



## Government Relations & Public Affairs Committee

May 28, 2009

### Federal Climate Bill and Surface Transportation Authorization

**Issue:** What is the status of the federal climate bill H.R. 2454 and surface transportation authorization?

**Recommendation:** None. This item is for information only.

**Discussion:** The House Energy and Commerce Committee passed out a climate bill H.R. 245 this week. This lengthy bill includes Section 222 related to regional transportation planning. Congresswoman Doris Matsui was assigned the lead for that section of the bill by Chairman Waxman. We were fortunate to have been provided good access to that process. Staff believes that the provisions in the attached pertinent section of the bill are consistent with SACOG's advocacy approach on this important topic. Specifically:

- The states/regions are allowed to establish their own greenhouse gas emission targets for the Regional Transportation Plans (i.e., not the U.S. EPA or another federal agency).
- The U.S. EPA is provided authority to establish methods for data, modeling, and scenario planning that must be used in the Regional Transportation Plan process, and to require that the regions use those methods (this, arguably, is authority they have under current powers; regardless, we do not believe it creates problems for SACOG and may provide benefits in light of the fact that Congresswoman Matsui will soon introduce a bill to establish a limited number of regional Centers of Excellence for data and modeling, and SACOG should be in a strong position to compete for one of those designations).
- Some funds will be awarded competitively based on the greenhouse gas emissions performance of the Regional Transportation Plans. We should be in a strong position to compete for those funds.

The bill now goes to House Ways and Means Committee, then to the floor of the House and then to the Senate. Speculation is divided on whether it is likely to be signed into law by the end of this year.

The reauthorization of the Transportation Bill is an important related matter. The Chairman of the House Transportation and Infrastructure Committee, Congressman James Oberstar, has announced his intentions to get a bill through his Committee in June. This is ambitious, in part because a draft of the bill is not in print yet. Our federal advocate, Mike Miller, has provided us with very useful information on the current intentions of the Chairman in terms of the structure of the bill. Those intentions appear to be very consistent with SACOG's federal advocacy principles, including collapsing the current myriad of funding programs into a much smaller number of programs (thus making for more flexible funding), using a more performance-based approach for determining eligible projects, and encouraging the further integration of the land use and transportation components of regional plans. It is our understanding that the Transportation and Infrastructure Committee will not address the perplexing issue of funding sources for the bill, deferring that issue to Ways and Means. As with the climate bill, there is divided speculation on the odds of passing a Transportation Bill this year. The current bill expires September 30, 2009. During the last reauthorization cycle, Congress used the Continuing Resolution vehicle to keep transportation funds flowing at current levels while they sought agreement on a new bill. This time, however, the Highway Trust Fund is completely depleted, so it is not clear whether a Continuing Resolution approach would be so readily used. The Administration has stated it is opposed to any increases in the gas tax to bridge the funding gap.

Approved by:

Mike McKeever  
Executive Director

MM:RS:MC:GG:pm  
Attachment

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