Federal Transportation Policy and the Role of Metropolitan Planning Organizations in California

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Foreword

The reauthorization of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) in 1997 raises three issues of great importance to California—how many dollars will the state receive from future transportation programs? Who will pay the cost? And what level of government will distribute the benefits? In this report, *Federal Transportation Policy and the Role of Metropolitan Planning Organizations in California*, Paul Lewis and Mary Sprague focus on the third issue—the role metropolitan planning organizations (MPOs) have played in setting project priorities under the current transportation legislation. The authors conclude that metropolitan-level decisionmaking generates a distinctly different set of priorities than found at either the state or local level, and that the role of MPOs should be considered carefully when reauthorization of ISTEA takes place in Washington later this year. They conclude that devolution of federal transportation responsibilities to the states could lead to quite different outcomes, depending on the principles written into the new legislation.

This report is the second from PPIC's program on governance and public finance. It is designed to both inform the debate over reauthorization of ISTEA and to raise longer-term questions about the proper role of metropolitan-level decisionmaking in the provision of government services.

The authors wish to acknowledge the assistance of numerous staff members at the state's metropolitan planning organizations and at the California Department of Transportation who provided necessary data, verified information, and explained some of the intricacies of transportation planning and programming. A December 1996 conference on ISTEA, expertly organized by the UCLA Extension's Public Policy Program, brought together many of California's transportation practitioners and scholars and provided a deeper understanding of the transportation dilemmas facing the state. Special thanks are also extended to Elizabeth Deakin of the University of California, Berkeley, and to Arnold Howitt of Harvard University for their thorough and helpful reviews of a draft of this report. At PPIC, the authors' colleagues Mark Baldassare and Maureen Waller provided useful comments on the manuscript, Laura Mameesh lent special help on several occasions, Andrew Isserman offered a key suggestion, and Gary Bjork and Karen Steeber smoothly ushered the report through the publications process. Patricia Bedrosian was a careful copy editor. Although this report reflects the contributions of many people, the authors are solely responsible for its content.

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Summary

An adequately functioning transportation system is essential to the economic health of California. In recent decades, regional transportation issues such as freeway congestion, access to mass transit, and air pollution generated by cars and trucks have been a major concern to citizens and public officials in the state.

Metropolitan planning organizations (MPOs) are important venues for considering the problems and investment needs of surface transportation. There are 15 MPOs in California, representing each of the regions of the state classified as urbanized areas (see Figure S.1). MPOs are entities engaging in cooperative, continuing transportation planning for metropolitan regions. Although the federal government has long required MPO planning in areas that wish to spend federal funds, the visibility and importance of MPOs increased with Congress's passage of the Intermodal Surface Transportation Efficiency Act (ISTEA) in 1991. The ISTEA law is a package of programs that cover almost every aspect of federal involvement in surface transportation.

Figure S.1—Metropolitan Planning Organizations in California

Significantly, ISTEA gave MPOs more of a final say in selecting projects for federal funding in each region, which in some cases may span a number of counties. This increased the power of MPOs relative to state departments of transportation.

The ISTEA law expires in 1997, and Congress has begun its deliberations over the form that the new transportation law will take. Changes in the funding or procedural requirements of the law could have major repercussions for transportation in California, and in particular, for the MPOs and the regions they represent. This report provides an overview of MPOs and their role under ISTEA, examines recent patterns of MPO decisionmaking regarding the investment of federal transportation funds, and considers the potential implications for California of proposed changes in federal transportation law. It also provides some basic information on California's little-known MPOs. The report is written for a general policy audience.

What Role Do MPOs Have in Transportation Decisionmaking?

In an era of rapid suburbanization of the population and decentralization of business activity, the metropolitan level is an increasingly relevant frame of reference for policy. Major road networks and labor markets operate at the level of the metropolitan region; rail and bus systems are often regionwide; and air pollution—much of which is caused by transportation—obviously spans local boundaries. Decisions relating to the interlinked policy areas of transportation, land use, and environmental quality are regional in their effects. Such issues are especially salient in California, a highly urbanized and rapidly growing state.

Some measure of metropolitan planning has been a requirement of national transportation policy for over 30 years. Federal policymakers, seeking to fund a rational regional program of transportation investments

rather than conflicting local projects, mandated a regional review of local proposals. In general, MPOs were fairly weak institutions in carrying out this oversight role through the 1960s, 1970s, and 1980s. They were typically organized as voluntary regional councils with delegates from cities and counties, rather than as actual units of government. Moreover, local and state officials often resisted efforts to strengthen regional planning and decisionmaking. In this period, MPOs compiled—often without regard to funding constraints—"wish lists" of highway, mass transit, and other transportation projects proposed by local and state agencies; MPO approval was required for a project to receive federal funds. Effectively, this process gave MPOs only veto power. They could not mandate or bring about the construction of favored projects in each region; final power to allocate federal funds rested with the states.

ISTEA's passage, however, gave MPOs additional authority and credibility. Each MPO was required to approve only a set of projects that could be funded from realistically anticipated revenues. In this way, MPOs gained more of a final say over which projects would receive funding. They also were granted primary authority over two new categories of federal funds: the Congestion Management and Air Quality Improvement Program (CMAQ) and the regional component of the Surface Transportation Program (STP). These two categories of ISTEA funds are particularly important in that they may be used flexibly for various transportation modes (highways, mass transit, bicycle paths, etc.), whereas many other sources of revenue are limited to more specific purposes. Although STP basically functions as a large block grant that can be spent on a wide variety of projects, CMAQ funds must be used to promote air quality improvements.

What Role Do MPOs Have in Representation?

MPOs function as something of a counterweight to state and local governments. This is important because different levels of government have different incentives in spending federal transportation funds. *Regional* units may be expected to worry primarily about the region's competitiveness with other metropolitan areas, which suggests an emphasis on systemic approaches to travel, congestion, and goods movement. *Local* levels of government have a narrower frame of reference in making infrastructure decisions, focusing on the traffic level, economic growth, and tax base of a smaller area. Localities have few incentives to consider the spillover effects of their decisions and may be less inclined to make decisions in support of regionwide mass transit or air quality considerations. This more parochial perspective characterizes even counties in the larger multicounty regions. At the *state* level, the emphasis has typically been on knitting together the state through a network of state highways. The legacy of highway-building has shaped the organizational culture of state departments of transportation.

MPOs bring together local politicians in a forum where they must confront regional problems and evaluate contrasting visions of the future. ISTEA's requirement that MPOs present a "fiscally constrained" program of approved transportation projects has forced regions to consider the tradeoffs among different local priorities. However, there is rarely, if ever, a groundswell of active and sustained political support for regional oversight and planning among citizens, nor among state and local politicians. Thus, the federal involvement and requirements have bolstered the otherwise limited or absent regional role. In short, the federal government has served as something of a proxy for the latent public interest in achieving effective regionwide transportation.

To adequately represent local concerns in this regional decisionmaking process, an MPO must have input from all parts of the region. However, the governing boards of most California MPOs, though composed of representatives from cities and counties, are relatively poorly apportioned to population, which may limit the quality of their representation. Many MPO boards operate on a one-government, one-vote basis. In this report, we analyze the relationship between the population share of local governments within MPO regions and their voting power on the MPO boards. We find that the average California MPO deviates from proportionate representation of its population by about one-third. Some MPO boards, however, do have weighting schemes to reflect the greater populations of their largest jurisdictions.

What Decisions Are California MPOs Making About the Use of Federal Funds?

The central activity of MPOs is "programming"—that is, evaluating various project proposals from local and state agencies and preparing a list of projects prioritized for funding. Much MPO effort since ISTEA's passage has involved devising ways to evaluate proposals across modes (carpool lanes versus an expanded bus system, for example). Some MPOs, such as the one in the San Francisco Bay area, have developed much more elaborate screening and scoring systems than others.

We examined project lists from the most recent (1996–97) transportation improvement program of each California MPO to explore the patterns of decisions they are making about the use of flexible federal funds. Table S.1 summarizes the investment of STP and CMAQ funds by the state's MPOs in this round.

Table S.1

Allocation of Federal Surface Transportation Program and Congestion Mitigation and Air Quality Improvement Program Funds by California MPOs (in percent)

	Purpose						Total Amount
Program	Roads/ Highways	Signal-ization	HOV Facilities	Mass Transit	Bike and Pedestrian	Other	Programmed ($ thousands)
STP	59	7	5	18	1	9	$626,175
CMAQ	2	12	22	49	8	6	$148,045

SOURCE: Authors' coding of projects in Transportation Improvement Programs of the individual MPOs.

NOTES: All data are for fiscal year 1996–97 except Monterey (FY1996) and the San Francisco Bay area (one-half of two-year total of FY1997–98 and FY1998–99). The mass transit category includes park-and-ride facilities. Totals may not add to 100 percent due to rounding.

