

## SBCAG STAFF REPORT

**SUBJECT:** Congestion Management Program

**MEETING DATE:** July 19, 2018

**AGENDA ITEM:** 5

**STAFF CONTACT:** Michael Becker, Andrew Orfila

### RECOMMENDATION:

Direct SBCAG staff to pursue becoming exempt from the Congestion Management Program Assessment pursuant to Government Code section 65088.3, including coordinating with all member jurisdictions.

### SUMMARY:

Over the last several months, SBCAG staff have been working with the Technical Transportation Advisory Committee (TTAC) members to update the Congestion Management Program (CMP) in response to concerns that the CMP is no longer effectively accomplishing its objectives. SBCAG's executive director recently directed staff to work with local jurisdictions to explore becoming exempt from the state's Congestion Management Program.

If our region were to elect to become exempt from the state CMP requirements; the local jurisdictions would no longer be subject to, 1) the biennial conformity determination process, 2) the annual data collection at CMP intersections, and 3) the deficiency plan process.

The exemption process (required under AB 2419) requires “a majority of local governments, collectively comprised of the city councils and the county board of supervisors, which in total also represent a majority of the population in the county, each adopt resolutions electing to be exempt from the congestion management program.” (Gov. Code § 65088.3).

Federal congestion management requirements would still apply and be implemented through the Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP). SBCAG will be developing a dynamic, web-based map that will report congestion on the National Highway System, utilizing data available from the National Performance Monitoring Research Dataset (NPMRDS). The implementation of the dynamic, web-based congestion mapping tool would further align SBCAG with the federal congestion management requirements and the MAP-21 Travel Time Reliability performance measure requirement.

Since its implementation in 1996, a number of other regions throughout the state have become exempt from the state's congestion management program; including, the Sacramento region (1996), San Luis Obispo (1996), Merced (1996), Butte (1997), Fresno (1997), Santa Cruz (2000), and San Diego (2009).

Exemption does not deprioritize the need to address congestion; it simply recognizes that the CMP is not an effective option for monitoring and planning for congestion related issues.



## **DISCUSSION:**

SBCAG, as the Congestion Management Agency (CMA), is required by state law to prepare and regularly update a Congestion Management Program for the Santa Barbara County region. The last CMP update was adopted by the SBCAG Board in October 2016. At that time, TTAC directed staff to conduct an evaluation of the Congestion Management Program (CMP) to determine if the program was meeting its goals and achieving its stated objectives. During the fall of 2017, staff circulated a web-based evaluation amongst TTAC and TPAC members, Caltrans staff, and a select group of consultants to solicit feedback regarding the CMP. The feedback received from the evaluation was useful in informing staff and it was concluded that the CMP was not effectively accomplishing its objectives.

In order to more effectively report congestion on the County's regional network, staff has been working on developing a GIS-based congestion reporting system utilizing the travel time and speed data available from the National Performance Monitoring Research Dataset (NPMRDS). The intent is ultimately to develop a web-based congestion tool utilizing the NPMRDS that will report archived data (travel time and average speed) on the National Highway System. The web-based map tool will be available on the SBCAG webpage.

### **Pros & Cons of Exemption from State CMP Requirements**

#### *Local Jurisdiction Data Collection and Deficiency Plan Requirements No Longer Applicable*

State law requires Congestion Management Programs to adhere to level of service (LOS) standards on a designated network of state highways and principal arterials. LOS operations are to be monitored on the network. If any segment is found to be operating at LOS E or worse, the local jurisdiction must prepare a deficiency plan or risk having Local Section 2105 gas tax funds withheld.

If the region were to become exempt from the state CMP requirements pursuant to the process outlined above, local jurisdictions would no longer be required to submit traffic count data to fulfill the level of service requirement, as it would no longer apply. In addition, submittal of land use data would not be required, as the Land Use Element requirement of the CMP would not apply. Therefore, an exemption from the state CMP would also remove the requirement that SBCAG find that local jurisdictions conform to the requirements of the CMP or require that they prepare deficiency plans where they do not. The biennial CMP reporting requirement would also not apply.

Many respondents to the CMP evaluation stated that the CMP data collection requirements were too cumbersome. Exempting the CMP from the State regulations would eliminate the data collection requirements and reduce costs for our local partners. For the larger jurisdictions that are collecting traffic counts at 5-10 intersections on an annual basis (such as the County, Santa Barbara, and Santa Maria), the CMP exemption can reduce annual data collection costs ranging from \$4,000 - \$8,000 a year.

The deficiency plan process, in the absence of state funds, is costly and burdensome for the local jurisdictions. This process has rarely been "triggered". There have only been six deficiency plans prepared since the CMP was initiated in 1991. The table in Attachment 1 shows a history of deficiency plans by jurisdiction and location. The CMP deficiency planning process was utilized

throughout the 1990s at five intersections and in 2002 during the preparation of the 101 South Coast Deficiency Plan. There have been no deficiency plans prepared in the region since 2002.

