



Metro

PLANNING & PROGRAMMING COMMITTEE

February 16, 2005

**SUBJECT: CONGESTION MANAGEMENT PROGRAM
LOCAL CONFORMANCE FINDINGS**

**ACTION: APPROVE CONGESTION MANAGEMENT PROGRAM
LOCAL CONFORMANCE FINDINGS**

RECOMMENDATION

Find that 88 jurisdictions are in conformance with the Congestion Management Program (CMP) for Los Angeles County, and determine that the City of Industry remains in non-conformance, as indicated in Attachment A.

ISSUE

Since 1992, one of the Los Angeles County Metropolitan Transportation Authority's (Metro) statutory requirements as the Congestion Management Agency for Los Angeles County is to monitor the implementation of all elements of the CMP. Metro must annually determine, and make a formal finding, as to whether the 89 local jurisdictions of Los Angeles County are conforming to the CMP. A conformance finding allows the local jurisdictions to continue receiving their Section 2105 state gas tax subventions, and maintain their eligibility for other State and federal funds programmed in the Transportation Improvement Program (TIP).

POLICY IMPLICATIONS

As the Congestion Management Agency for Los Angeles County, Metro is responsible for determining that local jurisdictions are in conformance with the adopted 2004 Congestion Management Program and State CMP statute. Los Angeles also uses the CMP to meet federal Congestion Management System requirements, thereby eliminating potential conflicts or duplicating requirements.

OPTIONS

CMP conformance findings are based on whether local jurisdictions have implemented their responsibilities, as identified in the adopted CMP. As this is a statutory requirement, no other options are available.

FINANCIAL IMPACT

Approving the recommendation would have no direct impact on the budget. A conformance finding allows local jurisdictions to continue receiving Section 2105 State gas tax subventions, as well as other State and federal transportation funds. Section 2105 funding annually provides more than \$93 million to jurisdictions in Los Angeles County.

BACKGROUND

As the Congestion Management Agency for Los Angeles County, Metro is required by law to monitor local implementation of all elements of the state-mandated CMP. Local jurisdictions are required to monitor arterial congestion levels, monitor transit services along certain corridors, and implement an adopted trip reduction ordinance and land use analysis program. In addition, a Deficiency Plan is required when portions of the CMP highway system do not meet the established level of service standard. A deficiency plan must include an analysis of the cause of the deficiency; a list of improvements needed to maintain the level of service standard and their estimated cost; a list of improvements, programs, or actions, and estimates of costs, that will measurably improve multimodal performance, and contribute to significant improvements in air quality; and an action plan.

In developing the deficiency plan for Los Angeles County there was overwhelming support from both local jurisdictions and the development community for a countywide approach to meet deficiency plan requirements. Given the high levels of congestion in Los Angeles County, and the long and interrelated travel patterns that exist, any deficiency in one location has multiple causes. A countywide approach is best able to account for and address the cumulative impact of all types and sizes of new development. Since 1993, each local jurisdiction's responsibilities have been tracked through a point system that reflects the impact of local growth (debits) and benefits of transportation improvements (credits).

As the Congestion Management Program matures into its second decade, staff are working with stakeholders throughout Los Angeles County to evolve the program in new directions. In particular, many local jurisdictions have raised concerns about the credit/debit approach that is used to implement the CMP's Countywide Deficiency Plan. Following extensive discussion, the CMP Policy Advisory Committee unanimously voted to recommend that Metro pursue a study that explores an alternative to the credit/debit system.

As a result, staff are looking to define a new approach to the CMP's Countywide Deficiency Plan. As part of its approval of the 2003 Short Range Transportation Plan, the Board authorized work to explore the feasibility of implementing a congestion mitigation fee program. A fee would help ensure that new growth directly mitigates its traffic impacts on the regional transportation system by helping fund needed local transportation improvements.

