
SENATE COMMITTEE ON ENVIRONMENTAL QUALITY

Senator Allen, Chair

2021 - 2022 Regular

Bill No: SB 671
Author: Gonzalez
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Consultant: Eric Walters

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Fiscal: Yes

SUBJECT: Transportation: Clean Freight Corridor Efficiency Program

DIGEST: Tasks the California Transportation Commission, in coordination with other specified executive entities, with developing the Clean Freight Corridor Efficiency Assessment. Stipulates contents of the Assessment, including but not limited to identification of freight corridors with the heaviest freight volume and near-source air pollution exposure, and projects that would support increased deployment of zero-emission medium- and heavy-duty vehicles in those corridors. Integrates the Assessment into several existing planning documents produced by other state agencies.

ANALYSIS:

Existing federal law:

- 1) Sets, through the Federal Clean Air Act (FCAA) and its implementing regulations, National Ambient Air Quality Standards (NAAQS) for six criteria pollutants, designates air basins that do not achieve NAAQS as nonattainment, allows only California to set vehicular emissions standards stricter than the federal government, and allows other states to adopt either the federal or California vehicular emissions standards. (42 U.S.C. §7401 et seq.)
- 2) Requires any urbanized area with a population greater than 50,000 to establish a metropolitan planning organization (MPO) that, among other things, is responsible to ensure that regional transportation planning is cohesive across local jurisdictions. (23 U.S.C. §134–135)
- 3) Under the Fixing America’s Surface Transportation (FAST) Act, requires that states prepare a state freight plan as a condition to receive funding under the National Highway Freight Program. (Pub.L. 114–94)

Existing state law:

- 1) Establishes the Air Resources Board (ARB) as the air pollution control agency in California and requires the ARB, among other things, to control emissions from a wide array of mobile sources and implement the FCAA. (Health and Safety Code (HSC) §39500 et seq.)
- 2) Establishes the California State Transportation Agency (CalSTA), and requires CalSTA, among other things, to prepare a state freight plan. (Government Code (GOV) 14001 et seq.)
- 3) Establishes the California Transportation Commission (CTC) within CalSTA to program and allocate funds for the construction of highway, passenger rail, transit and active transportation improvements throughout California. (GOV 14500 et seq.)
- 4) Directs, under AB 14 (Lowenthal, Chapter 233, Statutes of 2013), CalSTA to develop a state freight plan in accordance with MAP-21 guidelines and establish an advisory committee made up of federal, state, local, and regional representatives as well as private sector and specified interest groups, to guide California Freight Mobility Plan (CFMP) development.
- 5) Establishes, under SB 1 (Beall, Chapter 5, Statutes of 2017) the Trade Corridor Enhancement Account (TCEA) and requires the CTC to allocate monies from the TCEA for infrastructure improvements in this state on federally designated Trade Corridors of National and Regional Significance, on the Primary Freight Network, and along other corridors that have a high volume of freight movement, as determined by CTC and as identified in the CFMP. (Streets and Highways Code (SGC) 2192.4)
- 6) Requires CTC, ARB, and a representative from the Department of Housing and Community Development (DHCD) to hold at least two joint meetings per calendar year to coordinate their implementation of policies that jointly affect transportation, housing, and air quality, including interagency efforts, including but not limited to implementation of the sustainable freight action plan. (GOV 14516)

This bill:

- 1) Makes findings and declarations regarding the substantial and disproportionate impacts of heavy-duty vehicle emissions in California, the state's future goals for transitioning to ZEVs, and the need for a program advancing zero-emissions ready freight corridors and infrastructure in statewide transportation

planning.

- 2) Tasks CTC, in coordination with ARB, CPUC, CEC, and GO-Biz, with developing the Clean Freight Corridor Efficiency Assessment (“Assessment”), which will:
 - a) Be submitted to the relevant policy and fiscal committees of the Legislature on or before December 1, 2023.
 - b) Have the goal of identifying freight corridors (or segments thereof) and infrastructure needed to support the deployment of medium- and heavy-duty ZEVs. CTC will consider the potential for emission reductions, infrastructure needed for charging and alternative fueling (including parking facilities), congestion reduction, improved road safety and resiliency, and impacts to neighboring communities.
 - c) Be developed in consultation with local governments, MPOs, regional transportation planning agencies, and other stakeholders, as specified.
 - d) Identify all of the following:
 - i) Freight corridors, or segments thereof, throughout the state that would be priority candidates for the deployment of zero-emission medium- and heavy-duty vehicles.
 - ii) The top five freight corridors, or segments of freight corridors, with the heaviest freight volume and near-source exposure to diesel exhaust and other contaminants.
 - iii) Projects that would achieve the goals of the Assessment, including, but not limited to:
 - a) Medium- and heavy-duty vehicle charging and fueling infrastructure.
 - b) Highway improvements needed to accommodate charging and fueling infrastructure, including parking facilities.
 - c) Highway improvements on the corridor to increase safety and throughput, such as dedicated truck lanes.
 - d) Improvements to local or connector streets and roads to support the corridor.
 - e) An identification of areas where micro-grids or similar technologies could be deployed for zero-emission vehicle charging or fueling.
 - iv) Potential sponsors and funding opportunities for projects to achieve the Assessment’s goals.

