

February 13, 2009

The Honorable Karen Bass
Speaker of the California State Assembly
c/o Erica Martinez, erica.martinez@asm.ca.gov
California State Capitol
Sacramento, CA 95814
Fax: 916-319-2147

Re: State Legislation for Transportation Elements of the Federal Recovery Bill

Dear Speaker Bass:

As you well know, the American Recovery and Reinvestment Act of 2009 (ARRA), pending completion in Congress, presents California with an important opportunity to invest in our transportation infrastructure. The state's significant budget deficit makes it even more imperative that we spend federal recovery funding wisely, in a manner that prioritizes both economic and environmental sustainability.

The undersigned organizations respectfully request that the State Legislature set the following principles and priorities for California's use of the federal stimulus funds allocated to "highways".

Fix it first: The state should prioritize the repair of the bridges and roads it already owns and operates before launching roadway expansion projects. The California Transportation Commission's 2008 Annual Report to the legislature determined "*The top priority for transportation funding should be improving the safety and the poor condition of the state, the counties, and the cities networks. Every provider of transportation—from Caltrans to transit operators to small rural cities—faces a staggering bill for keeping the existing system from falling apart, let alone in good repair.*" In addition, road and bridge maintenance and repair create nine percent more jobs than construction of new road capacity, according to a 2004 analysis of the U.S. Department of Transportation's job-creation model.

The California Transportation Commission's 2008 Annual Report also notes that current revenues available for the rehabilitation of the state highway system are able to fund only about 40 percent of identified needs. In a recent report, the California Legislative Analyst's Office (LAO) articulated several advantages to focusing economic stimulus monies on highway rehabilitation. First, rehabilitation projects are ready to go. According to the LAO, the California Department of Transportation (Caltrans) has identified 122 projects with estimated construction costs of about \$800 million that will be ready to go to construction in 2008-09, 2009-10, and 2010-11. Absent additional funding, these projects, which range from pavement rehabilitation to safety improvements, would not start construction until later years. In addition, many maintenance and rehabilitation projects have completed the necessary environmental review and clearance and would fully comply with state and federal environmental

requirements. No exemptions to state or federal environmental laws would be necessary in order to stimulate job creation in the short-term.

One of the most critical steps that the California legislature can and should take is establishing a “fix it first” policy for use of the “highway” funding that is not sub-allocated to transportation enhancements. A “fix it first” policy would require stimulus funds to be spent on maintenance and repair of roads and bridges already in use, to ensure a state of good repair. The benefits of repair and maintenance are clear:

- Road and bridge repair saves money, by fixing problems that will only get more expensive over time.
- Road and bridge repair improves safety and prevents needless tragedy. Of the 50 most heavily trafficked bridges and overpasses deemed structurally deficient in the United States, 38 are in populous Southern California, according to an *Associated Press* analysis of data from the Federal Highway Administration.
- By spending funds on road and bridge repair instead of creating new facilities, California avoids increasing VMT and greenhouse gas emissions that would increase with additional roads. Attention to climate issues with respect to stimulus spending is important due to the passage of AB 32 and SB 375, and California’s goals around energy independence.
- Road and bridge repair provides opportunities for creating complete streets that are usable by bicyclists, pedestrians, and the disabled.
- Road and bridge repair can be done quickly, with funds spread throughout the state.

We also request that California not use the highway economic recovery funding to complete Prop 1B projects which are currently stalled. Doing so would create a host of administrative problems for the state. There are major questions that arise related to the potential use of stimulus dollars for Prop 1B financing including: 1) will the state risk losing funds if it cannot secure bonds to backfill the 1B funding?, and 2) since Prop 1B is a statewide program, how would the California Transportation Commission create a process to award funding to new projects throughout the state? The financing of Prop 1B is separate problem which should be solved independent of the stimulus funding allocations.

The state of California, and its counties, cities and towns have a huge shortfall in funding for road and bridge repair projects, a very large percentage of which are already ready to go. At the state level, for example, we understand that there are at least \$400 million in ready to go SHOPP projects. It makes sense for California to fix existing problems on existing roads and bridges with stimulus funds.

Complete streets: Rehabilitation and maintenance of roadways and bridges provides an important opportunity to improve the efficiency and safety of travel by motorists, bicyclists, pedestrians, the disabled and transit users. Facilities such as bike lanes, crosswalks, improved intersections and signage have low costs and substantially improve safety. Priority should thus be given toward funding stimulus projects which create complete streets. Caltrans has a policy for complete streets, and in 2008 the state passed

AB1358 requiring complete streets elements in future general plans, however, if provisions are not stipulated in the state legislation, complete streets won't necessarily be applied through economic recovery spending. In addition, Caltrans' policy will not affect MPOs or cities/counties unless it is specified as a requirement by state legislation. Bicyclists and pedestrians take 10 percent of trips in California, but account for 20 percent of traffic fatalities. A greater focus on complete streets will improve safety for all roadway users.

