

AB 1282 Transportation Permitting Task Force

California Transportation Commission Update

Presented by Bruce April

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Why AB 1282?

What:

- AB 1282 was passed in late 2017; created the Transportation Permitting Task Force (multi-agency).

Why:

- Road Repair and Accountability Act of 2017 (SB 1) - ***efficiencies in transportation project delivery are more important than ever.***
- SB 1 creates a historic opportunity for all - at ***state, regional, and local levels*** – to significantly invest in California’s transportation infrastructure.
- Investments must ***integrate statewide goals*** of enhance mobility and environmental protection.
- Vision of ***expediting*** the delivery of transportation projects while protecting California’s natural, historic, and cultural resources.



Statutory Goal of the Task Force

“Develop a structured, coordinated process for early engagement of all parties in the development of transportation projects to reduce permit processing time, establish reasonable deadlines for permit approvals, and provide for greater certainty of permit approval requirements.”

Mandate is to address state permitting and project delivery processes.



Membership of AB 1282 Transportation Permitting Task Force

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- *California Natural Resources Agency*
- *California State Transportation Agency*
- *California Environmental Protection Agency*
- *California Transportation Commission*
- *California Department of Transportation*
- *California Department of Fish and Wildlife*
- *State Water Resources Control Board*
- *Regional Water Quality Control Boards*
- *California Coastal Commission*
- *California High Speed Rail Authority*
- *San Mateo Transportation Authority*
- *Los Angeles Metropolitan Transportation Authority*
- *Rural Counties Task Force*



Tri-Agency Partnership Agreement

This Agreement is between California Natural Resources Agency, California Environmental Protection Agency, and California State Transportation Agency.

Continues the commitment from 2001 among the agencies.

Recognizes establishment of the Transportation Permitting Task Force.

Ensures the engagement of their departments and boards in meeting the goals of the Transportation Permitting Task Force.



PARTNERSHIP AGREEMENT

among

CALIFORNIA NATURAL RESOURCES AGENCY,
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY,
and
CALIFORNIA STATE TRANSPORTATION AGENCY

This Partnership Agreement is entered into by and between the California Natural Resources Agency (Natural Resources), California Environmental Protection Agency (CalEPA), and the California State Transportation Agency (CalSTA) (collectively referred to as the "Parties") to ensure the timely development of beneficial transportation improvements in California while also protecting the State's environment and its natural, historic and cultural resources.

WHEREAS, in 2001, CalEPA, Natural Resources, and CalSTA (formerly part of the Business, Transportation and Housing Agency) entered into a Partnership Agreement to identify program areas in which additional cooperation would more successfully integrate statewide goals of enhanced mobility and environmental protection; and

WHEREAS, in 2009, the California Department of Transportation completed a comprehensive review and summary of the permits, agreements, and approvals required by federal, state, and local jurisdictions, for transportation projects in California; and

WHEREAS, in 2017, the Legislature passed and the governor signed Senate Bill 1, which invests \$54 billion over the next decade to fix roads, freeways and bridges in communities across California and puts more dollars toward transit and safety; and

WHEREAS, in 2017, the Legislature passed and the Governor signed Assembly Bill (AB) 1282, which added Sectioned 155.7 to the Streets and Highways Code; and

WHEREAS, Section 155.7 of the Streets and Highways Code requires the establishment of a Transportation Permitting Task Force to develop a structured coordination process for early engagement for all parties in the development of transportation projects to reduce permit process time, establish reasonable deadlines for permit approvals, and provide for greater certainty of permit approval requirements; and

WHEREAS, the Parties intend to assure the engagement of their departments and boards in meeting the goals of the Transportation Permitting Task Force;

Pilot Projects are grouped into 3 categories:

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- Have a high number of applications.
- Are relatively straightforward or require minimal permitting.

Type 2 - Projects which can inform planning and regulatory procedures

- Extract lessons learned and identify best practices
- Identify opportunities for improved environmental outcomes

Type 3 - Mega-complex projects

- Test tools and strategies (toolkit) for early and ongoing engagement of permitting agencies
- Explore the concept of a state permitting dashboard

Identify, Assess and Initiate Inter-Agency and Inter-Departmental Agreements

Caltrans HQ Division of Environmental Analysis has agreements with 7 federal and state agencies

Caltrans Districts (3) have interagency agreements with RWQCBs

Agreements have established liaison positions

In addition, there are agreements with the Coastal Commission (to promote early engagement) and CDFW and SWRCB (to establish the Statewide Advance Mitigation Initiative)

