



October 21, 2015

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Dear California Members of the Transportation and Infrastructure Committee:

On behalf of the California State Association of Counties (CSAC), I am writing to you regarding the *Surface Transportation Reauthorization and Reform (STRR) Act of 2015*. We are pleased that the legislation (HR 3763) includes provisions that would address several of our key transportation reauthorization priorities and thank you for your ongoing work on these important issues.

As the Committee prepares to consider the STRR Act, CSAC would like to offer the following comments on the measure. While our association is supportive of a number of the bill's provisions, we urge you to pursue certain key modifications.

Funding for Local Bridges

Pursuant to Section 1105, local bridges that are *on* a Federal-aid highway (but not on the National Highway System (NHS)) would be eligible for funding under the National Highway Performance Program (NHPP). This proposed change to federal law is largely consistent with CSAC's request regarding local bridge funding and would help to address the fact that, currently, only local off-system bridges (non-NHS bridges that are *not* on a Federal-aid highway) are eligible to receive dedicated federal funds.

At the same time, the STRR Act stops short of ensuring direct investment in local on-system bridges. In California, where over 28 percent of locally owned bridges are structurally deficient or functionally obsolete, it is critically important that sufficient federal resources are dedicated to this vital component of our state's transportation network. Accordingly, we urge you to seek an amendment to Section 1105 that would *require* at least 15 percent of NHPP funds to be spent on local on-system bridges.

CEQA-NEPA Reciprocity

CSAC is extremely pleased that the legislation includes a program designed to eliminate duplication of environmental reviews. Specifically, Section 1313 of the STRR Act would require the Secretary of Transportation to establish a pilot program whereby States would be allowed to conduct environmental reviews and make approvals for projects under State environmental laws and regulations instead of Federal laws and regulations. Such an environmental "reciprocity" program has been a long-standing priority for CSAC, and we applaud California members of the Committee for championing this important proposal.

It is important to note that the legislation would allow a State to exercise authority under an approved program on behalf of up to 10 local governments for locally administered projects. In California, where local governments serve as lead agencies under the *California Environmental Quality Act (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 participation* in the proposed reciprocity program is essential.

One potential change that we urge you to seek is allowing a State to exercise program authority on behalf of a larger subset of local governments. Limiting involvement to only 10 localities over the course of a six-year transportation bill would be, in our estimation, far too restrictive. While we

understand the nature of a pilot program, we believe there would be greater value in permitting at least 40 local governments to participate in the initiative. Not only would this ensure that a greater number of local governments are able to take advantage of the program's benefits, the larger sample size, per the State's discretion, would allow counties and cities from different regions and of varying population to participate. Furthermore, broader and more diversified involvement at the local level also would ensure that the Department of Transportation would have a sufficient cross section of local governments upon which to base its review of the program pursuant to subsection (i)(2).

Surface Transportation Project Delivery Program

CSAC supports Section 1312 of the STRR Act, which would expand participation under the Surface Transportation Project Delivery Program (NEPA assignment program). Specifically, the bill would allow the State of California to exercise program authority on behalf of local governments for locally administered projects or to provide guidance and training on consolidating and minimizing the documentation and analyses necessary for local agencies to comply with NEPA and comparable requirements of State law.

As you know, Congress first authorized the Surface Transportation Project Delivery Program as a pilot initiative back in 2005. The program allowed the State of California to assume Federal environmental review responsibilities under NEPA and other Federal environmental laws and has resulted in a simplified and expedited environmental process for transportation projects on State-owned facilities. Notably, under the now-permanent program, Caltrans has demonstrated the same level of protection for environmental resources while achieving 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.

Given the State-level success of the NEPA delegation program, the next logical step is allowing California's local governments to realize the same program benefits in the interest of expediting important local transportation projects.

Thank you for your work on the STRR Act and 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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