Most of the state's MPOs are allocating regional STP funds predominantly for road projects, although the Southern California and San Francisco Bay area MPOs are devoting a considerable share of STP money to mass transit investments. Statewide, two-thirds of the $626 million of STP funds programmed by MPOs in this round went toward road or traffic-signal projects, with 18 percent devoted to mass transit.

Federal CMAQ funds, which must target air quality, may not be used to expand road capacity. With this limitation in place, MPOs have shown a great deal of variety and experimentation in approaching regional congestion and air quality problems. Mass-transit-related projects received nearly half of the $148 million of CMAQ funds programmed in this round, while about one-fifth of the funds went for high-occupancy vehicle lanes, 12 percent for traffic-signal projects, and 8 percent for bicycle and pedestrian facilities. Policymakers and academic experts have widely debated the potential effect of these different types of investments on air quality.

MPOs have taken varied approaches toward the transportation investment needs of California's regions. However, the state implemented ISTEA in such a way as to limit the authority of MPOs to make decisions in some multicounty regions. In the Southern California region, for example, county transportation commissions, rather than the MPO, largely decide which projects receive federal funding. Consequently, programming decisions in this large metropolitan area show no clear regional strategy, and the MPO serves mainly as a coordinating "umbrella" agency. In the San Francisco Bay area, county agencies allocate half of the region's STP funds and the MPO the other half. The Bay area's MPO devotes far more funds than the county agencies to mass transit, whereas the county agencies heavily emphasize road projects.

How Might Changes in Federal Transportation Law Affect California?

Various proposals have been made as Congress considers what shape ISTEA's successor law should have. Some policymakers and interest groups, such as the Clinton administration and many MPOs and mass transit operators, support maintaining the basic programmatic structure and metropolitan decisionmaking process of ISTEA. Others support quite different approaches.

One proposal seeks to "streamline" ISTEA by increasing state government discretion and reducing the number of funding categories within the federal transportation law. Such changes would likely lead to a reduced emphasis on the less traditional concerns of federal transportation policy, including air quality, enhancement projects such as bicycle trails, and systematic planning. If the CMAQ program is ended

as a separate category, as some propose, there would likely be additional fiscal difficulties faced by mass transit systems, which have also suffered in recent years from cutbacks in federal subsidies for operations.

Yet another proposal would "turn back," or devolve, responsibility from the federal government to the states for raising and spending transportation funds. This proposal, which has received support from the Wilson administration in California, would likely result in state motor fuel taxes being substituted for federal motor fuel taxes, since most of the federal gas tax would be canceled. In this way, most gas taxes paid by Californians would stay in the state. However, the California Constitution limits the use of state gas taxes to road projects and rail construction (but not operations). Thus, the "turnback" plan also could lead to fiscal challenges for the state's existing mass transit systems.

A greatly reduced federal involvement, as under the turnback plan, could portend a possible withering of the regional decisionmaking role in the multicounty metropolitan areas of California. The state's traditional approach to regional transportation planning has been to devolve authority to county-level agencies. In the multicounty areas, however, counties have a more limited perspective on regional transportation needs than MPOs. They have fewer incentives than MPOs to coordinate their investments or consider the spillover effects of their decisions. Such issues matter: In the four multicounty MPO regions of California (Southern California, San Francisco Bay area, Sacramento area, and Monterey Bay area), more than one in six employed residents cross a county boundary in their commute to work.

What Are the Larger Implications for Public Policy?

The experience of transportation policy is worth considering as federal, state, and local officials discuss the merits of devolution, a concept that has gained widespread attention. Devolution implies moving governmental discretion and responsibility to a level closer to the people—often, from the national to the state level, as in the case of welfare reform. However, devolution may involve various levels and types of governments, each of which has different incentives in spending funds and devising procedures and requirements. A devolution of national powers to the state level may imply further devolution to the level of counties, since counties have traditionally served as administrative arms of state governments in carrying out state responsibilities.

Some scholars and policymakers have suggested that the metropolitan region is a more appropriate level than states and local governments at which to place oversight and other responsibilities for federal programs. In the area of transportation policy, ISTEA functioned so as to rest decisionmaking authority, in part, at the metropolitan level; as such, it is worth evaluating as an interesting experiment in regional governance. In devolving federal responsibilities and activities, policymakers should be aware of the varying perspectives and motivations of different levels of government and should design programs carefully.

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Abbreviations and Acronyms

AASHTO	American Association of State Highway and Transportation Officials
ACIR	Advisory Commission on Intergovernmental Relations
AMBAG	Association of Monterey Bay Area Governments
AMPO	Association of Metropolitan Planning Organizations
BART	Bay Area Rapid Transit District
CAAA	Clean Air Act Amendments (1990)
Caltrans	California Department of Transportation
CMA	congestion management agency
CMAQ	Congestion Mitigation and Air Quality Improvement program
COG	council of governments
CTC	county transportation commission
DOT	Department of Transportation
FAP	Federal Aid Primary highway program
FAS	Federal Aid Secondary highway program
FAUS	Federal Aid Urban System highway program
FHWA	Federal Highway Administration
FTA	Federal Transit Administration

GAO	General Accounting Office
HOV	high-occupancy vehicle
HUD	U.S. Department of Housing and Urban Development
ISTEA	Intermodal Surface Transportation Efficiency Act (1991)
MPO	metropolitan planning organization
MTC	Metropolitan Transportation Commission (San Francisco Bay area)
NHS	National Highway System
RTPA	regional transportation planning agency
SACOG	Sacramento Area Council of Governments
SANDAG	San Diego Association of Governments
SBCAG	Santa Barbara County Association of Governments
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
STP	Surface Transportation Program
STPP	Surface Transportation Policy Project
TDA	Transportation Development Act (1971)
TIP	Transportation Improvement Program
USDOT	U.S. Department of Transportation

1. Introduction

California is a state widely known for its freeways, but these are increasingly burdened with congestion. It is a state whose natural splendor is a major source of renown, but also one that wrestles with difficult problems of air pollution and rapid land development. Each of these issues is shaped heavily by government investment in roads, mass transit systems,[1] and other surface transportation infrastructure. It is important for citizens and policymakers to understand the process by which those investment decisions are made and to be able to trace what their transportation tax dollars are buying. Federal legislation has played a central role in this decisionmaking process in recent decades, because federal funding flowing to California and other states has been conditioned on state and local governments' meeting certain procedural requirements.

[1]Although "transit" is sometimes used as a synonym for "transportation" in popular and journalistic writing, among specialists "transit" refers to buses, passenger trains, and other public transportation conveyances.

In September 1997, the legislation currently governing federal involvement in transportation—the Intermodal Surface Transportation Efficiency Act (ISTEA, or "ice tea")—is scheduled to expire. ISTEA, originally signed into law by President Bush in 1991[2] and authorized for six years and over $150 billion, led to new dynamics of intergovernmental relations in the transportation field. State and local officials won new flexibility in moving federal funds among transportation modes, such as highways, rail and bus systems, and bicycle paths. Particularly notable was the new responsibility given to the nation's metropolitan planning organizations (MPOs), which have long participated in setting funding priorities for transportation improvements in each urban region. ISTEA empowered MPOs to directly choose how a significant share of the available federal funds would be spent—including those funds that can be used most flexibly. ISTEA also differs from previous federal legislation in requiring substantial public involvement—largely through the MPO planning process—and by requiring those seeking funding to demonstrate that transportation investments will help polluted regions move toward attainment of federal air quality standards.

MPOs have received little research attention, but knowledge of their role is essential to understanding how transportation policy is formulated in California. This report examines the recent experience of the state's MPOs, analyzing their role in implementing ISTEA in conjunction with federal, state, and local governments. We hope to help citizens and policymakers better understand the effects of institutional arrangements

[2]ISTEA was enacted as Public Law 102-240 on December 18, 1991.

on transportation policy outcomes. We also explore the possible effects of altering those arrangements, since Congress is drafting a new transportation law in 1997 and the role of MPOs may be reduced or increased by this revision. This report does not consider the full panoply of national policy dilemmas to be confronted as Congress decides on a new transportation package. For example, it does not discuss the desirable level of overall transportation funding or the formulas that Congress uses to apportion federal funds among the states. Rather, we focus on the debate over the role of MPOs in the intergovernmental system of transportation policymaking.

