\$356	--	\$152
TCEP 2021	\$105	\$240	\$1,012
TCEP Proposed 2022	\$141	\$477	\$463
LPP Competitive 2020	\$69.0	\$15.4	\$101
LPP Competitive Proposed 2022	\$134	\$8.6	--
Total, 2020	\$396	\$256	\$1,390
Total Proposed, 2022	\$630	\$486	\$615

NRDC estimates for VMT impact of proposed program investments, in millions of dollars

Project title	Funding program	Funding amount	VMT impact estimate
Santa Barbara U.S. 101 Multimodal Corridor Project - Three Creeks	SCCP 2022	\$107,400,000	Increasing
Mid County Connectivity Enhancement Program	SCCP 2022	\$44,500,000	Increasing
Build North Coast Corridor (NCC) Batiquitos	SCCP 2022	\$103,300,000	Reducing
U.S. 101 Connected Communities Corridor Rail and Active Transportation Improvements	SCCP 2022	\$74,897,000	Reducing
Capitol Corridor Regional Transit Improvement Project	SCCP 2022	\$50,000,000	Reducing
East Bay Greenway Multimodal - North Segment Project Phase 1	SCCP 2022	\$39,375,000	Reducing
I-405 Corridor Community Bus Service Improvement Program	SCCP 2022	\$32,000,000	Reducing
SMART Windsor Rail System Extension Project	SCCP 2022	\$30,000,000	Reducing

LA Metro Light Rail CORE Capacity & System Integration Project	SCCP 2022	\$20,000,000	Reducing
City of Inglewood Mobility and Congestion Relief Program	SCCP 2022	\$6,340,000	Reducing
US 101/Hearn Ave Regional Multimodal Interchange	LPP Competitive 2022	\$8,600,000	No impact
Oakland Alameda Access Project	LPP Competitive 2022	\$25,000,000	Reducing
Mountain View Transit Center Grade Separation and Access Project	LPP Competitive 2022	\$25,000,000	Reducing
US 50 Gold Line Corridor Enhancement Project - Hazel Ave/US 50 Interchange	LPP Competitive 2022	\$25,000,000	Reducing
SR99/Caldwell Ave Interchange, Safety and Multi-Modal Project	LPP Competitive 2022	\$15,000,000	Reducing
SamTrans Emission Zero Project Transit Bus	LPP Competitive 2022	\$14,824,000	Reducing
Southeast Los Angeles Transit Improvements Project - NextGen Bus Line Corridors I-710 Transit Bus	LPP Competitive 2022	\$14,500,000	Reducing
Urban Core Rehabilitation and Transportation Project	LPP Competitive 2022	\$6,074,000	Reducing
Pioneer Trail/US Hwy 50 Intersection Safety Improvement Project	LPP Competitive 2022	\$3,055,000	Reducing
North Beale Road Complete Streets / Safety Project - Phase III	LPP Competitive 2022	\$3,000,000	Reducing
Foothill Blvd Complete Street Project Local Road / Active Transportation	LPP Competitive 2022	\$2,400,000	Reducing
I-10 Corridor Freight and Managed Lane Project**	TCEP 2022	\$85,000,000	Increasing
Fix 5 Cascade Gateway	TCEP 2022	\$70,849,000	Increasing
Five Cities Multimodal Transportation Network Enhancement Project	TCEP 2022	\$65,431,000	Increasing
SR 91 Operational and Multimodal Improvements	TCEP 2022	\$42,566,000	Increasing
Tulare Six Lane and Paige Ave (dependent on approved SCS)	TCEP 2022	\$36,969,000	Increasing
U.S. 395 Freight Mobility and Safety Project**	TCEP 2022	\$35,000,000	Increasing
I-605 Valley Boulevard Interchange Improvements	TCEP 2022	\$33,570,000	Increasing

SR 60 Potrero Boulevard Interchange	TCEP 2022	\$33,500,000	Increasing
I-80 San Pablo Dam Road Interchange Improvements	TCEP 2022	\$19,700,000	Increasing
I-5 Harbor Drive	TCEP 2022	\$18,500,000	Increasing
I-5 Managed Lanes	TCEP 2022	\$10,000,000	Increasing
Southbound 99 to Westbound 58 Connector (dependent on approved SCS)	TCEP 2022	\$9,380,000	Increasing
Grant Line Road Safety Freight Mobility	TCEP 2022	\$3,000,000	Increasing
Otay Mesa East Port of Entry	TCEP 2022	\$140,000,000	No impact
Westbound I80 Cordelia Commercial vehicle Enforcement Facility	TCEP 2022	\$129,000,000	No impact
Southern California Hydrogen Fueling Facilities*	TCEP 2022	\$41,900,000	No impact
Port of Oakland Microgrid	TCEP 2022	\$41,635,000	No impact
Sacramento County WattEV Innovative Freight Terminal*	TCEP 2022	\$33,688,000	No impact
EV Oasis South*	TCEP 2022	\$28,095,000	No impact
I-710 Integrated Corridor Management (ICM)	TCEP 2022	\$27,840,000	No impact
Maritime Support Facility Access – Terminal Island	TCEP 2022	\$14,936,000	No impact
Rt 49 Corridor Improvement	TCEP 2022	\$14,615,000	No impact
SR 4 Wagon Trail Realignment	TCEP 2022	\$5,250,000	No impact
America's Green Port Gateway: Pier B Early Rail**	TCEP 2022	\$70,442,000	Reducing
Fresno UPRR Double Track (dependent on approved SCS)	TCEP 2022	\$40,000,000	Reducing
TOWN Rail Safety Improvements	TCEP 2022	\$30,200,000	Reducing
Total Proposed, 2022	SCC, LPP, and TCEP	\$1.731 B	N/A

*CTC staff assert the project scope is entirely zero-emission freight infrastructure related.

**CTC staff assert the project scope is partially zero-emission freight infrastructure related.

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