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TO: BOARD OF DIRECTORS
FROM: JIM DE LA LOZA *[Signature]*
**SUBJECT: STATUS OF DEVELOPMENT OF THE 1997
CONGESTION MANAGEMENT PROGRAM**

ISSUE

The MTA is currently in the process of developing the 1997 Congestion Management Program (CMP) for Los Angeles County. At its December 11 meeting, the MTA Planning & Programming Committee requested staff to provide a report on the status of development of the 1997 CMP. This report is presented pursuant to that request.

IMPACT ON BUDGET AND OBJECTIVES

Compliance with state CMP requirements preserves the eligibility of cities and the County to receive approximately \$80 million annually in gas tax subventions, as well as other transportation funds. The CMP also meets the federal Congestion Management System (CMS) requirement. Without the CMP, the Southern California Association of Governments (SCAG) would need to develop a separate CMS for Los Angeles County. SCAG would then have federal authority to require the implementation of mitigation strategies for capacity enhancing highway and transit projects.

BACKGROUND

As the designated congestion management agency, the MTA is required to biennially update and adopt the CMP. The current CMP was adopted by the MTA in November 1995. In accordance with statute, a 1997 CMP must be adopted prior to December 1, 1997.

In developing the 1995 CMP, MTA received suggestions from individual cities, sub-regional governments (COGs), and other interested parties. Many of these suggestions were incorporated as changes into the CMP at that time. Other suggestions, which were more complex, were deferred for further study during the development of the 1997 CMP. The MTA also committed to forming a Policy Advisory Committee (PAC) to assist with development of the 1997 CMP. Consistently, MTA has kept all cities and other interested parties informed of these developments and opportunities for input.

The MTA has formed the requested Policy Advisory Committee (PAC) which has met monthly since July 1996. The PAC is comprised largely of local elected officials and staff from cities throughout the County, as well as representatives from SCAG, Caltrans, AQMD, transit operators, the private sector, the environmental community, and representatives from MTA's Technical Advisory Committee (TAC) and its subcommittees. Over several months, the PAC reviewed Los Angeles' approach to the CMP and its results, other approaches to CMP implementation, and mechanisms beyond the CMP used in adjacent counties that address land use/transportation issues.

The PAC was particularly interested in other approaches to meeting the CMP's deficiency plan requirement. In comparison to Los Angeles' countywide deficiency plan, other counties have developed deficiency plan requirements which rely on either site-specific analysis and mitigation, or on some variation of a development mitigation fee. Following extensive discussions, the PAC endorsed Los Angeles' current approach as being:

- most effective for addressing CMP statute;
- recognizing Los Angeles' unique and complex congestion challenges;
- minimizing administrative burdens for cities;
- avoiding delays to development approvals; and
- maximizing local flexibility.

The PAC also endorsed developing a 1997 CMP that increases opportunities for cities to achieve and maintain compliance while retaining much of the original structure and elements of the current CMP. The main effort is concentrated on expanding the CMP Toolbox of Mitigation Strategies. The current "toolbox" contains more than 50 land use, capital, TSM, transit, TDM, and other strategies for addressing regional congestion. "Credit" earned for participating in the implementation of these strategies is used by local jurisdictions to maintain CMP compliance.

Numerous strategies have been proposed for addition to the toolbox in the 1997 CMP update. Some were originally proposed by COGs and others in 1995, while other strategies have been proposed subsequently. Many of these would provide new credit opportunities for smaller or more suburban areas by recognizing, through the CMP, local transit efforts or land use decisions that make sense for those areas. Three task forces have been working closely with MTA staff. Comprised of PAC members and other subject matter experts, the task forces are assisting staff with developing well-defined criteria, and technically-sound credit factors for new toolbox strategies.

Some of the strategies under consideration for addition to the CMP toolbox include:

- Ongoing operations and maintenance of local transit and TDM services;
- Bus stop improvements;
- Bikeways not on the regional bikeway master plans;
- Suburban transportation centers;
- Major bus transfer centers;
- Transferred development rights;
- Phased density development;
- Land uses near suburban transit centers (below current frequency thresholds); and
- Suburban land use densities (below current density thresholds).

In addition to new toolbox strategies, certain sub-regional governments (COGs) have expressed interest in using the CMP to support sub-regional or multi-jurisdictional transportation improvement initiatives. Language was included in the 1995 CMP to highlight that multi-jurisdictional projects are encouraged and recognized as credit opportunities. Staff has arranged meetings with key individuals from the interested organizations to explore additional, specific changes that could be made to the CMP to further such efforts. The Policy Advisory Committee is working on integrating into the 1997 CMP the proposed toolbox and sub-regional strategies discussed above. The PAC will develop mechanisms for their implementation and be making recommendations to the MTA Board for their integration into the 1997 CMP.