The major purposes of this report are the following:

- To describe the policy setting for transportation decisionmaking, giving particular attention to federal assistance programs that affect California's metropolitan areas, and to the historic evolution of MPOs and their representational structure. By providing an analytical synthesis of the existing research literature, we hope to cut through the sometimes arcane and specialized jargon of the transportation field to capture the most essential themes, and to present them in language accessible to nonspecialists.
- To show the effect of MPOs on transportation in California, examining their decisionmaking in the allocation of federal funds and the patterns of funding priorities that result. We pay particular attention to the ways in which MPOs have allocated the two categories of federal funds that were new under ISTEA and are under their direct control: the Surface Transportation Program (STP) and Congestion Mitigation and Air Quality (CMAQ) funds.

- To frame the key policy questions relating to MPOs' role in transportation that may be of central interest to Californians as Congress deliberates over the form a reauthorized ISTEA might take. Without proffering specific recommendations, we will highlight some policy alternatives, summarize the major arguments of proponents and opponents, and consider the potential effects of the proposals.

The Significance of Federal Surface Transportation Policy

Transportation plays an important role in the daily lives of almost all Americans, affecting the convenience of our work and personal routines, the value of our homes, and the profitability of our businesses. In aggregate, transportation policy shapes the American landscape by determining the accessibility of competing locations and the mobility of people and goods.

Transportation is not only a key factor in the American economy and lifestyle, but also an increasingly important one. The amount of travel Americans undertake has been growing disproportionately faster than population growth. For example, vehicle-miles traveled increased by about 30 percent between 1983 and 1990 alone (Larson, 1993, p. 139).[3] This, in turn, has contributed to increased congestion. For example, in 1991 "70 percent of peak-hour urban travel on Interstate highways took place in congested conditions," up from 49 percent in 1981 (GAO, 1993, p. 10).

Surface transportation is a policy realm of particular significance in California, a state with strong population growth and daunting air

[3]Most of the increase is accounted for by a growth in the average length of trips.

quality problems but limited fiscal resources. The state has over 169,000 miles of roads and streets and hundreds of public transit agencies, and the demands upon these systems for improvement in capacity and performance are inexorable. While the streets, highways, and mass transit systems of California are predominantly funded by the state and local governments, a significant share of the funds, regulations, and standards for the state's transportation facilities has derived from the national government. Federal transportation funds are particularly significant in that they represent a large component of the *discretionary* funding available to the state and its urban areas; most state and local transportation revenues cannot be used as flexibly, and some are formally or informally reserved for specific uses or projects.[4]

Under ISTEA, California has been receiving an average of about $1.6 billion per year in Federal-Aid Highway apportionments.[5] About one-quarter of these funds fall into categories that are under the primary allocational control of the state's MPOs: the regional component of the Surface Transportation Program and the Congestion Mitigation and Air Quality program. Table 1.1 shows the specific apportionments to each MPO over the 1992–1996 period for these two categories. In addition, for most of the other categories of federal transportation funds, ISTEA

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[4]For example, when the Bay area's Metropolitan Transportation Commission prepared its 20-year plan in 1994, it found that only $4 billion of the $74 billion of resources expected to be available for transportation in the Bay area were not dedicated to some prescribed use or mode of transport. This $4 billion in expected flexibility derives entirely from two federal ISTEA programs and two state programs.

[5]Certain categories of Federal-Aid Highway funds may be used for nonhighway purposes such as mass transit and pedestrian/bicycle facilities. Some specific Federal Transit Administration programs under ISTEA are not included in this total. In addition, the federal government has provided non-ISTEA transportation assistance in such forms as demonstration projects and disaster relief. The data cited here were made available by the California Department of Transportation (Caltrans).

Table 1.1

Total Federal Surface Transportation Program and Congestion Mitigation and Air Quality Improvement Program Apportionments for Fiscal Years 1992–1996, by MPO (in $ thousands)

MPO	STP	CMAQ
Butte County	7,622	0
Fresno County	29,144	19,386
Kern County	23,463	12,292
Merced County	7,483	4,036
Monterey Bay area	25,945	10,748
Sacramento area	58,012	32,708
San Diego County	107,022	61,213
San Francisco Bay area	260,685	124,055
San Joaquin County	20,457	10,872
San Luis Obispo County	8,991	0
Santa Barbara County	15,291	6,386
Southern California	598,065	376,904
Shasta County	6,091	0
Stanislaus County	15,915	8,380
Tulare County	13,192	7,055
Total	1,197,378	674,035

SOURCE: Caltrans.

NOTES: Monterey's apportionment is composed of the apportionments for the Transportation Agency for Monterey County, San Benito County Council of Governments, and Santa Cruz County Regional Transportation Commission. Southern California's apportionment is composed of the apportionments for Los Angeles County Transportation Commission, Orange County Transportation Commission, Riverside County Transportation Commission, San Bernardino County Transportation Commission, Southern California Association of Governments (Imperial), and Ventura County Transportation Commission.

enables MPOs to set the funding priorities for their regions, or at least requires that the MPOs be consulted by the state regarding transportation investments in their regions. The various funding categories under ISTEA will be discussed in Chapter 4.

The Key Role of MPOs

ISTEA substantially heightened the influence and responsibilities of California's 15 MPOs.[6] MPOs may be defined as organizations that engage in transportation planning for an urbanized area, with a governing body selected by the local governments within that area. The governing board appoints an executive director to manage the day-to-day activities of the MPO. A staff, composed largely of professional planners, is hired to perform the MPO's work. With a small handful of exceptions nationally, MPOs are not themselves official units of government and rarely deliver any substantial public services, operate major public facilities, or make major expenditures of their own. Rather, they are cooperative, generally voluntary, intergovernmental organizations (although some states—not California—compel local governments in metropolitan areas to join the MPO). Chapter 3 provides more discussion about the historical evolution of MPOs and the variety of organizational arrangements devised to perform the MPO function.

A role for organizations resembling MPOs has existed under federal rules since the 1960s. Until 1991, however, that role was generally limited. The organizations provided technical data and advice, wrote long-range plans that typically were toothless as implementing

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[6]The 15 MPOs are the Kern Council of Governments (Bakersfield), the Butte County Association of Governments (Chico), the Council of Fresno County Governments, the Southern California Association of Governments, the Merced County Association of Governments, the Stanislaus Area Association of Governments (Modesto), the Shasta County Regional Transportation Planning Agency (Redding), the Sacramento Area Council of Governments, the Association of Monterey Bay Area Governments (Salinas/Monterey/Santa Cruz), the San Diego Association of Governments, the Metropolitan Transportation Commission (San Francisco Bay area), the San Luis Obispo Council of Governments, the Santa Barbara County Association of Governments, the San Joaquin County Council of Governments (Stockton/Lodi), and the Tulare County Association of Governments (Visalia).

documents, and compiled lists of approved transportation projects. Through the federal requirements for regional planning, MPOs could block, but not mandate, proposed projects. The states had the final authority to pick and choose projects from the MPO list for funding.

ISTEA, however, supplemented this veto authority, empowering MPOs to effectively pick the proposed projects to be funded. MPOs must carefully rank highway, mass transit, and other project proposals, and write "fiscally constrained" plans that approve only projects that can be financed with realistically anticipated revenues. Much MPO effort focuses on *programming*—that is, designing a program of regional transportation improvements by approving and establishing priorities among projects proposed for nonlocal funding. Projects are proposed to the MPOs by local "sponsors"—typically cities, counties, and transit agencies. The aim of MPO programming under ISTEA is to produce a coherent regionwide "improvement program" that reflects fiscal reality. As in the past, no project may be funded unless listed on the MPO's improvement program, but the "fiscal constraint" provision means that there are no longer "excess" projects on the list for the state to pick among. This newly granted MPO capacity to set budgetary priorities is a hallmark of true governmental power—even if MPOs are not governments per se.

Transportation networks connect the many jurisdictions of California, and policies relating to transportation capital expenditures, congestion control, and mass transit rarely, if ever, have effects that are confined to one municipality. These "externality effects" are especially prevalent—and the interdependence of transportation facilities particularly vital—in the state's metropolitan areas, where more than nine in ten Californians live. Absent, however, is any regional unit of

government to oversee and take account of these interdependencies. This makes the term "metropolitan transportation policymaking" a problematic one. As one political scientist wrote three decades ago, "In the absence of certain instrumentalities [i.e., regional governments], public policies affecting the metropolitan area are made either by its components acting unilaterally or by regional surrogates—special districts, the states, or the national government. Within such unstructured systems, regional values win few adherents" (Danielson, 1965, p. 2). In transportation policy, MPOs fulfill some of the roles of a regional government by examining mobility issues of regional significance, and (under ISTEA) deciding on a program of projects to benefit the region. Figure 1.1 shows California's 15 MPOs.