We therefore recommend that state legislation for the economic recovery bill require the California Department of Transportation and other agencies receiving ARRA funding for transportation projects to prioritize projects consistent with the Department's Deputy-Directive 64R1 (which is the Department's internal complete streets policy) and the state legislature's ACR 211 (2001), whereby the state legislature "encourages all cities and counties to implement the policies of the California Department of Transportation Deputy Directive 64 and the United States Department of Transportation's design guidance document on integrating bicycling and walking when building their transportation infrastructure."

Where possible, prioritize public transit spending: California voters sent a loud and clear message last November that they want to invest in public transportation, when they voted for transit funding measures in Sonoma, Marin, Contra Costa, Alameda, Santa Clara, Santa Barbara, Imperial and Los Angeles Counties, and in a statewide ballot measure to build high-speed rail. The ARRA provides a significant opportunity to get started on California's high-speed rail project, as well as roughly \$8.4 billion for local public transit projects. Every effort should be taken to spend this money quickly and wisely and maximize its benefits to California.

Maximize funding to regions: MPOs and local decision makers will make the best decisions about top priorities for use of the federal stimulus funding. We urge the state to develop a formula that provides a maximum percentage of funding to local jurisdictions.

Accountability: State legislation should include an accountability process to ensure that Caltrans, MPOs, and cities/counties report back on their investments within the parameters set forward by the federal government and the state legislature. Accountability is critically important, especially now, as the public is clamoring for more knowledge about where and how taxpayer dollars are spent.

* * * * *

We urge the California state legislature to incorporate the provisions outlined in this letter through utilizing the existing budget process or passing emergency state legislation, immediately after the signing of the ARRA. We understand that it is imperative for the state to act quickly to ensure that federal stimulus funds create jobs and are obligated on time. We believe that the recommendations outlined in this letter meet those goals, and create a process that improves public safety and the environment, so that California can move further toward energy independence.

Emily Rusch from CALPIRG (erusch@calpirg.org, (415) 622-0039 x307) and Deb Hubsmith from the Safe Routes to School National Partnership (deb@saferoutespartnership.org, (415) 454-7430) will serve as the points of contact for the undersigned organizations. Thank you for your consideration; we look forward to working with you to make the most of this important opportunity for the State of California.

Sincerely,

Altra Planning + Design
California Bicycle Coalition
California League of Conservation Voters
CALPIRG
Clean Water Action
Cycles of Change
Ella Baker Center
Environment California
FAST, Fixing Angelinos Stuck in Traffic
Greenbelt Alliance
Green Wheels
Green LA, Transportation Work Group
IlluminateLA
LA County Bike Coalition
Local Government Commission
Move LA
Natural Resources Defense Council
Planning and Conservation League
Prevention Institute
Reconnecting America
Redwood Community Action Agency
Safe Routes to School National Partnership
San Francisco Bicycle Coalition
Sierra Club, California
SGSmartGrowth.Org
The Transit Coalition
TRAC- Train Riders Association of California
TransForm (formerly the Transportation and Land Use Coalition)
WALKSacramento
WALKSan Diego

Other Recipients:

The Honorable Bob Blumenfield
Member of State Assembly

c/o Collen Beamish, colleen.beamish@asm.ca.gov
California State Capitol
Sacramento, CA 95814
Fax: 916-319-2140

The Honorable Assemblymember Eng
Member of the California State Assembly
c/o Julio Martinez, Julio.martinez@asm.ca.gov
California State Capitol
Sacramento, CA 95814
Fax: 916-319-2147

Honorable Assemblymember Feuer
Member of the California State Assembly
c/o Rebecca Marcus, rebecca.marcus@asm.ca.gov
California State Capitol
Sacramento, CA 95814
Fax: 916-319-2042

Honorable Assemblymember Evans
Member of the California State Assembly
c/o Adam Dondro, adam.dondro@asm.ca.gov
California State Capitol
Sacramento, CA 95814
Fax: 916-319-2099

Honorable Darrell Steinberg
Pro Tem of the California State Senate
c/o Kathryn Dresslar, kathryn.dresslar@sen.ca.gov
California State Capitol
Sacramento, CA 95814
Fax: 916-319-2099

Honorable Senator Lowenthal
California State Senate
c/o John Casey, john.casey@sen.ca.gov
Jennifer Gress, Jennifer.gress@sen.ca.gov
California State Capitol
Sacramento, CA 95814
Fax: 916-327-9113

The Honorable Denise Ducheny
Member of the California State Senate
c/o John Ferrera, john.ferrera@sen.ca.gov
California State Capitol
Sacramento, CA 95814

Fax: 916-327-3522

The Honorable Robert Dutton
Member of the California State Senate
c/o Russell Lowery, russell.lowery@sen.ca.gov
California State Capitol
Sacramento, CA 95814
Fax: 916-327-2272

The Honorable Arnold Schwarzenegger
California State Governor
c/o John Moffatt
California State Capitol
Sacramento, CA 95814
Fax: 916-558-3160