



## SB 375 FACT SHEET

### **SB 375 (STEINBERG) – Regional Transportation Planning, Housing, CEQA and Global Warming Emission Reduction Strategies – SIGNED 9/30/08**

Sponsored by the League of Conservation Voters and Natural Resources Defense Council, the bill has three main parts:

1. Sets up a new regional GHG (Green House Gas) transportation planning process and require a Sustainable Communities Strategy, or SCS, to be adopted by the Metropolitan Planning Organizations (MPOs) in conjunction with the Regional Transportation Plan beginning in 2011, with no requirement for local governments to be consistent with the SCS.
2. Enacts new CEQA (California Environmental Quality Act) benefits for infill projects consistent with the SCS, and transportation funding for projects consistent with the SCS.
3. Requires RHNA (Regional Housing Needs Assessment) alignment with the RTP (Regional Transportation Plan) process for cities and counties within a Metropolitan Planning Organization that adopts its RTP every four years. After 2011, Housing Elements will be updated every 8 years in order to coincide with the RTP update schedule.

The bill contains five important aspects that are important to understand (the discussion below is based on a summary by Bill Fulton of DC&E, posted at <http://www.cp-dr.com/node/2140>):

1. Creation of regional targets for greenhouse gas emissions reduction tied to land use. CARB (California Air Resources Board) will work with “Regional Targets Advisory Committees” including local governments, builders, and planners, to develop and assign regional targets for greenhouse gas emission reduction targets for automobile and light trucks to each MPO. This is currently slated to happen by late 2010.
2. A requirement that regional planning agencies create a plan to meet those targets. Each MPO must develop a “Sustainable Communities Strategy” that lays out how it will meet the emissions reduction target. This Sustainable Communities Strategy will be part of the RTP. The Sustainable Communities Strategy is not a land-use plan and SB 375 does not confer land-use authority on the MPOs. This means that local governments’ own

General Plans don't have to conform to this Sustainable Communities Strategy. However, to the extent the Sustainable Communities Strategy is unable to achieve greenhouse gas emission reduction targets, SB 375 requires affected MPOs to prepare an alternative planning strategy to the Sustainable Communities Strategy showing how the targets would be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies. It should be noted that the SCS must include affordable housing targets (aka the RHNA) – it cannot cut emissions from land uses simply by cutting growth. Current estimates are that Sustainable Communities Strategies will be released no sooner than three years from now, around the end of 2011. This is important to note, because the implications of SB 375 for local jurisdictions won't really come into effect until that jurisdiction's MPO has published its Sustainable Communities Strategy.

3. A requirement that regional transportation funding decisions be consistent with the Sustainable Communities Strategy. The action items and financing decisions called for in the RTP must be consistent with the Sustainable Communities Strategy.
4. Tethering together regional transportation planning and housing efforts for the first time. All RTP and Housing Element processes are put on the same eight-year schedule. The RHNA allocation numbers must conform to the Sustainable Communities Strategy. This is similar to the way ABAG (Association of Bay Area Governments) has been doing RHNA numbers for the past few years – their projections, and therefore the RHNAs, are based on ABAG's Smart Growth Strategy, which focuses on accommodating new growth through high-density infill development near transit. So under SB 375, communities with transit stations, for example, will get higher RHNAs than rural communities with no transit service.
5. New CEQA exemptions and streamlining for projects that conform to the new regional plans, even if they conflict with local plans. Certain types of development projects are exempt from CEQA – or qualify for streamlined review – if they conform to the Sustainable Communities Strategy (once one is created). These projects qualify for streamlined review even if they conflict with local plans. Two types of projects qualify for CEQA breaks under SB 375 – residential or mixed-use projects, and “transit priority projects”. The bill includes a list of criteria for each type of project.

SB 375 does not include any immediate mandates for which the County is responsible, and its provisions concerning land use are incentive-based rather than regulatory. With regard to the Butte County General Plan 2030 process, the County is already working to develop a general plan that is responsive to GHG reduction, anticipating the development of future regional GHG allocations from the state, and the creation of regional plans necessary to achieve these allocations.