In performing these activities, MPOs raise an important test of the viability of regional governance in California. Perennial concerns about issues such as growth management, traffic congestion, racial segregation, and fiscal stress have led to repeated calls for some formal governmental entity at the metropolitan level, although no true multipurpose regional governments have been created in the state. Because they must make tradeoffs among goals, and pick "winners and losers," MPOs come closer to the model of a general-purpose government than such well-known single-function special districts as the Bay Area Rapid Transit District or the South Coast Air Quality Management District. In allocating federal transportation funds under ISTEA, MPOs have had to wrestle with issues of intra-metropolitan conflict and equity to a degree probably unprecedented in California. The lessons learned from studying the experience of MPOs help inform the debate over whether to strengthen regional governance, and the form such governance should take.

Figure 1.1—Metropolitan Planning Organizations in California

ISTEA also was important for its provisions designed to help metropolitan areas attain the strict air quality goals established by the Clean Air Act Amendments of 1990 (CAAA). According to a General Accounting Office report, about 60 percent of U.S. residents in 1991 lived in areas designated as not meeting national air quality standards

(GAO, 1993, p. 1).[7] Nationally, transportation accounted for about 70 percent of carbon monoxide emissions and about 30 percent of the volatile organic compounds that can create ozone; these percentages are even higher in metropolitan areas (GAO, 1993, p. 10). The CAAA mandated the U.S. Department of Transportation to withhold funding from metropolitan areas that insufficiently plan transportation investments designed to improve air quality. While CAAA provided the sanction, or stick, certain sections of ISTEA—particularly funding available to MPOs under the Congestion Mitigation and Air Quality program—provided a carrot (see Plous, 1993, p. 9). Unfortunately, the science of predicting the effects of transportation investments on travel behavior and air quality is an inexact one (see Garrett and Wachs, 1996).

As Congress prepares to develop new authorizing legislation for transportation in 1997, a policy debate has emerged about the role of MPOs in transportation policymaking. MPO officials, supported by interests such as the American Public Transit Association and the National League of Cities, are fighting to preserve and enhance the role of MPOs. But the recent mood in Congress favoring devolution to the states has led others to suggest that the federal government return to its more customary role of funneling transportation funds through state transportation departments—which typically have been viewed as more disposed toward highway construction and rural interests. Budgetary mechanisms to underwrite such a shift could include a transfer of some of the federal gasoline tax to the states for collection, or possibly a more

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[7]Some of these "nonattainment" areas subsequently achieved "attainment" or "maintenance" status. However, under much stricter air quality standards proposed by the Environmental Protection Agency in November 1996, the number of nonattainment areas could increase substantially.

streamlined federal block grant program for transportation. In addition, some state transportation officials favor substantially increasing the population threshold at which MPOs are granted the power to program federal funds.

These debates will be examined in the concluding chapter. Chapters 2, 3, and 4 will discuss the evolution of the current transportation policymaking system and the changing role of MPOs within that system. Chapters 5 and 6 will examine how MPOs and the state are implementing federal transportation policy in California, looking specifically at the priorities of MPOs in programming "flexible" federal funds.

2. The Context for ISTEA: Moving Toward Change in Transportation Policy

To understand the changes occasioned by ISTEA, we must view it within the longer-term context of federal and state transportation policy. The 1991 ISTEA legislation occurred after 35 years of substantial federal involvement in financing transportation improvements in California and the other states, with considerable federal influence over the process of transportation decisionmaking and the substance of those decisions. In both state and nation, the focus and near-consensus on freeway construction early in this period began to fade. Attention shifted to the transportation problems of metropolitan areas, the fiscal and service problems of mass transit systems, and the limitations of highway construction. The desire for flexible state and local responses to these problems culminated in ISTEA. This chapter presents a brief overview of the evolution of federal transportation policy and the changing tenor of the debate over transportation problems in the political arena. It also

discusses actions taken in California before ISTEA to broaden the state's transportation policy from a focus on highway construction to consideration of the wider transportation needs of urban areas.

The Political Economy of Federal Transportation Policy: Developments Since World War II

The most prominent development in U.S. transportation policy since World War II was the construction of a vast network of highways that knit the country together—arteries financed primarily through fuel taxes rather than tolls and thus perceived as "free" for use by individual drivers. In particular, the Interstate Highway Act of 1956, often considered the largest-scale public works legislation in the history of the country, altered the dimensions of metropolitan and interregional travel and in the process helped accelerate the ongoing decentralization of American urban areas (Muller, 1981, pp. 169–175). An earlier plan for a national freeway system drafted by the Bureau of Public Roads in 1944 called for the urban and suburban segments of interstate highways to be built by metropolitan authorities (MTC, 1994, p. 36). With the long-awaited passage of the interstate highway bill, however, this function was lodged instead in the state highway departments—already existing, prominent, and institutionalized agencies.

State highway departments—staffed largely by civil engineers—in combination with highway-building interest groups such as auto manufacturers, contractors, concrete suppliers, oil companies, and construction unions constituted a fairly unified set of interests that provided sustained pressure and informational campaigns for the construction of additional roadways. During the 1950s and 1960s, the pro-highway coalition was often considered to be one of the two or three

most powerful lobbies in American politics (Altshuler et al., 1979, p. 28). This was due to the economic effect of highways on the U.S. economy, the geographic distribution of coalition groups across congressional districts, the leadership of some of the largest corporations and labor unions in the country, and the public's general receptivity to improved roads (Altshuler et al., 1979).

However, as the urban segments of freeway systems were constructed, the broad appeal of highway building began to decline. As wide swaths of city neighborhoods were cleared to make room for the new roadways, community groups and environmentalists began to foment a "freeway revolt," which urban politicians found difficult to ignore (Altshuler et al., 1979; McCausland, 1974, p. 30). San Francisco was one of the earliest cities to experience political fallout over freeway construction. Throughout California, provisions of state law required the state to contract with local governments to close local streets (which are city- or county-owned) during freeway construction. This provided freeway opponents with added leverage, since local government opposition could stall state projects.

By the late 1960s, advocates of continued highway construction were on the defensive in California and throughout the nation. Critics decried the vast cost of the interstate program and the alleged tendency of the new freeways to disfigure the communities they traversed. In addition, the intellectual argument for increased highway capacity weakened as planners, politicians, and citizens alike noticed that new lanes and highways rarely led to long-term declines in congestion. In fact, critics have often accused road building of being a process in which increased supply supports a reorganization of land-use patterns, which in turn increases demand for transportation; ultimately, it can become

impossible to build one's way out of the problem. As one planning scholar writes, "The problem is that freeways, particularly on the urban fringe, make adjacent land more accessible and hence more valuable. Increased accessibility encourages development, which attracts traffic and raises land values further. Eventually the adjacent development reaches a density at which the freeway becomes chronically congested. Expanding the freeway, however, is extremely expensive, because the additional right-of-way required to widen a freeway is orders-of-magnitude more expensive than that acquired when the first freeway was built" (Taylor, 1995, p. 49).

During the same period that the interstate system was being built, mass transit systems in metropolitan areas were losing riders at a rapid rate and often drastically cutting service, as revenue levels relative to costs fell precipitously (Adler, 1993; McCausland, 1974, pp. 31–32). Major reasons for the decline and financial crisis of public transportation in this period included the rapid rise in levels of auto ownership, the movement of the population to suburban areas not easily served by transit, state and local regulation that held down fare increases, and increasing labor costs. The decades of the 1960s and 1970s saw more attention to commuting problems in metropolitan areas and more support among politicians and voters alike for aid to public transit. The Urban Mass Transportation Act of 1964 began a policy of federal aid for capital investment in new transit equipment and facilities. In the mid-1970s, continuing financial problems in transit systems led to new categories of federal aid for transit operating subsidies. In an attempt at modernization, many states transformed their highway departments into "multimodal" departments of transportation. That is, these agencies were authorized to receive funds and carry out planning and programming for the overall

transportation system, including mass transit, rather than focusing simply on road building. Typically, however, the highway mission still represented the dominant culture of the organization.

By the late 1980s, highway building had stalled, mass transit systems continued to limp along, and federal transportation policy seemed to have lost any clear sense of purpose. As suburban areas continued to experience rapid job and population growth, traffic counts escalated and many job sites were inaccessible to public transportation. Many urban and suburban interests argued that since the interstate highway system was largely complete, the burgeoning problem of regional congestion was the next logical emphasis for federal transportation. In particular, MPOs, which, as Chapter 3 will show, had assumed a role in the decisionmaking process in the 1960s and 1970s, wanted a stronger voice in addressing this issue. Many analysts consider the role of regional political institutions to be critical to any serious approach to this problem since, as Anthony Downs writes, "many tactics that would be effective in reducing peak-hour traffic congestion cannot be carried out by individual governments. These tactics require regional design, implementation, or administration, where 'regional' refers to an entire metropolitan area" (Downs, 1992, p. 129; see also Lewis, 1996). Such approaches might include congestion pricing, policies that increase residential densities, or growth-management strategies.

