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# Final Draft Congestion Mitigation Fee Feasibility Study Report

Planning and Programming Committee  
June 18, 2008

# Background

- In 2003 the Board directed us to explore the feasibility of implementing a congestion mitigation fee.
- Throughout the Study period we have worked with the Policy Advisory Committee, Sub-Regions/COGs, local jurisdictions, the development community and other stakeholders to obtain input.
- The Board adopted a set of Guiding Principles in April 2007.
- The Draft Congestion Mitigation Fee Feasibility Study Report was developed based on Mitigation Fee Act, CMP statutory requirements, as well as feedback and experience of others.
- The Draft Study Report was released for public comment on January 11, 2008 through April 25, 2008.

# Program Highlights

- Mitigation fee on new development
- Countywide minimum fee
- Funds local projects with regional benefit (major arterials, highways, transit capital)
- Local control – project selection, fund collection and administration, and project construction
- If adopted, replaces CMP “debit-credit” and becomes local CMP responsibility

# Congestion Mitigation Fee Program Work Plan

## STEP 1:

Jan 11 – Apr 25, 2008

Circulated Draft Study Report

June 2008

Final Study Report to Board

## STEP 2:

July 08 – May 09

Coordinate with jurisdictions on forecasts and project selection

June 09

Board action whether to proceed with program

## STEP 3:

July 09 – Jan 10

Conduct legal Nexus Study

Feb 10

Nexus Study findings to the Board for action

## STEP 4:

March 10+

Local implementation

# Stakeholder Review Period: Jan – April 2008

- Approximately 1,000 copies of the Draft Study Report were distributed coinciding with the Draft 2008 LRTP Public Comment period.
- All 89 jurisdictions, the Policy Advisory Committee, sub-Regional COGs, local jurisdictions, the development community and other stakeholders received copies of the Draft Study Report.
- Conducted 29 presentations to the sub-regional COGs, cities, Caltrans, Metro TAC, and other stakeholders.

# Stakeholder Review Period: Jan – April 2008

- Received 28 letters from local jurisdictions, sub-regional COGs, development community, business associations, and others.
- Most comments received were technical and will be addressed in Step 2 when project selection, cost estimates, and growth forecasts will be discussed with jurisdictions and other stakeholders.
- Some expressed a willingness to work with staff on Step 2 of the Work Plan, provided we address their concerns and abide by the Guiding Principles adopted by the Board in April 2007.

# Stakeholder Review Period: Jan – April 2008

- Some expressed opposition due to concerns the fee would have a negative impact on the economic development potential of their city or the burden it would impose on businesses.
- Many of these same stakeholders also stated they want to be involved in future discussions of the fee program if this program is developed further .
- Other stakeholders identified specific issues or concerns without taking a position on the congestion mitigation fee program.

# Next Steps

## Recommend Board approval to go to Step 2:

- Coordinate with local jurisdictions on growth forecasts and project selection from July '08 through May '09.
- Final Draft Study Report establishes the program guidelines for the proposed program and establishes the framework for working with local jurisdictions.
- Step 2 will be reported to the Board in June '09