



The Basics of SB 375

SB 375 (Chapter 728, Statutes of 2008) directs the California Air Resources Board to set regional targets for reducing greenhouse gas emissions. The new law establishes a “bottom up” approach to ensure that cities and counties are involved in the development of regional plans to achieve those targets.

SB 375 builds on the existing framework of regional planning to tie together the regional allocation of housing needs and regional transportation planning in an effort to reduce greenhouse gas (GHG) emissions from motor vehicle trips.

What is SB 375?

AB 32, California’s Global Warming Solutions Act of 2006, gives the California Air Resources Board authority over sources of greenhouse gas emissions, including cars and light trucks. According to the California Air Resources Board, transportation accounts for some 40 percent of greenhouse gas emissions, with cars and light trucks accounting for almost three-quarters of those emissions (30 percent overall).

SB 375, authored by Senator Darrell Steinberg, directs the Air Resources Board to set regional targets for the reduction of greenhouse gas emissions. Aligning these regional plans is intended to help California achieve GHG reduction goals for cars and light trucks under AB 32, the state’s landmark climate change legislation.

Because the existing regional transportation planning and housing allocation processes are overseen by local elected officials selected by their peers to serve on regional agency boards, the law is intended to ensure that cities and counties are closely involved in developing an effective plan for the region to achieve the targets. To increase public participation and local government input, the law strengthens several existing requirements for public involvement in regional planning. The new law establishes a collaborative process between regional and state agencies to set regional GHG reduction targets, and provides CEQA incentives for development projects that are consistent with a regional plan that meets those targets. Cities and counties maintain their existing authority

over local planning and land use decisions.

SB 375 has three major components:

1. Using the regional transportation planning process to achieve reductions in greenhouse gas emissions consistent with AB 32's goals;
2. Offering California Environmental Quality Act incentives to encourage projects that are consistent with a regional plan that achieves greenhouse gas emission reductions; and
3. Coordinating the regional housing needs allocation process with the regional transportation process while maintaining local authority over land use decisions.

How will SB 375 Work?

1. SB 375 sets up a collaborative process between metropolitan planning organizations (MPOs) and the ARB to establish greenhouse gas emissions targets for each region in the state. A Regional Targets Advisory Committee including city and county officials is advising ARB on the targets.
2. SB 375 requires each MPO to include a "Sustainable Communities Strategy" in the regional transportation plan that demonstrates how the region will meet the greenhouse gas emission targets. If the sustainable communities strategy falls short of meeting the targets, the region must prepare an "alternative planning strategy" that, if implemented, would meet the targets.
3. SB 375 requires that decisions relating to the allocation of transportation funding be consistent with the Sustainable Communities Strategy.
4. SB 375 creates California Environmental Quality Act (CEQA) streamlining incentives for projects that are consistent with the regional Sustainable Communities Strategy (or the Alternative Planning Strategy if one is required).
5. SB 375 changes housing element law to synchronize the schedule and develop common land use assumptions for regional housing and transportation planning.
6. SB 375 strengthens the existing requirements for input by the public and local officials into the development and review of MPO plans.

SB 375, General Plans and Local Land Use

Local officials will be key decision-makers in how the provisions of SB 375 are ultimately implemented.

While the Air Resources Board is responsible for setting region-wide greenhouse gas emission targets for each MPO in the state, each MPO will be responsible for developing its own sustainable communities strategy (and alternative planning strategy if necessary). MPOs are governed by local elected officials.

Neither the “sustainable communities strategy” nor the “alternative planning strategy” will supersede a city’s or county’s general plan or other planning policies or authorities. Nor must a local agency’s planning policies be consistent with either strategy.

Rather, these strategies provide a basis for determining eligibility of residential development or transportation projects for SB 375’s CEQA streamlining incentives, if cities or counties choose to offer them.

More About Sustainable Communities Strategies

(from CSAC’s Summary of SB 375)

The sustainable communities strategy is a growth strategy for the region which, in combination with transportation policies and programs, strives to reduce greenhouse gas emissions and, if it is feasible, help meet ARB’s targets for the region.

Specifically, a Sustainable Communities Strategy will:

- Identify the general location of uses, residential densities, and building intensities within the region;
- Identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan;
- Identify areas within the region sufficient to house an eight-year projection of the regional housing need for the region;
- Identify a transportation network to service the transportation needs of the region;
- Gather and consider the best practically available scientific information regarding resource areas and farmland in the region;
- Set forth a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportation measures and policies, will reduce greenhouse gas emissions from automobiles and light trucks to achieve, if there is a feasible way to do so, the greenhouse gas emissions

reductions target approved by the state board; and

- Quantify the reduction in greenhouse gas emissions projected to be achieved by the SCS and, if the SCS does not achieve the targeted reductions in greenhouse gas emissions, set forth the difference between the amount that the SCS would reduce greenhouse gas emissions and the target for the region.

It is important to emphasize that this development pattern must comply with federal law, which requires that any pattern be based upon “current planning assumptions” that include the information in local general plans and sphere of influence boundaries.

If the sustainable communities strategy will not achieve the region’s greenhouse gas reduction target, the region must also prepare a separate document called the “alternative planning strategy.” Projects consistent with this strategy also qualify for CEQA incentives.