From an analytical perspective, there are grounds for arguing that transportation decisionmaking should be a more regional process; but this position has not, historically, received very active support from members of Congress. As Danielson has explained, "The institutional base of [U.S. House] representatives in the larger multimember metropolitan areas is subregional, while senators, like governors, have a

superregional electoral base. Since most residents of the metropolis perceive their difficulties in a subregional frame of reference, pressures on urban congressmen for federal action on an areawide basis are infrequent" (Danielson, 1965, p. 114). Advocacy of regionalized transportation policymaking was likely to be more politically effective if it had its basis in a collection of credible interest groups, rather than in an abstract idea.

Well-orchestrated political entrepreneurship at the beginning of the 1990s brought together just such an aggregation of interests. Initially, the American Association of State Highway and Transportation Officials (AASHTO) established a Transportation Alternatives Group, which included representatives from most of the major groups interested in the reauthorization of federal transportation programs. However, disputes with AASHTO led some of the groups, particularly citizen and public interest organizations, to withdraw from the Transportation Alternatives Group. A coalition of design, environmentalist, planning, and other related interest groups coalesced as the Surface Transportation Policy Project, or STPP, and helped draft the legislation that became ISTEA. Receiving a sympathetic ear from some key members of Congress, STPP helped supply the political momentum to get ISTEA passed. The coalition, which now includes about 175 affiliated groups, advertises itself as focusing upon the needs of people, rather than automobiles, and working for policies through which transportation serves communities, rather than the reverse.

STPP has remained in place to monitor and try to affect the implementation of ISTEA (ACIR, 1995, pp. 17–18). In the process, the group has destabilized somewhat the once closed and insulated political network of the interstate highway era. Still, the new "policy

community," while it includes far more interests, largely remains a specialized, expert network. Key groups within STPP, for example, include public transit operators, the Rails-to-Trails Conservancy, and interest groups representing bicyclists, historic preservationists, and community planners. The organization's work is supported by a number of major charitable foundations.

Given such input, Congress wrote a law that was somewhat less oriented to highway construction and more oriented to the multimodal concerns of metropolitan areas. While this was welcomed by some groups, others resented the departure from previous transportation legislation and emphasized that user taxes on drivers and truckers fund the federal aid program. The President of the American Highway Users Alliance, a coalition of automobile-related industries and user groups, has complained that ISTEA is "the most anti-highway 'highway bill' ever" (quoted in "AASHTO Meeting Makes News," 1996). The provisions of the ISTEA law will be examined in detail in Chapter 4.

The Context for Transportation Policy in California

California is widely known for its freeways, but the construction of those freeways began to decline decades ago. There is some perception that the state's freeway building program largely folded during the administration of former governor Edmund "Jerry" Brown (1975–1983) and his transportation director, Adriana Gianturco—who as a planner, an environmentalist, and a woman represented a triple shock to the engineer-dominated organizational culture of the California Department of Transportation. In 1975, the state ended its use of the 1959 California Freeway System plan as an operating blueprint. The state's Secretary of Business and Transportation, Donald Burns, announced

that "This Administration has no intention of participating in the construction of any more Cadillac-commuter systems that have very little chance of providing adequate benefits . . . . As for starting new freeways, I just do not see that happening" (quoted in Taylor, 1995, p. 43).

However, a careful historical study by Brian D. Taylor (1995) indicates that this "received wisdom" regarding the collapse of California's freeway approach to transportation is far from the whole story. Taylor has assembled data demonstrating that the development of freeways in the state began to dip sharply by the late 1960s, a trend that continued before and after Brown's administration. While revenues available for the state's highways rose by more than 400 percent in real dollars between 1947 and 1961—largely due to the creation of the Highway Trust Fund in 1956—the period since then has seen almost a collapse in highway finance. Near hyperinflation in the construction and maintenance costs of freeways—due to higher design standards, higher material costs, and increased land acquisition costs and environmental mitigation requirements—was a primary cause. But the vast growth in vehicle-miles traveled and the lack of commensurate growth in gas tax revenues also generated the imbalance.[1] For these reasons, "in real terms, highway construction expenditures peaked nationally in 1959 and in California in 1961" (Taylor, 1995, p. 47). In addition, California, as the most populous state and a relatively densely populated one, remains a "donor" state to the federal highway trust fund, contributing more in fuel taxes each year than is returned to it. Finally, the interstate system

[1]The state and federal gas tax rates per gallon remained unchanged between 1963 and 1982. Even with a nine cent per gallon increase in the early 1990s, California's gas tax remained well below the weighted national average. In addition, improved fuel efficiency in the 1980s and 1990s led to reduced gas tax revenues per vehicle-mile traveled (Taylor, 1995, pp. 51–52).

was nearing completion, with the remaining unbuilt segments tending to be the most costly and controversial links.

In addition to the declining fiscal situation for highway construction, California passed a series of laws and constitutional amendments that diversified the state's approach to transportation planning and financing. The first major shift came in 1971, when California's mass transit advocates won a major battle with the passage of the Transportation Development Act (TDA). The TDA gave each county the proceeds of a one-quarter cent sales tax to be dedicated primarily to transit uses, along with bicycle or pedestrian projects[2] (McCausland, 1974, pp. 36–37; Taylor, 1991).[3] TDA funds, along with assistance from the Federal Transit Administration directed mainly at capital facilities, help keep the 11 major transit operators and hundreds of smaller public transit agencies and special districts in business.[4] The TDA also created regional transportation planning agencies (RTPAs) to allocate the funds (Wilshusen, 1992, p. 4).

The passage of Assembly Bill 69 in 1972 created a new Department of Transportation, or Caltrans, to replace the state's Division of Highways. According to McCausland, "The public credibility of the Division had suffered serious damage during the divisive freeway fights. Inflation, regulatory and maintenance costs, and legislative mandates were cutting deeply into the Division's budget. The realization that

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[2]Caltrans has found that bicycle trips account for about 2.6 percent and walking for 10.5 percent of all trips in California (study reported in Kern Council of Governments, 1996, p. 3).

[3]Under some circumstances, TDA funds may be used for local roads, but this requires a public hearing and a finding that there are no public transit needs that can reasonably be met.

[4]The count of 11 major operators and 575 public transit agencies is from Caltrans (1993, p. 33).

many elements in the State Highway System would never be built under existing revenue projections placed the future of many of the Division's 18,000 employees in jeopardy" (McCausland, 1974, p. 9). Signed by Governor Reagan, the 1972 law required the writing of a State Transportation Plan by 1976, to be based on regional plans produced by RTPAs, which were required in all areas of the state—in almost all cases at the *county* level (Wilshusen, 1992).[5] As McCausland (1974, p. 13) reports this battle, "The regionalists had corralled the old highwaymen." While some at the state level had been interested in gaining control over the new federal funds flowing to mass transit operators, no such provisions were in the final bill.

Thus reorganized, Caltrans currently employs about 16,000 people, with an annual budget of $5.2 billion in fiscal year 1996–97. Its technical staff, including a planning division of 185 people, dwarfs that of any MPO. Caltrans' overriding responsibility is for the state's highway network. A secondary role for Caltrans is its provision (in collaboration with Amtrak) of intercity rail service in the state (Caltrans, 1997; Caltrans, n.d.).

In 1974, additional revisions created the California Transportation Commission. A nine-member board appointed by the governor, the Commission is charged with directing the state's overall transportation spending priorities. This involves evaluating the Caltrans budget request and on occasion resolving disputes between Caltrans and the regional

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[5]Existing MPOs or councils of governments assumed the RTPA function in most areas of the state. In the Southern California and Monterey Bay regions, which are multicounty areas, county transportation commissions were created, under the larger coordinating role of a multicounty MPO. In the nine-county San Francisco Bay area, the legislature had created the Metropolitan Transportation Commission (MTC) by statute, and MTC was given the RTPA responsibilities.

transportation planning agencies, since the 1972 law had given regional agencies more say regarding the programming of transportation improvements.

In the late 1980s and early 1990s, before the most recent California recession, there was again substantial interest at the state level in restructuring transportation policy and investment, particularly in connection with the issue of regional congestion. Proposition 111, passed in 1990, instituted a nine cent per gallon increase in the state gasoline tax, to be devoted to transportation needs in counties, provided that congestion management plans are written by those counties. As implemented by Assembly Bill 1791, Proposition 111 required the formation of congestion management agencies (CMAs) in each county having an urban-area population of 50,000 or more. The CMAs are to write plans every two years for making the most efficient use of the county's roads and transit facilities so as to minimize congestion (see M. Francois, 1996, p. 8; "San Joaquin Valley Regional Transportation Overview," 1994, p. 25). In most cases, the CMA responsibilities were assumed by the existing county-level transportation planning agencies.[6] CMAs have the authority to withhold Proposition 111 gas tax apportionments from local governments in their jurisdiction that have failed to achieve a minimum level of service on their roadway network.