The PAC has endorsed a work plan for addressing all these proposals and a schedule under which much of the technical work for the 1997 CMP would be completed in March 1997. Following review and input from the PAC, a draft 1997 CMP would be prepared and released for comment in July 1997. Following the comment period, a final proposed 1997 CMP would be completed in October 1997 for action by the MTA Board in November. A copy of the work plan is attached.

Concurrently with the CMP update effort, staff has been providing ongoing assistance to all 89 local jurisdictions to ensure that they maintain their CMP compliance. In addition to routing mailings and technical assistance provided over the phone, MTA staff have held very productive meetings individually with the cities of Bell, Bellflower, Glendora, South El Monte, Irwindale, Sierra Madre, and Westlake Village to assist with developing approaches for achieving short and long-term CMP compliance. Other meetings have been requested and are being scheduled.

In the most recent session, AB 2419 (Bowler) was passed by the California Legislature and signed by the Governor. Becoming effective on January 1, 1997, this allows counties to opt out of the state CMP requirement if the city councils/Board of Supervisors representing a majority of the jurisdictions and a majority of the population pass resolutions endorsing such an action.

Initial indications are that there is sufficient support to retain the CMP in Los Angeles. In fact, the Board of Supervisors voted to oppose AB 2419 noting that Los Angeles' CMP has been implemented "without subjecting the public sector to onerous penalties," and that federal CMS requirements may be "unnecessarily more burdensome." Unless and until a sufficient number of jurisdictions pass resolutions to opt out of the state mandate, preparation of the CMP remains a statutory responsibility of the MTA. Also enacted was AB 3020 which authorizes the CMP to be used to meet federal CMS requirements in Southern California.

MTA staff supports continuation of the CMP because it:

- Creates a partnership between cities and the MTA for addressing regional transportation solutions;
- Supports economic development by ensuring that regional mobility is addressed as a part of economic growth;
- Provides a vehicle for sub-regions to develop a united vision for addressing their transportation needs; and
- It preserves MTA's role in programming of federal funds for key highway and transit projects.

Prepared by: Jody Feerst, CMP Manager

Attachment: Work Plan for Development of the 1997 CMP

WORK PLAN FOR DEVELOPMENT OF THE 1997 CMP

The purpose of the work plan is to identify the tasks and schedule for preparing the 1997 CMP. In developing this plan, we considered resources available (time and staff), other work requirements (ongoing CMP implementation), and how to use the time of the CMP policy Advisory Committee (PAC) most efficiently.

I. November 1996 - March 1997: Develop Changes for 1997 CMP

Examine new and expanded strategies for possible inclusion in the CMP Deficiency Plan Toolbox. MTA staff will evaluate strategies for their compatibility with CMP requirements and effectiveness at relieving regional congestion, explore any necessary policy issues such as double-counting, and develop well-defined criteria and credit values for selected strategies. To provide input for this evaluation, staff may invite interested organizations and individuals with specialized expertise to meet as a task force. Results and progress will be reported to the PAC.

A. TDM/Transit Strategies -- Strategies to be considered could include credit for maintaining local transit and TDM services, credit for the local implementation of Reg. XV/Rule 2202 type programs, strategies that link travel modes and support the regional system (I.e., transit feeder service, bikes on buses, etc.). MTA staff will review MTA's TDM project evaluation to identify potential new TDM strategies for inclusion in the Toolbox and develop a list of strategies for consideration.

Schedule:

- November 1996: Recruit task force participants and hold first meeting to identify strategies. Begin data collection and research.
- December 1996: Task force meeting(s) to present results of preliminary data collection, suggested possible strategies and guidelines.
- January 1997: Finalize new strategy recommendations for review by the PAC. Task force meeting(s).
- February 1997: Develop and refine toolbox credit formulas for strategies approved by PAC.
- March 1997: Finalize criteria and credit values for toolbox strategies.

B. Capital Improvements -- Strategies to be examined are construction of median islands, bike paths not on the bikeway master plan, and modification of intersections not on the CMP highway network.

Schedule:

- November 1996: Select task force participants. Hold initial task force meeting to review and comment on proposed strategies.
- December 1996: CMP staff completes analysis and prepares recommendations for task force review. Task force meeting.

