

Proposed Process Guidance for MPO-CARB Information Exchange and Submittals for Sustainable Communities Strategies

I. Introduction

The purpose of this memorandum is to propose for public review and comment an update to CARB's 2019 Final Sustainable Communities Strategy Program and Evaluation Guidelines ("2019 SCS Evaluation Guidelines") that simplifies guidance and clarifies the processes of collaboration when developing the technical methodology and submittal of a sustainable communities strategy (SCS). The proposed updates serve CARB and metropolitan planning organizations (MPOs) by helping to identify opportunities for collaboration on addressing substantive issues before the SCS is adopted as well as to provide transparency on the process to interested public stakeholders. By doing so, MPOs can provide greenhouse gas (GHG) emission reduction estimates for public review that are acceptable and in accordance with CARB guidance, streamline the SCS submittal, minimize the need for plan amendments, and CARB can conduct the SCS evaluation more efficiently.

II. When would an MPO use this guidance?

This guidance would be considered before quantifying GHG reduction strategies and throughout the process to update an SCS when transmitting information to CARB staff.

III. Guidance on MPO-CARB Information Exchange and Submittals

CARB staff propose revisions to Chapter VIII. MPO-CARB Information Exchange and Submittals, starting at page 52 of the 2019 SCS Evaluation Guidelines (see Attachment). The revisions include updates to subsections on the collaboration milestones, Technical Methodology, and Final RTP/SCS submittal. CARB staff also propose a new subsection on the Draft RTP/SCS. Proposed revisions are underlined and deleted text is in strikethrough.

IV. Review period and process to finalize

CARB staff will take comments on these proposed revisions through August 30, 2024. During this period, comments and questions can be provided to CARB staff at its [public workshop on July 23, 2024](#), or submitted via [CARB's Sustainable Communities Program email address](#). CARB staff will consider comments received and anticipates posting final revisions for this topic by October 1, 2024. For this topic, revisions will be effective six months from the date they are finalized.

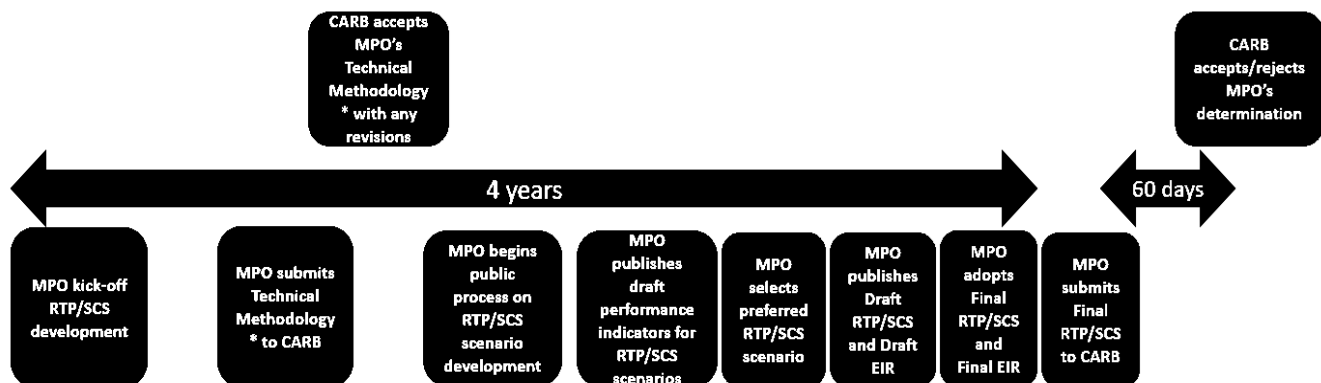
Attachment

I. VIII. MPO-CARB Information Exchange and Submittals

A. Summary of Collaboration Milestones between CARB and MPO staff

CARB and MPO staff have developed a strong practice of collaboration over the last ten years for over a decade through the SCS Evaluation Process under SB 375. CARB staff appreciates the longstanding commitment of staff resources that MPOs have allocated to working with CARB on *SCS Evaluation Staff Reports*. As an MPO develops its RTP/SCS, an information exchange between CARB and the MPO exists throughout the process of development of the RTP/SCS. This process begins early with the submittal of the *Technical Methodology* and ends with the submittal of a region’s adopted RTP/SCS and accompanying CARB data request. **Figure 4** illustrates a conceptual diagram of the collaboration milestones between the MPO and CARB through the RTP/SCS development and approval process. As part of the information exchange process, CARB will post comment letters on its website and make key data sets and other information used in its SCS Evaluation Process available to the public.