Proposition 111 was preceded by individual county ballot initiatives in 19 counties dedicating half-cent sales tax increases to fight local congestion (Saltzstein, 1996, p. 66). These new revenue sources facilitated new flexibility across transport modes—highways competed with local roads and fixed guideway transit for county allocations—and

[6]In the San Francisco Bay area, CMAs were created in each county, below the level of the MPO/RTPA, the Metropolitan Transportation Commission.

thus anticipated somewhat the flexibility and allocational competition of ISTEA. California had experienced one budget cycle of Proposition 111 funds by the time ISTEA became law, thus providing regional transportation planners with their first real (although limited) experiences with flexible programming (Younger and Murray, 1994, p. 2).

California, unlike many other states, thus had substantial experience with allocating funds to the substate level in the period before ISTEA's passage. The urbanized counties (or actually, their regional transportation planning agencies and congestion management agencies) were given some programming authority over portions of both state and federal highway funds, as well as some locally generated sales taxes. Overall, as Younger and Murray (1994) note, there was something of a patchwork of programming arrangements in California in the period before ISTEA. Local road projects were selected mainly at the county level, state highway projects at the state level, and transit projects through a separate transit capital priority-setting effort. "Bicycle and other enhancement projects were funded through small dedicated programs" (Younger and Murray, 1994, p. 2).

The experience with suballocating transportation policy responsibilities and revenues to a regional level—generally at the level of the *counties*—would help shape California's subsequent approach to the ISTEA law. In federal transportation policy, however, legislation has been aimed in part at creating *metropolitan*-level institutions—MPOs—that correspond to urbanized areas, which may in fact often be larger than a single county. This disparity between the state and national approaches to regional planning has affected the implementation of ISTEA in California, as subsequent chapters will show.

Summary

The passage of ISTEA signified a shift in federal transportation policy from its emphasis on the construction of highways to their maintenance and to the transportation needs of urban areas. Factors that contributed to the change in policy include the near completion of the interstate highway system, the fiscal distress of mass transit systems, the rise of regional traffic congestion, the increased attention to air quality in urban areas, and the advocacy efforts of nonhighway transportation interests. California had begun to incorporate the transportation needs of metropolitan areas into its transportation policy decades before ISTEA was enacted. The state passed numerous laws and constitutional amendments to provide transportation funding to metropolitan areas and to bolster the role of regional governments in the transportation planning process. California state law, however, typically lodged "regional" responsibilities at the level of the county rather than the MPO.

3. The Evolution and Representational Structure of Metropolitan Planning Organizations

In most federal programs of intergovernmental assistance, national funds are allocated to states or to local governments—counties, municipalities, and special districts. Transportation is a partial exception to this familiar pattern. After World War II, as more and more observers began to perceive "urban problems" (particularly in transportation and housing) as issues of regionwide scope, federal legislators began to target a modest level of aid to the regional level, with an emphasis on the functions of planning and overseeing the use of federal funds. Institutionally, however, this relationship was problematic, since no true general-purpose governments that corresponded to urbanized-area boundaries existed. Gradually, various regional planning entities evolved—most notably, regional councils of governments—due in large

part to the requirements attached to local use of federal funds. Federal transportation legislation incrementally developed a role for metropolitan transportation planning, with the MPO function typically lodged in one of these regional entities. However, states and localities frequently resisted strengthening the authority of regional bodies, and regional governance withered somewhat in the 1980s as political winds shifted at the national level. As the regional role has reemerged under ISTEA, the difficult question of representation on MPO governing boards has assumed new importance. This chapter briefly describes the historical evolution of MPOs and analyzes the issue of representation.

Origin of MPOs and Their Responsibilities Under Federal Legislation

The earliest cooperative regional planning arose through local actions. Such efforts typically were ad hoc and examined individual issues of regional interest. The ancestors of today's MPOs originated in the 1950s in major areas such as Chicago, Detroit, New York, and Philadelphia; their purpose was to prepare special metropolitan transportation studies for state highway agencies (ACIR, 1995). However, the federal government, beginning in the early 1960s, provided several carrots and sticks that accelerated the formation of regional councils. Over the next 30 years, additional pieces of legislation more explicitly designated MPOs as the representative body for the local level in the transportation planning process and expanded MPO responsibilities.

The federal government created a role for metropolitan transportation planning with the passage of the Federal-Aid Highway Act of 1962. This law stipulated that, in areas with populations exceeding

50,000, a highway project could receive federal funding only if it was planned as part of a comprehensive, continuing, cooperative regional process (Wikstrom, 1977, p. 86). This rule is the root of today's MPO requirements. Although the 1962 act introduced a role for local governments in the transportation process, the legislation neither specified which entity should represent the local level nor spelled out exactly what the local role in the process should be. The legislation simply prohibited the Federal Highway Administration from approving any federal-aid transportation projects for urban areas unless the projects were based on a transportation planning process "carried on cooperatively by States and local communities."

The nascent federal program of aid to urban mass transit systems, which began in 1964, also emphasized metropolitan planning. Support for the new commuter rail systems built or proposed during this period, such as San Francisco's Bay Area Rapid Transit (BART) system, "came from the many planners and transportation specialists who preached the virtues of 'balanced rail-rubber' programs, by which they usually meant a heightened emphasis on rails. To achieve this goal, the experts advocated comprehensive metropolitan transportation and land-use planning and the replacement of the typical anarchy of transportation agencies in the politically fragmented metropolis with comprehensive and coordinated transportation policy-making and implementation on a regional basis" (Danielson, 1965, p. 15).

Subsequent nontransportation legislation at the federal level was actually a greater impetus to the formation of regional planning entities (not all of which assumed the role of MPOs). Section 701(g) of the Housing and Urban Development Act of 1965 authorized the newly created Department of Housing and Urban Development to provide

grants to regional councils of governments for data collection and regional planning. Also key was Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, which required that the designated regional agency in each urbanized area review local government applications for about 40 federal grant and loan programs (Wikstrom, 1977, pp. 39–42). This law may fairly be credited with almost universalizing the establishment of regional entities in U.S. metropolitan areas; dozens of new regional councils and planning commissions were founded in its wake. Typically, MPO responsibilities were then added to these entities (F. Francois, 1995, p. 8).

Two years later, the Intergovernmental Cooperation Act of 1968 consolidated the idea of regional review of grant applications. Implemented by the Bureau of the Budget's (now the Office of Management and Budget) Circular A-95 in 1969, this law applied the regional review requirements to numerous other programs receiving federal funds. By 1973, after several revisions to the A-95 directive, about 150 federal programs were covered. The goals were both to better coordinate federal expenditures and to increase regional planning efforts (Wikstrom, 1977, 42, pp. 93–94).

The Federal-Aid Highway Act of 1970 was more specific than previous transportation laws about the appropriate regional representative body in the transportation process and its role. With regard to highway projects in metropolitan areas under this legislation, the requirement for local representation evolved from "local communities" to "responsible public officials." The law stated that no highway project could be constructed in an urban area with a population of 50,000 or more unless "the responsible public officials of such urban area in which the project is located have been consulted and their views

considered with respect to the corridor, the location and the design of the project."

The relationships of the MPOs and regional councils with their state governments were sometimes uneasy during this period of accretion of responsibilities for these metropolitan entities. As Gage writes, "In the 1970s state governments tended to view regional councils with suspicion because of their alignment with federal government agencies. The latter frequently used the councils to implement federal programs, sometimes with conflicting or overlapping substate districting systems. In some instances, states were bypassed; in others, issues of federal preemption of a basic state responsibility arose. For these reasons, state government support for regional councils has not been enthusiastic" (Gage, 1992, p. 213).

The term "metropolitan planning organization" did not appear in federal statutes until the Federal-Aid Highway Act of 1973. This law was also the first to earmark funds for metropolitan transportation planning. States were to allocate a portion of federal-aid transportation funding to "the metropolitan planning organizations designated by the State" as being responsible for carrying out the metropolitan planning responsibilities established by the earlier transportation legislation. The 1973 law specified that the MPOs were to receive an amount not to exceed one-half of one percent of the federal-aid transportation appropriations remaining after administrative expenses were deducted.