#### *Alignment with Federal Congestion Management System (CMS) and MAP-21 Requirements*

Even if exempt from the state requirements, SBCAG would continue to be responsible for fulfilling federal congestion management requirements, in particular, by implementing policies, programs, and projects in the Regional Transportation Plan and Transportation Improvement Program (as specified under Title 23 Part 450 Section 320). The federal congestion management provisions are more flexible and utilize the RTP as the primary tool to provide solutions for congestion. The RTP includes identification and evaluation of anticipated performance and expected benefits of appropriate congestion management strategies (demand management, operational improvements, transit improvements, systems management improvements, etc.). The federal requirements do not require that local jurisdictions collect data and submit to the regional agency (this is what the state requires of CMAs). Instead, they place the burden on regional agencies to work cooperatively with the state and local jurisdictions to collect data as necessary. A brief summary and excerpt of the federal congestion management system requirements is provided in Attachment 2. In order to accomplish the data collection requirement under the federal rule, SBCAG will be working to implement its dynamic, web-based congestion tool using the NPMRDS data. The tool will report archived travel time and average speeds on the National Highway System (NHS) in the region. When complete, the web-based mapping tool will be available on the SBCAG webpage. The availability of the tool and reporting system will further align our region with the federal CMS requirement and the NHS Travel Time Reliability performance measure required through MAP-21.<sup>1</sup>

#### *SB 83: Motor Vehicle Registration Fee Program*

Existing state law allows for a countywide transportation planning agency to “place a majority vote ballot measure before the voters of the county to authorize an increase in the fees of motor vehicle registration in the county for transportation-related projects and programs”.<sup>2</sup> The fee cannot exceed \$10 per vehicle. SB 83 states that the agency must be a Congestion Management Agency. Three CMAs have successfully implemented a vehicle registration fee ballot measure (Alameda County Transportation Commission, Transportation Authority of Marin, and San Francisco County Transportation Authority). Exempting our region from the state requirements would remove our region from eligibility for the SB 83 Motor Vehicle Registration Fee Program.

The Santa Cruz County Regional Transportation Commission (SCCRTC) became exempt from the CMP in 2000. Due to funding constraints and shortfalls in the region, SCCRTC attempted to re-instate itself as a Congestion Management Agency in 2012 as part of an effort to implement a ballot measure to impose an increase in vehicle registration fees to fund transportation projects in cities and unincorporated areas. However, the Santa Cruz County Regional Transportation Commission ultimately decided not to place the measure on the ballot due to a lack of public support for the measure. If SBCAG decided to pursue a vehicle registration fee program, the CMP process will need to be re-instated.

## **COMMITTEE REVIEW**

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<sup>1</sup> Source: <https://www.fhwa.dot.gov/tpm/rule/pm3/reliability.pdf>

<sup>2</sup> Source: [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=200920100SB83](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=200920100SB83)

The exemption was discussed at a stakeholder workshop on Thursday, April 19 with representatives from the County of Santa Barbara, Buellton, Guadalupe, Santa Barbara (city), Santa Maria, and Caltrans District 5. Most of the participants were receptive to the idea of becoming exempt from the state requirements, with some questions regarding the nexus between the CMP and state grant funding (if any) and ensuring that there are no funding repercussions if the region were to become exempt.

TTAC discussed the exemption from state requirements at its meeting in May 2018. The TTAC recommended Recommend SBCAG pursue becoming exempt from the State's Congestion Management Program, acknowledge the value of funding prioritization contained in the CMP, and add that funding prioritization to future updates of the Regional Transportation Plan.

The North County and South Coast Subregional Planning Committees reviewed the item in July and recommended to pursue becoming exempt.

**ATTACHMENTS:**

- A. History of Deficiency Plans
- B. Federal Congestion Management System Requirements (Title 23 CFR Part 450.320)

Attachment A  
History of CMP Deficiency Plans

Location	Lead Agency	Year Plan Adopted	Improvement Type	Estimated Cost	Funding Source	Construction Year	LOS Before	LOS After
Hollister / Fairview Intersection	County of SB	1993	Channelization/ Widening	\$3.724 million	Measure D	1996	F	B
Rte. 135 / Foster Rd. Intersection	County of SB / Santa Maria	1994	Channelization/ Widening	\$250,000	Capital Minor B Federal STP	1996	E	C
US 101 NB/Earl Warren / Calle Real Intersection	Santa Barbara	1995	Restriping	\$51,300	Capital Minor B	1997	E	B
Carrillo / US 101 NB Ramp Intersection	Santa Barbara	1998	Widening/ Add ramp meter	\$4 million	1998 RTIP	1998	D	C
Mission / US 101 SB Ramp Intersection	Santa Barbara	1999	MTD Crosstown Shuttle  Class II Bikepath	\$750,000 (cap) \$433,000 (op)  \$1,192,000	FTA 5307 / CMAQ  2002 STIP	2001  2003	E	n/a
US 101 (Evans Ave. – La Cumbre)	County of SB Santa Barbara Carpinteria	2002	Operational Imps. Park and Ride lot Public Transit County TMC Loop Detectors/ CCTV	\$41,300,000 \$481,000 \$1,200,000 \$2,000,000 \$2,000,000	STIP/Measure D/A 2002 STIP CMAQ/Local 2002 FTIP/STIP 2002 FTIP/STIP	Long-range 2006-07 2002 2006-07 2006-07	E-F	n/a

Attachment B  
Federal Congestion Management System Requirements  
(Title 23 CFR Part 450.320)

*(a) The transportation planning process in a TMA shall address congestion management through a process that provides for safe and effective integrated management and operation of the multimodal transportation system, based on a cooperatively developed and implemented metropolitan-wide strategy, of new and existing transportation facilities eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53 through the use of travel demand reduction and operational management strategies.*

*(b) The development of a congestion management process should result in multimodal system performance measures and strategies that can be reflected in the metropolitan transportation plan and the TIP. The level of system performance deemed acceptable by State and local transportation officials may vary by type of transportation facility, geographic location (metropolitan area or subarea), and/or time of day. In addition, consideration should be given to strategies that manage demand, reduce single occupant vehicle (SOV) travel, and improve transportation system management and operations. Where the addition of general purpose lanes is determined to be an appropriate congestion management strategy, explicit consideration is to be given to the incorporation of appropriate features into the SOV project to facilitate future demand management strategies and operational improvements that will maintain the functional integrity and safety of those lanes.*

*(c) The congestion management process shall be developed, established, and implemented as part of the metropolitan transportation planning process that includes coordination with transportation system management and operations activities.*