- v) Barriers and potential solutions to achieving the Assessment's goals.
 - vi) The impact on roads due to the increased weight of ZEVs.
 - vii) Methods to avoid displacement of residents and businesses on the freight corridor from projects that achieve the Assessment's goals.
 - viii) Benefits from the deployment of medium- and heavy-duty ZEVs including, but not limited to, environmental, air quality, public health, highway safety, and economic competitiveness.
- 3) Integrates the findings and recommendations of the Assessment into the state freight action plan, the CTP, and the funding programs and guidelines related to freight from CTC, ARB, and CEC.
- 4) Updates TCEP eligibility to explicitly include:
- a) Projects that use advanced technology to improve the flow of freight, including specified technologies.
 - b) Environmental and community mitigation or efforts to reduce environmental impacts of freight movement, including specified approaches.

Background

- 1) *California Freight Mobility Plan (CFMP)*. The CFMP is a comprehensive plan that governs the immediate and long-range planning activities and capital investments by the state with respect to freight movement. This multimodal freight transportation system facilitates the reliable and efficient movement of goods while ensuring a prosperous economy, social equity, and human and environmental health. The CFMP also complies with California State Government Code Section 13978.8(b)(1) (Assembly Bill 14, Lowenthal) and the freight provisions of the federal Fixing America's Surface Transportation Act (FAST Act) which requires each state that receives funding under the National Highway Freight Program to develop a State Freight Plan.

Of the CFMP's seven overarching goals, two are particularly relevant for this committee: environmental stewardship and healthy communities. These goals are supported with six specific objectives for projects to advance:

- a) Continue to integrate environmental health considerations into freight planning, development, implementation, and operations of projects as feasible.

- b) Minimize, and where possible, eliminate toxic air contaminants, criteria pollutants and greenhouse gases (GHGs) emitted from freight vehicles, equipment, and operations.
 - c) Promote land use planning practices that prioritize mitigation of negative freight project impacts upon the environment.
 - d) Prioritize social equity for all freight-related projects by developing alternative methods that avoid negative impacts on or near existing communities adjacent to high-volume freight routes and facilities.
 - e) Conduct meaningful outreach and coordination efforts with other agencies to environmental justice communities disproportionately burdened by the freight transportation system in urban areas and rural areas by identifying and documenting their needs.
 - f) Promote noise and other pollution abatement strategies associated with the movement of goods alongside residential areas and sensitive habitat near freight corridors.
- 2) *California's Sustainable Freight Action Plan (CSFAP)*. In 2015, Governor Jerry Brown signed Executive Order B-32-15, which directed state agencies to establish targets to improve freight efficiency, transition to zero emission technologies, and increase the competitiveness of California's freight transport system.

The CSFAP aims to reduce GHGs by establishing targets for freight efficiency and the transition to zero emission trucks by 2030. The freight efficiency target is to, "improve freight system efficiency 25% by increasing the value of goods and services produced from the freight sector, relative to the amount of carbon that it produces by 2030." And the truck target is to, "deploy over 100,000 freight vehicles and equipment capable of zero emission operation and maximize near-zero emission freight vehicles and equipment powered by renewable energy by 2030." Infrastructure upgrades, most notably charging and/or fueling stations for ZEV vehicles, will be necessary to achieve the goals of the CSFAP.

- 3) *Transit Corridor Enhancement Program (TCEP)*. The purpose of the TCEP is to provide competitive funding for infrastructure improvements on federally designated Trade Corridors of National and Regional Significance, on California's portion of the National Highway Freight Network, as identified in the California Freight Mobility Plan, and along other corridors that have a high volume of freight movement. The TCEP also supports the goals of the National Highway Freight Program, the California Freight Mobility Plan, and the guiding principles in the California Sustainable Freight Action Plan. The TCEP provides roughly \$300 million in state funding and roughly \$515 million in

federal funding in total.

One of the criteria the CTC uses to evaluate applications is so-called “community impact factors,” such as air quality impact, community impact mitigation (such as noise, localized congestions, safety, public health, etc.), and economic/job growth. These are further developed in the application process by asking applicants to describe how local residents and community-based organizations were engaged in developing the project, a description of any negative impacts to a disadvantaged community and low-income community (such as displacement), and how the final project will address community-identified needs, among other considerations.