The Federal-Aid Highway Act of 1978 elaborated on how MPOs were to be designated. It stated that designations of MPOs were to be made "by agreement among the units of general purpose local government and the Governor." For areas in which an MPO existed before the 1978 legislation, any representative organization could be

redesignated as the MPO under certain conditions within one year after the 1978 law was enacted.[1]

The legislation also mandated local involvement in the creation of comprehensive transportation plans. The plans were to be formulated on the basis of transportation needs, with consideration given as well to comprehensive long-range land-use plans; overall social, economic, environmental, and energy conservation goals; and the probable effect of transportation projects on the future development of urban areas with a population of more than 50,000. The planning process was to include an analysis of alternative transportation system management and investment strategies for increased efficiency.

The Decline of Federal Support for Regional Planning

Federal domestic policy under the Reagan administration, by and large, did not target urban areas; nor was metropolitan planning a favored activity. The political mood of deregulation, free enterprise, and less government paperwork led to several developments that weakened the policymaking position of MPOs and regional councils. Circular A-95, which had required regional review of many local government grant applications, was ended by executive order. In addition, in the late 1970s and early 1980s, the Department of Housing and Urban Development (HUD) and the Environmental Protection Agency both terminated funding for planning programs that had bolstered regional entities (McDowell, 1984, p. 128; Prendergast, 1994, p. 41). Federal

[1]An organization could be redesignated as the MPO if the governor and at least 75 percent of the general-purpose local government units representing at least 90 percent of the population agreed to the redesignation.

funding for regional councils (not all of which were MPOs) declined from 76 percent to 45 percent of their operating funds between 1978 and 1988 (Gage, 1992, p. 208). According to McDowell's count, 38 of the 39 federal programs that underwrote or required regional planning were terminated, deregulated, or suffered major budget cuts between 1979 and 1984.

The one surviving function of the 39 programs was preparation of a regional transportation improvement program (TIP) under U.S. Department of Transportation guidelines. This effort, along with technical assistance to local governments, was increasingly the *raison d'être* of MPOs. Even in the preparation of TIPs, McDowell wrote, MPOs found it difficult to become more than a "compiler of projects initiated by others" (McDowell, 1984, p. 132; see also F. Francois, 1995, p. 10). As the General Accounting Office summarized MPOs' role before ISTEA, "they developed lists of projects but deferred real decision-making authority to the state transportation agencies" (GAO, 1996c, p. 23). Even the release of new mass transit planning funds under the Section 9 block grant was directed to transit authorities rather than MPOs (although the transit agencies often passed some of these funds through to MPOs to conduct specific planning studies) (McDowell, 1984, p. 130). In sum, by 1984, the planning efforts of MPOs were "becoming increasingly isolated, less comprehensive, and shorter range" (McDowell, 1984, p. 125).

The federal government also distinguished among MPOs representing smaller and larger areas. "In the mid-1980s, when funding for metropolitan planning was reduced, preference for funding was given to those MPOs in metropolitan areas over 200,000 in population, areas now known as Transportation Management Areas (TMAs)" (GAO,

1996c, pp. 10–11). MPOs for areas under 200,000 in population typically have a minimal staff and political presence.

By the late 1980s, however, the pressure of rapid suburban development and a burgeoning interest in growth management in many states led some to take another look at the potential of regional governance (see Gage, 1992). In California, there was some movement in the legislature and the executive branch in the late 1980s and early 1990s in favor of creating a role for regional entities in land-use planning and growth management. However, these efforts waned in the face of the state's prolonged economic recession of the early to mid 1990s, as growth pressures temporarily receded and political and economic leaders worried about a perceived overemphasis on regulation in California.

At the federal level, the local role in the transportation process was more clearly defined by the 1991 ISTEA legislation. ISTEA, which expanded the role of MPOs, will be discussed in detail in Chapter 4.

Organizational Basis of MPOs

As discussed above, federal transportation laws have long required the designation of a metropolitan planning organization in each urban region. But they have not dictated the organizational structure or representational basis of MPOs. Thus, not all MPOs look alike.

There are four major types of MPOs. The most prevalent type, in California and throughout the nation, is a *council of governments* (COGs), which may have several functions in addition to its transportation planning role. A COG, as the name suggests, is constituted as a cooperative organization of the local governments operating in the area, each of which generally sends one or more delegates to the council, typically a mayor, city council member, or

county supervisor. The council-of-governments approach to regional cooperation became perhaps the predominant model after the Advisory Commission on Intergovernmental Relations officially recommended in 1961 that regions should undertake planning through COGs with local government delegates, rather than through appointed regional planning commissions. The commission argued that COGs energized the regional planning function by connecting it with actual elected decisionmakers in the metropolis (see Wikstrom, 1977, pp. 38–39).

A second type of MPO is a *freestanding entity* devoted solely to transportation planning. In this type of MPO, members of the governing board may be appointed by local or state elected officials, or they may be delegates as in the COGs.[2] The San Francisco Bay area's Metropolitan Transportation Commission is an example of a freestanding transportation planning commission of this type.

In some smaller or less politically complex urban areas, two other potential bases for MPOs exist. The MPO may be lodged *within a county government* if the county encompasses the entire planning area. Or, the MPO may be little more than a field office of transportation planners and engineers who are largely guided and staffed by the *state government*. While 42 percent of MPOs were state-staffed in 1972, that proportion dropped to 4 percent by 1983 (McDowell, 1984, p. 127). Over the 1970s and early 1980s, councils of governments became the modal type of MPOs, accounting for 55 percent of MPOs in 1983 but dropping to 44 percent by 1992; freestanding regional transportation organizations peaked at 21 percent of MPOs in 1980 before declining to 16 percent in 1983 (McDowell, 1984, p. 129; Gage and McDowell,

[2]Metro, the MPO in the Portland, Oregon, area, is the nation's only directly elected regional government (see Lewis, 1996).

1995, p. 135). Some of the changes since 1980 are due to the addition of 82 new MPOs after the 1980 and 1990 Censuses in the wake of population growth that transformed numerous single-county regions into urbanized areas (Gage and McDowell, 1995, p. 135).

In California, the formation of regional organizations was accelerated in part, ironically, by local government fears of periodic state proposals for regional government. In particular, the state legislature passed the Regional Planning Law of 1963 that provided for the formation of regional governments in the Southern California region and San Francisco Bay area, *unless* those areas chose to exercise the so-called "escape clause" by forming cooperative planning entities on their own. "There is substantial evidence to assert that the establishment of the Association of Bay Area Governments . . . in 1961, and the Southern California Association of Governments . . . in 1965, were initially viewed by many as 'defensive' associations to be employed against threatening state policy" (Wikstrom, 1977, pp. 43–44). In 1970, additional state legislation—in reaction to the Association of Bay Area Governments' perceived weak political position—created the Metropolitan Transportation Commission (MTC), removing transportation planning from the Bay area's COG and lodging it in a freestanding MPO.

California's MPOs vary widely in size, visibility, and operating style. (Appendix B provides basic information for each MPO in the state.) The Southern California Association of Governments (SCAG), which has the largest population of any MPO in the country, has a staff of about 100, while the Kern Council of Governments, a medium-sized MPO, has a staff of roughly 15. With the exception of MTC and the Shasta County MPO, each of the state's MPOs is organized as a regional council of governments. Eleven are organizations limited in geographic

scope to a single county, while the other four are multicounty units. Some of the single-county MPOs are housed in county office buildings and use county personnel, which may make them more like the county-based MPO model discussed above. Still, each maintains its formal independence from county governments, and each provides representation on its governing board for representatives of cities.[3]

Board members are not directly elected at any California MPO. The city and county representatives are typically appointed or elected by their colleagues on city councils and county boards of supervisors. The governing board of each MPO appoints an executive director who supervises the organization and hires professional planners and other staff members.

The Issue of Representation in MPOs

> I can assure you from my 14 years' participation on an MPO board that it is very difficult to take a regional viewpoint on an issue that may hurt your own city or county (F. Francois, 1995, p. 10).

As representatives sent by local governments, the members of MPO governing boards have divided loyalties, and generally have responsibilities that are more politically pressing in their "home" governments (see Wikstrom, 1977, pp. 108–110). Not surprisingly, then, much of the real activity and leadership of MPOs and other regional bodies has historically rested with their executive and technical staffs, rather than with their governing boards. Nevertheless, all policies and programming decisions must be approved by MPO boards. As in

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[3]As noted in Chapter 2, most of the organizations occupying the MPO role in California also function as regional transportation planning agencies and congestion management agencies under state law, although this is not true of the state's two largest MPOs.

many bureaucracies, the interests and ideas of board members may be expected to have effects on the activity and emphases of the hired professional staff who must report to the board. In preparing a plan or program, board members and staff planners alike are likely to attempt to anticipate the reactions of voting members of the board. Thus, the composition of MPO boards is of considerable interest, especially as MPOs have assumed more importance after ISTEA's passage.