Figure 4. Process Diagram for MPO and CARB Collaboration Milestones



* The MPO is required under Government Code § 65080(b)(2)(J)(i) to submit a Technical Methodology that it intends to use to estimate GHG emissions from its SCS to CARB prior to starting the public participation process adopted pursuant to Government Code § 65080(b)(2)(F).

1. Technical Methodology to Quantify GHG Emissions

The MPO is required under Government Code § 65080(b)(2)(J)(i) to submit a Technical Methodology that it intends to use to estimate GHG emissions from its SCS to CARB prior to starting the public participation process adopted pursuant to Government Code § 65080(b)(2)(F).

Prior to starting the public participation process adopted pursuant to subparagraph (F), the metropolitan planning organization shall submit a description to the state board of the technical methodology it intends to use to estimate the greenhouse gas emissions from its sustainable communities strategy and, if appropriate, its alternative planning strategy. The state board shall respond to the metropolitan planning organization in a timely manner with written comments about the technical methodology, including specifically describing any aspects of that methodology it concludes will not yield accurate estimates of greenhouse gas emissions, and suggested remedies. The metropolitan planning organization is encouraged to work with the state board until the state board concludes that the technical methodology operates accurately.

The submission of the *Technical Methodology* occurs after the MPO has developed the overall framework for the RTP/SCS and includes a description of the methodology the MPO intends to use to estimate the GHG emissions from its SCS. Early consultation is encouraged to identify and address issues prior to releasing estimates of GHG emissions for public review. CARB staff advise MPOs to provide the *Technical Methodology* at least 6 months before initiating the public participation process. MPOs should plan for at least one round of comments, though often two or more rounds are needed.

Upon receipt of the *Technical Methodology*, CARB staff will review the proposed methods and data for quantifying SCS outcomes and identify any aspects of the *Technical Methodology* that will not yield acceptable estimates of GHG emissions. CARB responds will respond to the MPO with written comments about the *Technical Methodology*, in writing within 45 days, specifically describing any aspects of that methodology it concludes will not yield accurate estimates of GHG emissions needed information not in the *Technical Methodology* as well as suggested remedies needed to quantify acceptable estimates of GHG emissions. CARB staff also advise MPOs to not publicly release SCS GHG estimates or a draft plan before this consultation process concludes and CARB is able to determine that the *Technical Methodology* operates accurately and in accordance with CARB guidance. Releasing inaccurate or unacceptable estimates of GHG emissions may result in needing comprehensive technical updates, further plan revisions, recirculating materials for public review, and/or plan amendments. Further, if CARB staff cannot evaluate and/or accept the quantification of GHG emission reduction estimates, then CARB will not be able to accept the MPO's final GHG emission reduction determination.

For a checklist including an example of what information and data should be included in the *Technical Methodology* submitted to CARB, see **Appendix A**.

2. Draft RTP/SCS

CARB staff will review the Draft RTP/SCS and supporting materials during the public review period as resources allow. During the public review period, MPOs are advised to include the updated *Technical Methodology* with the Draft RTP/SCS and make available supporting materials that would be included in the SCS submittal for CARB's final SCS evaluation. The process of circulating the Draft RTP/SCS is an important opportunity to resolve issues prior

to finalizing the RTP/SCS for adoption while helping to streamline the SCS submittal process and avoiding the need for plan amendments.

The Draft RTP/SCS should reflect any details or remedies recommended in CARB staff's review of the Technical Methodology. This may include, but is not limited to, identifying and providing well-supported assumptions, correct emissions factors, and available data. This is also an opportunity to ensure the adopted RTP/SCS includes supporting actions to implement each SCS strategy, which supports the level of claimed GHG emission reduction.

