Chapter 3-1: The State’s Decision-Making Process

California’s freight system is a complex network of infrastructure traversing many regions throughout the state and involving a very diverse set of stakeholders. From those working in the freight, logistics and warehousing industry to the California farmers exporting their crops to the low-income families living adjacent to freight facilities, all struggle to follow a complicated planning process spread across multiple state agencies and regional governments.

The California Freight Mobility Plan (CFMP) strives to be successful by coordinating across state agencies and including comprehensive representation across all segments of freight stakeholders throughout the California Freight Mobility Plan development process. Not only does engaging in a more inclusive stakeholder involvement process comply with the national and state policy requirements, but it will yield a more promising plan to address the problems identified in Chapter 2-4 of this plan and guide the state’s future investment in California’s freight network.

California Freight Advisory Committee

In response to the federal transportation legislation, *Moving Ahead for Progress in the 21st Century* (MAP-21), Caltrans collaborated with CalSTA to establish the California Freight Advisory Committee (CFAC) in April of 2013. Consistent with MAP-21’s guidance, the CFAC consists of "a representative cross-section of public and private sector freight stakeholders, including representatives of ports, shippers, carriers, freight-related associations, the freight industry workforce, the transportation department of the State, and local governments." The formation of the CFAC also complies with California Assembly Bill 14, which reinforces MAP-21’s recommendation that each state form a freight advisory committee by requiring CalSTA to do so and expands CFAC membership to include “the California Transportation Commission, the
Department of Transportation, the Public Utilities Commission, the State Lands Commission, the State Air Resources Board, regional and local governments, and environmental, safety, and community organizations”.

At minimum, the CFAC meets quarterly at venues throughout the state to assist in developing the CFMP, facilitate discussion of freight-related topics, assist in coordinating regional freight priorities, and advise the State on freight-related priorities, issues, projects, and funding needs. The CFAC is chaired by Caltrans’ Deputy Director of Planning and Modal Programs and is comprised of 60 freight stakeholder representatives. While the Committee’s organizational structure does not identify formal subcommittees, CFAC meetings often include breakout group sessions during which Committee members break up into smaller groups for more focused discussions on specific subject matters or issues. This dynamic approach best utilizes the expertise of those serving on the CFAC.

Interagency Cooperation

Federal and State Government Agencies
Throughout the development of the California Freight Mobility Plan (CFMP), Caltrans worked closely with the California Air Resources Board (CARB) to maximize consistency between freight policy documents released by both departments and clearly communicate a strategy that accomplishes California’s vision for the future freight network. Regular meetings between the two agencies produced a set of goals, objectives and strategies for the CFMP that align with those in CARB’s policy documents and were presented to the CFAC at their meetings leading up to the release of the Draft California Freight Mobility Plan. For more information on CARB’s policy documents, please refer to Chapter 1-1 of this plan. Criteria for selecting and prioritizing freight projects were also developed in collaboration with CARB. More information on the process for developing the criteria for project programming prioritization will be discussed later in this chapter, while the criteria themselves may be found in Chapter 3-3.

Caltrans also worked with the following federal and state government agencies, including those listed in AB 14, through the CFAC stakeholder engagement process during the development of the California Freight Mobility Plan.

California Air Resources Board
California Department of Housing and Community Development
California Department of Public Health
Regional Agencies
Caltrans has also coordinated with many regional agencies within the state to share data and directly include or reference information regional plans whenever possible to avoid contradiction. By utilizing information contained in local plans, the California Freight Mobility Plan incorporates discussions of issues and strategies to address those issues that have already been vetted through a public review process.

California Native American Tribal Listening Sessions and Consultations - Placeholder

Multi-State Coalition Efforts - Placeholder

Public Participation

Focus Groups
During June of this year Caltrans hired a consultant, VRPA, to hold a series of four focus group sessions with environmental justice and community organizations around the state as part of its planning process prior to developing the California Freight Mobility Plan. The goals of focus group sessions were to:

- Improve and increase Caltrans’ understanding of freight transportation community concerns, issues, and impacts from freight transportation
• Improve relationships with community groups through continued involvement throughout the CFMP development Process
• Supply a more accurate and complete list of freight transportation impacts on communities during development of the CFMP.