The study will evaluate the range of issues raised by the key stakeholders. These include crafting a fee that reflects local conditions, acknowledging local traffic impact fees, and streamlining the administration of the program. The goal of the nexus study process is to identify a new Countywide Deficiency Plan approach that has broad support from stakeholders, and can be considered for amendment into the CMP by the Board.

During the development of the nexus study, conformity requirements under the Countywide Deficiency Plan for local jurisdictions are reduced. Jurisdictions are still required to track and report new development activity. However, reporting of transportation improvements that were historically used to generate credits for Countywide Deficiency Plan purposes is not required. As a result, jurisdictions will not be required to maintain a positive credit balance while the nexus study is being conducted.

Following extensive outreach with local jurisdictions, the County of Los Angeles and 87 cities have fully met all five CMP local implementation requirements, including the remaining Countywide Deficiency Plan requirements. As a result, staff finds these jurisdictions are in conformance with the CMP for 2004. A complete list of these jurisdictions is shown in Attachment A.

Finally, staff continues to find that the City of Industry remains in non-conformance with the CMP, based on its decision to not comply with program requirements. Since 2002, the City has respectfully declined to participate in the countywide program. Recently, on April 24, 2004, staff invited the City of Industry to reconsider conforming with CMP requirements and outlined the steps needed to accomplish that. However, on August 27, 2004, they declined to participate in the program again. Therefore, in accordance with CMP statute, the California State Controller will withhold the City's annual State gas tax revenue of approximately \$4,800 from Section 2105 of the California Streets and Highways Code. These funds are available to Metro to program for regionally significant projects.

NEXT STEPS

No further action is required until FY 2006 for the 88 jurisdictions that are in compliance for the 2004 CMP cycle. Staff will continue exploring new approaches to the CMP's Countywide Deficiency Plan, including the possibility of an interim deficiency plan during the nexus study development phase. Staff will report back to the Board in June 2005 with the status of the nexus study and possible interim deficiency plan.


ATTACHMENT

A. List of CMP Conforming and Nonconforming Agencies for 2004

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Attachment A

CONFORMING & NONCONFORMING JURISDICTIONS

Local Jurisdictions Recommended for a Finding of Conformance with the CMP for 2004

Agoura Hills	Downey	Lomita	Rosemead
Alhambra	Duarte	Long Beach	San Dimas
Arcadia	El Monte	Los Angeles City	San Fernando
Artesia	El Segundo	Los Angeles County	San Gabriel
Avalon	Gardena	Lynwood	San Marino
Azusa	Glendale	Malibu	Santa Clarita
Baldwin Park	Glendora	Manhattan Beach	Santa Fe Springs
Bell	Hawaiian Gardens	Maywood	Santa Monica
Bell Gardens	Hawthorne	Monrovia	Sierra Madre
Bellflower	Hermosa Beach	Montebello	Signal Hill
Beverly Hills	Hidden Hills	Monterey Park	South Gate
Bradbury	Huntington Park	Norwalk	South El Monte
Burbank	Inglewood	Palmdale	South Pasadena
Calabasas	Irwindale	Palos Verdes Estates	Temple City
Carson	La Canada	Paramount	Torrance
Cerritos	Flintridge	Pasadena	Vernon
Claremont	La Habra Heights	Pico Rivera	Walnut
Commerce	La Mirada	Pomona	West Covina
Compton	La Puente	Rancho Palos Verdes	West Hollywood
Covina	La Verne	Redondo Beach	Westlake Village
Cudahy	Lakewood	Rolling Hills	Whittier
Culver City	Lancaster	Rolling Hills Estates	
Diamond Bar	Lawndale		

Local Jurisdiction(s) in Non-Conformance with the CMP

Industry: The City has respectfully declined to participate in the 2004 CMP. Pursuant to CMP statute, the California State Controller is now withholding the City's annual State gas tax funds from Section 2105 of the California Streets and Freeways Code. These funds are available to MTA to program regionally significant projects.