Interagency Agreements with Caltrans

California Coastal Commission

California Department of Fish and Wildlife

U.S. Army Corps of Engineers

U.S. Fish and Wildlife Service

U.S. Environmental Protection Agency

National Marine Fisheries Service

State Office of Historic Preservation

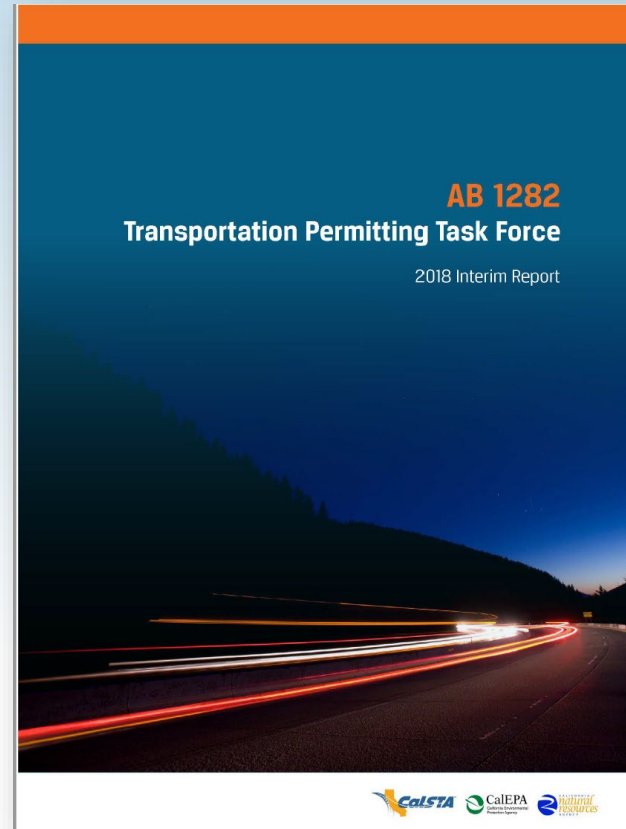
Regional Water Quality Control Boards

2018 Interim Report

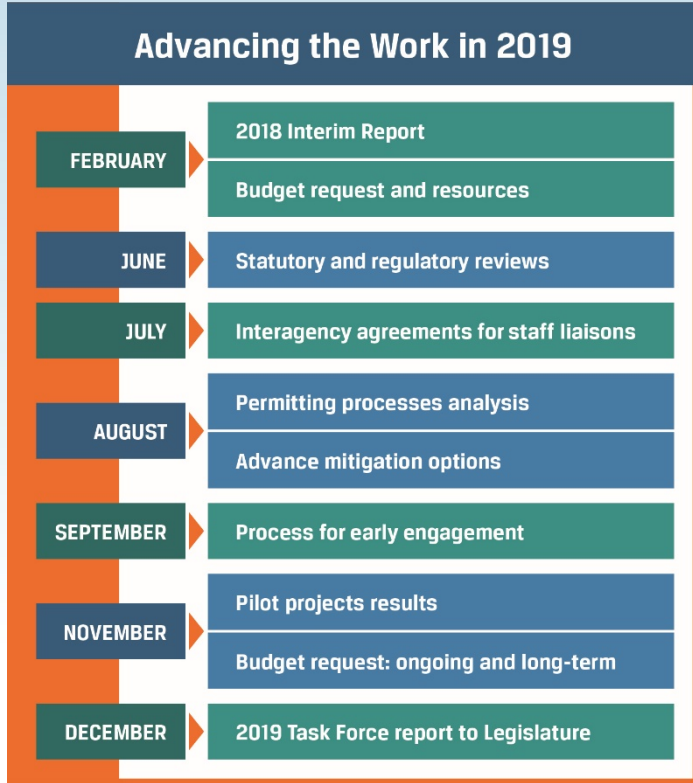
Completed – April 2019

Contents

1. Background on the Transportation Permitting Task Force
2. 2018 Accomplishments
3. Work Planned for 2019



AB 1282 - 2019 Work Plan



Permitting Analysis Work Plan for 2019

Build on prior recent process reviews

- CDFW/Caltrans 1600 permits Lean 6 Sigma
- CCC/Caltrans plan for improved partnering

Initiate new process reviews

- SWB/RWQCBs/Caltrans 401 certifications
Final Report April 2019
- CCC/Caltrans coastal development permits
Final Report May 2019
- Review of entire project delivery process
Final Report July 2019

The permitting analysis will address challenges, pinch points, and causes of delay that affect permitting and environmental outcomes throughout all aspects and phases of the project delivery process:

Planning

Design

Environmental Review

Permitting

Construction

Identify challenges, pinch points, causes of delay and suboptimal environmental outcomes - August 2019

Develop recommendations for improvement



Advance Mitigation Analysis Work Plan for 2019

Integrating advance mitigation practices into project delivery will be key to meeting the requirements of AB 1282 and SB 1

Goal of current Advance Mitigation Program:

To meet Caltrans and local transportation agencies' mitigation needs related to STIP/SHOPP transportation mitigation requirements to:

- Support better environmental outcomes
- Accelerate transportation project delivery
- Enhance Caltrans communication with stakeholders and CDFW

Formal program guidelines:

Scheduled to be published in spring 2019.

Next steps:

Begin scoping and delivery of advance mitigation projects.

For AB 1282 report:

Make program, funding and legislative recommendations for advance mitigation.

Optional Approaches for Authorizing Advance Mitigation for Transportation Projects

Purchase credits from an existing mitigation bank, conservation bank, or in-lieu fee program.

Establish or fund credits by a mitigation bank or in-lieu fee program.

Pay mitigation fees or other costs.

Enter into, or fund the preparation of, a mitigation credit agreement with CDFW where an approved Regional Conservation Investment Strategy is in place.



2019 Transportation Permitting Task Force Report to the Legislature

By December 2019, the Task Force will prepare and submit a report of findings to the Legislature. Report will include recommendations from each of the key focus areas and present...

- Results of analysis of project delivery and permitting processes, including where delays are most likely to occur
- Recommendations to address transportation permitting challenges
- Analysis of utilization of transportation-funded staff liaison positions
- A structured coordination process
- Analysis of resources required to implement the coordination process
- Legislative or regulatory issues that need to be addressed to implement recommendations

