



October 6, 2015

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Dear Members of the California Congressional Delegation:

On behalf of the California State Association of Counties (CSAC), I am writing to reinforce two of our key surface transportation reauthorization priorities. As the House Transportation & Infrastructure Committee continues its work on a new long-term highway bill, we urge you to ensure that the following issues are addressed in the legislation.

Funding for Local Bridges

Bridges are a unique component of our nation’s transportation system. Unlike a variety of road and pavement projects, many bridge projects entail complex design processes, necessitate long-term planning and procurement, and present unique construction challenges. Moreover, there is little room for error when it comes to bridge safety, as they must remain structurally sound in order to ensure that vehicles and motorists are secure.

CSAC believes that the best way to ensure that local bridge funding needs are met is to restore the Highway Bridge Program (HBP). We recognize, however, that this is unlikely to occur in the current reauthorization cycle. In the absence of reinstating the HBP, we urge Congress to provide a funding set-aside for locally owned bridges that are not on the National Highway System (NHS).

In California, over 28 percent of local bridges are structurally deficient or functionally obsolete, meaning these structures are in poor condition due to deterioration and damage or were built to standards that are not used today. Furthermore, in some counties, the percentage of county and city-owned bridges that are in need of rehabilitation or replacement exceeds 50 percent. While the State of California and its local governments have placed an emphasis on financing bridge projects, conditions remain poor and projected repair and replacement costs stretch into the hundreds of millions of dollars.

Under MAP-21, local bridges are eligible for federal funding under the Surface Transportation Program (STP). Additionally, while the Act requires states to set-aside a portion of STP dollars for *off-system* bridges (classified as non-NHS bridges that are *off* of the Federal-Aid Highway system), it does not provide a guaranteed funding source for local *on-system* bridges (non-NHS bridges that are *on* the Federal-Aid Highway system). As a result, on-system bridges – which comprise over half of California's local bridge inventory – must compete with numerous other state and local projects for very limited STP funds. In order to ensure that these critically important structures receive adequate funding, Congress should provide a dedicated funding stream for all non-NHS bridges.

CEQA-NEPA Reciprocity

Congress authorized in 2005 a pilot program that allowed the State of California to assume federal environmental review responsibilities under the *National Environmental Policy Act* (NEPA) and other federal environmental laws. The assignment of federal responsibilities to Caltrans has resulted in a simplified and expedited environmental process for transportation projects on State-owned facilities – while ensuring the same level of protection for environmental resources. Notably, under the NEPA delegation program, which has since been made permanent, Caltrans has achieved median time savings of over 10 months in approving draft Environmental Assessments (EAs); 11 months for final EAs; nearly 23 months for Draft Environmental Impact Statements (EISs); and, over 130 months for Final EISs.

Moreover, Caltrans has a long-standing practice of combining the *California Environmental Quality Act* (CEQA) and NEPA processes to make the delivery of transportation projects more efficient, namely by preparing joint CEQA/NEPA review documents. Although additional analyses are sometimes required under state or federal law, Caltrans reports little or no duplication of effort caused by the interaction of state and federal requirements given the agency's blended review process.

While Caltrans has been successful in expediting transportation project delivery, California's local governments continue to face challenges associated with duplication, increased costs, and delays related to the overlapping requirements of state and federal law. In California, local governments serve as lead agencies under CEQA, meaning they have principal authority to prepare and certify CEQA documents for local projects and have primary responsibility for carrying out or approving such projects. Local governments lack, however, authority to approve NEPA reviews. As a result, local governments typically do not prepare blended documents for their local transportation projects and instead undertake separate, and largely duplicative, processes – one for NEPA and one for CEQA.

In an effort to address the inefficient and costly implications of conducting two highly similar environmental review processes, CSAC urges members of the California congressional delegation to support the establishment of a state-federal environmental "reciprocity" program. Such a program would allow local governments to carry out the federal environmental review responsibilities for local transportation projects through implementation of state environmental laws.

Because continued environmental stewardship must be a fundamental consideration when contemplating the creation of a new streamlining program, reciprocity should only be authorized in states whose environmental laws are substantially equivalent to NEPA. Since CEQA provides equal or in some instances greater environmental protection than federal requirements, California is a prime candidate to be selected for participation in such an initiative.

It should be noted that CSAC has expressed support for legislation (H.R. 2497) that we understand could be used as the basis for a reciprocity program in the House transportation

reauthorization bill. Specifically, H.R. 2497 would authorize the Secretary of Transportation to establish a State-level program to eliminate duplicative environmental reviews for both highway and rail projects and would require the Secretary to determine that a state's laws provide environmental protection and opportunities for public involvement that are substantially equivalent to applicable federal law.

CSAC has recommended that H.R. 2497 be revised to ***expressly authorize the participation and full involvement of local transportation agencies***. As previously stated, it is essential that local governments in California be permitted to participate in any reciprocity program, as local transportation agencies are currently hamstrung in their ability to effectively deliver transportation projects due to overlapping state and federal requirements.

Thank you for your consideration of these important requests. CSAC looks forward to continuing to work with you as Congress considers options for a new transportation reauthorization bill. If you have any questions or if you need any additional information, please feel free to contact Joe Krahn, CSAC Federal Representative, Waterman and Associates at (202) 898-1444, or Kiana Buss, CSAC Legislative Representative at (916) 327-7500 ext. 566.

Sincerely,



Matt Cate
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