Feedback gathered during the focus group was summarized into a report and is included in this Freight Mobility Plan as Appendix TBD. Highlights of the summary report include:

• Respondents agreed that negative effects of freight include impacts to health, noise, air quality, traffic, vibration, pavement damage, and the environmental justice (EJ) communities.
• Respondents also agreed that positive effects are job creation and employment.
• Respondents believe that the most unmet needs include efficiency, safety, green technology, collaboration with the public and EJ communities, and rail improvements.
• Respondents suggested green technology to reduce impacts and address sustainability goals, innovative funding, more rail systems, double track the existing lines and the use of rail over trucks for hauling.

CFAC & the Bagley-Keene Open Meeting Act
The California Freight Advisory Committee (CFAC) is subject to the Bagley-Keene Open Meeting Act, discussed in Chapter 1-1 of this plan, requiring bodies to publicly notice their meetings, prepare agendas, accept public testimony and conduct their meetings in public. In accordance with the Bagley-Keene Open Meeting Act, Caltrans ensures that:

• Meetings are publicly announced on the CFAC’s website with an agenda and corresponding meeting materials made publicly available.
• Each CFAC agenda item is followed by a public comment period.
• Presentations, summary notes and recordings of the meeting are posted to the CFAC website following each meeting
Public Review

The California Freight Mobility Plan - Placeholder

Additionally, California Freight Mobility Plan (CFMP) Open Houses/Workshops will be held at several locations throughout the state to present the draft CFMP and collect feedback from the public. Locations, Dates, Times, Etc are to be determined.

Regional Transportation Plan (RTP) Project Selection Process

The State of California and federal transportation agencies allocate millions of dollars of planning funds annually to help support California’s transportation planning process. California has many diverse regions, each with its unique needs and issues, presenting a variety of planning contexts. Each Regional Transportation Plan (RTP) establishes the region’s needs and prioritizes projects, listing them in a funding constrained tier for programming local, state, and federal funds for transportation projects based on local priorities. Additional projects beyond the funding constrained tier can also be included in the plan.

State and federal planning and programming legislation has been initiated and is periodically revised to provide guidance in the use of these funds to plan, maintain and improve the transportation system. The planning and programming process is the result of state and federal legislation to ensure that:

1. The process is as open and transparent as possible;
2. Environmental considerations are addressed; and,
3. Funds are allocated in an equitable manner to address transportation needs.

The chart below provides a simplified diagram of a complex process. Each entity in the chart reflects extensive staff support and legislative direction. The result is the planning and programming process that reflects the legislative and funding support of the California transportation system.
Regional Transportation Planning and Programming Process

Federal and State Legislation

NEPA (National Environmental Policy Act)

CEQA (California Environmental Quality Act)

Environmental Protection and Mitigation Strategies

Air Quality Conformity Requirements

State Plans/Programs
- California Transportation Plan
- California Aviation System Planning
- Interregional Transportation Strategic Plan
- State Highway Operation and Protection program (SHOPP)

Local Plans/Programs

ITIP (Interregional Transportation Improvement Program)

State Projects

RTP (Regional Transportation Plan)

Projects for Programming

RTIP (Regional Transportation Improvement Program)
- Regional Projects

CTC (California Transportation Commission)

STIP (State Transportation Improvement Program)

FTIP (Federal Transportation Improvement Program)

Schedule of Federally Funded Projects for MPOs

FSTIP (Federal State Transportation Improvement Program)

Schedule of Federally Funded Projects for MPOs, RTPAs and County Transportation Commissions