- 4) *Health impacts of air pollution.* Depending on exposure, air pollution alone can cause an increased risk of cardiovascular and respiratory illness, lung disease, cancerous tumors, birth defects, premature births, developmental disorders, central nervous system damage, intellectual disability, persistent memory impairments, epilepsy, dementia, and premature death.

As our scientific understanding of the effects of air pollution advances, we are better able to assess the true human impacts of it. This is true at both the population and individual level. Owing to analysis of enormous data sets (60M+ Medicare recipients, for instance), current best estimates of the deaths attributable to air pollution have doubled from previous numbers. In the US, it is estimated that there are 250,000 premature deaths attributable to air pollution annually—nearly triple the number of lives lost in car crashes.

In a landmark ruling in the UK last December, air pollution from transportation emissions was deemed the official cause of death of a 9-year old girl; it was the first time that air pollution has ever been explicitly linked to a named individual’s death. The girl lived near a major road in southeast London, was diagnosed with asthma, and had been taken to the hospital nearly 30 times in less than three years prior to her death.

Whether through statistical estimates of total lives lost, or inarguable causality for certain individual deaths, it is clear that air pollution kills.

Comments

- 1) *Purpose of Bill.* According to the author, “The emissions associated with freight corridors not only contribute to global warming—they also pose a serious risk to the health of our communities. In my district, as in many across

the state, families that live near freight corridors are heavily burdened by pollution and suffer disproportionately from high rates of chronic diseases such as cancer, asthma, and other respiratory illnesses. Building cleaner freight corridors is not just an option, it is necessary to protect the health of our communities. We need to create a well-informed, robust strategy to develop infrastructure that will support clean and zero-emission vehicles and emissions-reductions goals along our most polluted freight corridors. Critically, we must ensure inter-agency collaboration and create space at the table for local and grassroots organizations when planning the future of freight. The Clean Freight Corridor Efficiency Assessment will support these goals and build towards a future where every Californian has access to clean, breathable air.”

- 2) *Reducing emissions through smarter freight.* According to a report prepared for the Department of Transportation by the National Center for Sustainable Transportation, there are three main categories of mitigation strategies for alleviating the negative impacts of California’s freight industry on the broader transportation system: infrastructure improvements, efficiency improvements, and policy incentives. The study found that examples of the most promising improvements include truck parking facilities, integrated freight information systems, port-wide terminal appointment systems, and on-site parking and loading facilities. While these may not immediately seem to be emission reduction measures, anything that minimizes the time trucks spend idling means fewer pollutants are emitted into the surrounding communities.

Many of the projects that this bill proposes to explicitly ensure are eligible for TCEP funding increase freight efficiency, and by extension will likely serve to reduce GHG and criteria pollutant emissions by minimizing unnecessary idling and trips. The bill includes, but is not limited to, technologies ranging from real time information systems and intelligent transportation systems, to traffic signal optimization and ramp metering. While these were all eligible projects under the 2020 TCEP program guidelines, SB 671 will ensure they remain eligible going forward.

- 3) *Environmental justice (EJ) considerations.* SB 671 includes several provisions that help ensure EJ issues are centered in decision making around freight corridor development. Given the historical injustices that have led to highways bifurcating and neighboring low-income communities of color, ensuring EJ is prioritized going forward is more than appropriate. Specifically, SB 671 includes environmental organizations in the stakeholder process needed for the Assessment, and includes anti-displacement methods for residents and businesses on freight corridors as something to be identified by the Assessment.

Overall, the Assessment called for by SB 671 would be a useful tool in modernizing infrastructure to reduce the disproportionate pollution burden borne by the communities abutting California's freight corridors, and the committee may wish to support this measure.

Related/Prior Legislation

AB 371 (Frazier 2019) would have required GO-Biz to prepare a statewide economic assessment of the California freight sector on or before December 31, 2021, and to update the assessment at least once every 5 years, and would have required CalSTA to incorporate the findings of the assessment into the state freight plan. AB 371 died in the Assembly Appropriations Committee.

AB 1411 (Reyes 2019) would have established as a state goal the deployment of 100,000 zero-emission medium- and heavy-duty vehicles and off-road vehicles and equipment, and the corresponding infrastructure to support them, by 2030. The bill required the CPUC, ARB, the Department of Transportation, CEC, and GO-Biz to develop an integrated action plan for sustainable freight that identifies strategies relating to that state goal, with priority given to actions that significantly reduce air pollution in low-income and disadvantaged communities. AB 1411 died in the Assembly Transportation Committee.

SOURCE: Author

SUPPORT:

Breathe Southern California
Calstart INC.
Edison International and Affiliates, Including Southern California Edison
Elders Climate Action, Norcal and Social Chapters
Los Angeles County Metropolitan Transportation Authority
Union of Concerned Scientists

OPPOSITION:

None received

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