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- January 1997: Finalize recommendations for review by PAC. Task for meeting.
- February 1997: PAC finalizes recommendations regarding revised and new capital toolbox strategies.

C. Land Use -- Strategies to be considered could include credit for projects that do not meet current density or proximity thresholds, projects with a multi-phased approach to achieving land use density, or local home occupation permit programs. Consider reduced debits or exemptions for projects which attract predominantly non-peak, pass-by trips, which are not located on a CMP arterial or highway.

Schedule:

- November 1996: Select task force participants. Hold initial meeting to review and comment on proposed strategies.
- December 1996: CMP staff completes analysis and prepares recommendations for task force review. Task force meeting(s).
- January 1997: Task force makes final recommendations to PAC regarding proposed strategies, criteria and credit factors. Task force meeting(s).
- February 1997: PAC makes final recommendations regarding land use strategies proposed for addition to the toolbox.

D. Multi-Jurisdictional/Sub-Regional Cooperation -- MTA staff will assist interested sub-regions in developing sub-regional deficiency plans. Staff will also explore how multi-jurisdictional efforts can be recognized through the CMP deficiency plan toolbox. Possibilities include joint projects with jurisdictions outside the county, investments in transit/HOV projects in other jurisdictions having high congestion, joint projects where analysis demonstrates that benefits are greater than what could have been achieved separately, transit/TDM projects which address both the home and employment end of the trip.

Schedule:

- December 1996: Staff will invite interested sub-regions to meet to explore how the CMP can be used as a tool to meet sub-regional mobility needs, interest in developing sub-regional deficiency plans, and to develop a list of potential multi-jurisdictional strategies for inclusion in the CMP toolbox.
- January 1997: Promising multi-jurisdictional strategies will be referred for evaluation through the appropriate efforts outlined in tasks A, B, and C.
- Winter/Spring 1997: MTA staff will work with interested sub-regions to develop sub-regional deficiency plans.

E. Additions to CMP Highway Network/Highway Monitoring -- Consider what routes, if any, to add to the CMP highway network. Routes selected will be monitored during spring 1997.

Schedule:

- November 1996: Invite local jurisdictions to nominate routes for addition to CMP

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- system and comment on possible deletion of interim CMP routes.
- December 1996/January 1997: Review nominations and consult with affected jurisdictions.
- January 1997: Develop recommendations regarding changes to CMP system.
- February 1997: Present recommendations to CMP PAC.
- March 1997: Inform local jurisdictions of any changes in CMP highway monitoring responsibilities.
- Spring 1997: Local jurisdictions and Caltrans complete CMP highway monitoring.
- Summer 1997: Results of highway monitoring are incorporated into 1997 CMP.

F. Clarify Existing CMP Requirements -- Staff will review 1995 CMP and edit portions not under consideration for substantive change to provide greater clarity and improve understanding of requirements. Examples include clarifying instructions for how to calculate credit for transit/TDM strategies, how to report additional credit for ongoing projects, and providing greater guidance on opportunities for earning CMP credit.

Schedule: December 1996 - March 1997

II. March - November 1997: Prepare 1997 CMP Document for Adoption by MTA Board of Directors

- March - June 1997: Prepare draft 1997 CMP for review and comment. Document will incorporate changes as a result of work outlined above.
- July 1997: Distribute draft 1997 CMP for review and comment.
- July - September 1997: Draft CMP comment period.
- August - October 1997: Prepare final proposed CMP.
- October 1997: Distribute final proposed CMP.
- October 1997: Public hearing regarding 1997 CMP adoption.
- November 1997: MTA Board CMP adoption.

III. March - November 1997: EIR Development

- March - June 1997: Prepare Initial Study/NOP.
- June 1997: Distribute Initial Study/NOP.
- June - August 1997: Prepare draft EIR.
- August 1997: Distribute draft EIR.
- August - September 1997: Draft EIR comment period.
- September - October 1997: Prepare final EIR and response to comments.
- October 1997: Distribute final EIR and response to comments.
- October 1997: Public hearing regarding EIR.
- November 1997: MTA Board Certification of EIR.

DEFERRED ISSUES

In reviewing the full range of suggested changes for the CMP, there were some issues which could not be adequately considered in the time-frame available. These issues will be deferred until after adoption of the 1997 CMP. MTA staff proposes maintaining the CMP Policy Advisory Committee so that work on these issues may proceed at that time. Some of these issues are:

- Whether the CMP should treat debits/credits differently for areas of the county with different congestion levels.
- Credits for the Alameda Corridor.
- The impact of new telecommunication technologies on trip-making.