Notes:
- Regional projects appear in the RTP, local plans, the ITIP, and the FTIP.
- NEPA & CEQA requirements first impact the RTP. All major projects must conform to air quality requirements in all plans and programs.
In accordance with federal and state requirements, the Metropolitan Planning Organization (MPO) will prepare a Public Participation Plan prior to the development of the RTP that outlines how the public will be involved in the RTP development process, including SB 375 requirements pertaining to the preparation of a Sustainable Communities Strategy (SCS). In addition to outreach conducted through implementation of the Public Participation Plan, all MPO board meetings are subject to The Brown Open Meeting Act, and are held in a manner that is open to public participation. The flowchart below illustrates the RTP development process. For more information on RTPs, please reference Caltrans’ regional planning webpage.
RTP Development/Approval Process for MPOs

MPO updates Public Participation Plan that outlines how the public will be involved in the RTP process including SB 375 requirements. This is a federal and state requirement.

Interagency coordination begins with state and federal agencies (FHWA, FTA, US EPA, Caltrans, ARB) on air quality issues. Consultation is mandatory for non-attainment areas and recommended for attainment regions.

MPO initiates ongoing communication on SCS (and APS if applicable) development and land use and housing issues with ARB, HCD, member jurisdictions and appropriate resource agencies.

HCD makes Regional Housing Needs Determination to MPO.

MPO submits its GHG emission modeling methodology to ARB. ARB provides review and comment on methodology.

These steps may overlap and occur concurrently.

During the RTP update process, MPO conducts workshops that allow for the public to provide input on the RTP including the SCS and RHNA components.

MPO takes 1–2 years to gather data, run models, prepare draft RTP, SCS (and APS if applicable), RHNA allocation, and the environmental document to comply with CEQA.

These steps may overlap and occur concurrently.

Draft RTP, including SCS (and APS if applicable), Draft RHNA, and draft environmental document is distributed to the public and agencies – comments are sent to the MPO.

MPO addresses comments (as best possible).

MPO Board certifies environmental document and adopts the RTP.

MPO submits the RTP, SCS (and APS if applicable) to ARB for review. ARB has 63 days to review SCS or APS.

MPO submits adopted RTP (attainment area) or Transportation Air Quality Conformity Report (non-attainment/maintenance area) to FHWA and FTA.

MPOs in air quality attainment areas

MPOs in air quality non-attainment or maintenance areas

MPO updates adopted RTP to FHWA and FTA. RTP process complete.

MPO Board adopts the RTP update. RTP update clock starts.

If found in conformity with the applicable air quality state implementation plan by FHWA and FTA, conformity determination starts the RTP update clock.

RTP must be updated in 4 years per 23 CFR 459.222(c). If NOT found to be in conformity by federal agencies, MPO must reassess conformity analysis.

If ARB accepts the SCS (or APS if applicable) no further action is required.

ARB acceptance pertains to whether or not the SCS/APS if implemented would achieve the regional GHG target.

If ARB does not accept the SCS the MPO may elect to either revise the SCS or submit an APS to ARB for acceptance or rejection per 05080.09.2(1)(ii)(ii).

Note: All MPOs that are one of the nine Transportation Management Agencies (TMA) in CA must address all capacity increasing projects in the Congestion Management Process (CMP) before they are included in the RTP.

* Regional Housing Needs Allocation (RHNA) has specifically statutory driven timelines and review periodic. MPO needs to work closely with HCD and local agencies to address these requirements. See Government Code 65506 and Appendix J of the RTP Guidelines for RHNA – SCS coordination information.
RTPs undergo an extensive process that includes implementation of the public participation plan, approval from MPO board members, and approval of an environmental document. For that reason, projects listed in this plan are required to have been listed in an adopted RTP.

**CRITERIA FOR FREIGHT PROJECT SELECTION AND PROGRAMMING PRIORITIZATION**

This section will discuss the process and logic behind the State’s criteria for Project Selection and Programming Prioritization (how it was developed in coordination with CARB before it was presented to the CFAC, public, etc) and then refer to Chapters 3-3 and 3-4 for more detail on how it will be implemented.