3. Submittal of Final RTP/SCS to CARB

Once the Final RTP/SCS is adopted by the MPO governing Board, the MPO submits ~~its adopted the~~ Final RTP/SCS with other information to support GHG quantification (if applicable) to CARB for evaluation. CARB will ~~publish complete~~ its evaluation within 60 business days ~~of upon receipt of the final plan a complete SCS submittal,~~ including all supporting data needed ~~to complete staff's evaluation.~~

Summary of MPO SCS Data Submittal and Supporting Data Requests

- Final Technical Methodology applied to estimate claimed GHG emission reductions from adopted SCS strategies
- A summary of how issues were addressed in the adopted SCS that were identified during CARB's review of the draft Technical Methodology and the Draft RTP/SCS public review period
- Forecasted development pattern tabulated by place type
- Transportation project list tabulated in Excel (including project type, cost, funding source (if known), project time period [e.g., base year through 2020, 2020 through 2035, or beyond 2035], and location)
- List of RTP/SCS strategies and related key actions compared to the prior RTP/SCS
- MPO data submittal (below)
- Off-model documentation and calculations (if applicable)
- EMFAC input and output files
- Model sensitivity test results
- Model validation report
- Any other information to support GHG quantification (if applicable)

Table 6 provides an MPO Data Submittal template for table format and parameters. CARB staff will be flexible in allowing changes to the table format and/or parameters should data be unavailable or not applicable. By providing alternative data, MPOs may also need to explain applicability.

While State law does not specify when submittal to CARB staff occurs, MPO staff are advised to plan for timelines regarding State programs requiring CARB's acceptance of an SCS for funding eligibility (e.g., Solutions for Congested Corridors Program).

Upon receipt of the SCS submittal, CARB staff will screen for completeness and identify what, if any, additional information is needed to make a final determination on the SCS. If the SCS submittal lacks evidence or documentation, CARB staff will request the MPO to provide further information. Once the MPO has addressed CARB's requests, CARB staff will notify the MPO, in writing, that the SCS submittal is complete and finalize its recommendation within 60 days of that date.

If CARB staff's review results in a recommendation to accept the determination that the SCS meets the targets, CARB staff will proceed to prepare the required package of materials for CARB to issue an acceptance. Prior to forwarding a recommendation for final issuance, CARB staff will arrange a consultation meeting with the MPO to walk through its preliminary findings and recommendations. During the consultation meeting, MPO staff can provide information to CARB staff that clarifies the SCS submittal. CARB staff will transmit the final acceptance package to the MPO once issued and post final copies to CARB's program website.

If the CARB staff's review results in a recommendation to reject the determination that the SCS meets the targets, CARB staff will arrange a consultation meeting with the MPO. During the consultation meeting, CARB staff will share its substantive issues with the SCS submittal and how it came to a preliminary recommendation to reject the adopted SCS as unable to achieve the targets, even if assumed fully implemented. During the consultation meeting, MPO staff can provide information to CARB staff that further clarifies the SCS submittal. Following the consultation meeting, if substantive issues remain then CARB staff will issue written notice to the MPO and identify options that the MPO may consider. The notice will request the MPO to elect one of two options and notify CARB staff in writing within 60 days which option it will pursue. These options are:

- 1) Withdraw the SCS submittal, take action to fix its SCS¹ to meet the targets, resubmit an SCS for CARB staff's review and evaluation within one year of CARB's written notice, unless an alternative time is mutually agreed upon.

Or,

- 2) Withdraw the SCS submittal, prepare an Alternative Planning Strategy (APS) for adoption, and submit the APS for CARB staff's review and evaluation within one year of CARB's written notice, unless an alternative time is mutually agreed upon.

State law provides little direction on what path or method an MPO or CARB should pursue in this situation. Once received, CARB staff will confirm receipt of the MPO's response and coordinate with the MPO on the next milestone for review. If CARB does not receive a response on next steps from the MPO within 60 days, CARB staff will proceed to issue a

¹ In most cases, addressing CARB staff's identified issues will require amendment and readoption of the SCS and/or Technical Methodology, unless changes to the SCS are "typo"-level corrections whose appropriate values are evident from other public materials.

rejection of the SCS submittal. Per state law, upon rejection, the MPO would be required to prepare an APS and submit it for CARB's evaluation.²

Table 6. MPO Data Table Submittal to CARB

[Omitted, no proposed changes]

[See, adopted 2019 SCS Evaluation Guidelines]

² Government Code Sect. 65080(b)(2)(l)(iii).