Formal representation on MPO governing boards has long been a potentially volatile issue. As Wikstrom wrote of regional councils in general, "issues relating to member representation and voting apportionment, at both the general-assembly and executive-board levels, have been among the most serious and somewhat persistent problems confronted" by these entities (Wikstrom, 1977, p. 111). Throughout the United States, many MPO governing boards are apportioned on a one-government, one-vote basis, which gives each municipality an equal say in MPO policy regardless of its population size or significance in the urban economy. Sometimes, adjustments are made to produce a somewhat more complex representational formula; for example, counties or central cities may be granted additional seats. In very few cases, however, is MPO governing board voting power apportioned directly on the basis of population.

Among California MPOs, the Council of Fresno County Governments uses something resembling a weighted voting scheme as part of its standard voting procedure. Fresno's voting plan actually requires two steps for an action to pass: The proposal must be approved by board members representing at least 40 percent of the population and also by a majority of all 16 board members. This double-barreled requirement effectively gives the city of Fresno, which has 53 percent of

the MPO population, a veto. Clearly, however, this system does not automatically redound to the central city's advantage: Fresno cannot muscle proposals through on its own, because any eight cities can also join together to veto a proposal. Since there are some tiny cities in Fresno County, this means that a measure could conceivably be vetoed by the representatives of just 6.2 percent of the population.[4] In the San Diego Association of Governments (SANDAG), most votes are taken on a one-government, one-vote basis, with the county given only one vote. However, any member of the Board of Directors may invoke weighted voting (although this occurs infrequently). In such instances, delegates representing *both* 50 percent of SANDAG's population and at least five of its 19 voting members must vote in favor for a measure to pass. In the Association of Monterey Bay Area Governments (AMBAG), a board member similarly may invoke a weighted voting scheme, although the votes are not exactly proportional to population.[5]

Some other California MPOs attempt to remedy the disparities in representation by apportioning seats on the board somewhat on the basis of population, or by allocating extra board seats to particularly large jurisdictions. (See Appendix B for information on each MPO's governing board voting arrangements.) In the Sacramento Area Council of Governments, for example, the city of Sacramento has two votes, and Sacramento County has three votes; the remaining counties (Sutter, Yolo, and Yuba) each have one vote, as do the cities of each of the four

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[4]The eight smallest jurisdictions are the cities of San Joaquin, Fowler, Huron, Firebaugh, Orange Cove, Kerman, Mendota, and Kingsburg, which together have a population of 47,285 in a county of 760,900 (1995 population statistics from the California Department of Finance, Demographic Research Unit).

[5]In AMBAG's scheme, cities are given from one to five votes, depending on the population range the city falls into. Representatives of counties are entitled to one-half the votes allotted to that county.

counties, represented collectively. In the San Francisco Bay area's Metropolitan Transportation Commission, the larger counties each have two delegates on the board—one representing the county Board of Supervisors, and one chosen by the elected officials of the cities of that county. Each of the smaller counties has one representative, who is chosen jointly by the county and city elected officials.

While these rough attempts at equity in some of the larger MPOs reduce the skewness of representation somewhat, only the Southern California Association of Governments comes close to a truly population-based method for allocating seats. SCAG covers a vast region and population, where granting each jurisdiction a vote on its Regional Council would be too cumbersome. Thus, SCAG's Council includes one county supervisor from each county (two from Los Angeles County) and an additional 64 members who, for the most part, each represent districts comprising about 200,000 in population.[6]

A final way in which MPO governing boards may, arguably, reduce their malapportionment is to include a number of at-large or countywide seats. Each of the single-county MPOs in California include at least one representative from the county Board of Supervisors, and the Tulare County Association of Governments additionally has three at-large representatives. These representatives might be expected to have a less parochial and more regional perspective, in that they are not responsible for defending any specific city's interests. The San Francisco Bay area's MTC board also includes voting delegates from the Association of Bay

[6]Within Los Angeles County, the 38 city representatives are chosen as follows: the mayor of the city of Los Angeles is considered an at-large representative, 15 Los Angeles City Councilmembers also sit on the board, representing the largest city in the region, and the other 22 members represent Regional Council districts.

Area Governments (the area's council of governments) and the Bay Conservation and Development Commission.

It is possible to quantitatively describe the degree to which representation of the population is skewed on any MPO board by calculating an *index of deviation from proportionality*. The method for calculating this deviation index—labeled *D* in the discussion below—is discussed in Appendix A. Essentially, *D* is an index measuring the overall deviation of the MPO from proportional representation of its "subunits"—cities, counties, and/or unincorporated areas.[7] It ranges from 0 to 100 percent, with higher values of *D* representing "worse" proportionality of representation.

Table 3.1 shows values of *D* for each MPO in California (except Fresno, because of its unique double-weighted voting scheme). By this measure, SCAG—with its district system for selecting most delegates on the basis of population—fares best in terms of representation, with only a 3 percent overall deviation. MTC's legislatively prescribed apportionment of seats among the various counties also results in relatively proportional representation for the nine counties of the Bay area (17 percent overall deviation). The other MPOs, however, have higher deviations—as high as 49 percent in the San Diego Association of Governments and 59 percent in the Kern Council of Governments. (As we have seen, however, San Diego may invoke weighted voting.) The mean value of *D* among these 14 MPOs is 31 percent, meaning that they depart from proportionate representation by nearly a third.

[7]At-large or countywide representatives on MPO boards are assumed to represent each subunit in proportion to its share of the MPO population. Measurement details are provided in Appendix A.

Table 3.1

Indexes of Deviation from Proportionality (D) for California MPOs (in percent)

MPO	*D*
Butte County	29
Kern County	59
Merced County	30
Monterey Bay area	42
Sacramento area	34
San Diego County	49
San Francisco Bay area (MTC)	17
San Joaquin County	35
San Luis Obispo County	27
Santa Barbara County	31
Shasta County	24
Southern California (SCAG)	3
Stanislaus County	30
Tulare County	27

NOTES: Monterey and San Diego MPO boards can use a weighted voting system if requested by any voting member. Fresno is omitted because its double-weighted voting system is not interpretable in relation to the Index of Deviation from Proportionality. See the discussion in Appendix A about the method of calculating *D*. Values were calculated by the authors using information about board voting methods as provided by the individual MPOs.

MPO Representation and Democracy

The unweighted voting arrangements on most MPO boards largely reflect the council-of-governments structure of most of these organizations. In a broadly advisory and consultative voluntary group such as a council of governments, it may seem natural that each government would send one representative and the delegates would function as equals. But under ISTEA, as we will see in the next chapter, MPOs are responsible for choosing millions of dollars of transportation

projects. The expanded policymaking character and visibility of MPOs under ISTEA have renewed somewhat the long-simmering dilemmas about MPO representational structure. "ISTEA has intensified the need to consider issues of boundaries, governing board and committee memberships . . . and competition among communities for transportation projects" (ACIR, 1995, p. 50).

In particular, the serious underrepresentation of central cities on MPO boards across the country has been recognized. Relying on a 1993 Federal Highway Administration survey of MPOs in areas of 200,000 or more population, Benjamin, Kincaid, and McDowell (1994) found almost universally disadvantageous voting arrangements for central cities on MPO policy boards. Among 74 usable responses, there were 68 MPOs with central city underrepresentation; central city residents were overrepresented on the other six boards. Even where states permit population-based voting schemes, as in California, central cities are nearly always underrepresented.

From a constitutional standpoint, one might argue that such arrangements violate the Fourteenth Amendment's guarantees of "equal protection" under the law. Residents of a city with a population of 100,000 simply are not as well "protected" or represented if their MPO's policy board gives their city the same voting power as a city of 10,000 population. A 1973 federal Appeals Court case examined this issue and found this equal protection claim without merit, at least in the case of the particular council of governments in question. This case did not explicitly wrestle with the role of MPOs in programming funds, however, which has taken on new significance under ISTEA. As the discussion below indicates, some of the legal questions raised in the case might be ripe for revisiting.

In *Education/Instruccion, Inc. et al.* v. *Moore* (503 F2d 1187), the United States Court of Appeals for the Second Circuit denied a claim for relief against a Connecticut council of governments in which the city of Hartford was seriously underrepresented. The majority of the Appeals Court held that the COG did not "exercise general governmental powers" nor did it "perform governmental functions" (1189). "Indeed the [Connecticut] councils do not have even the minimal governmental powers found insufficient to invoke the one man, one vote principle in the Supreme Court's most recent decisions" on the subject, which related to special districts (1189). Emphasizing the broadly consultative and cooperative role of regional councils, the majority wrote that "the powers and functions of the councils are essentially to acquire information, to advise, to comment, and to propose" (1189). They also noted that the council was not, strictly speaking, an electoral body, as voters did not directly choose its members. Earlier federal court precedents held that the "one person, one vote" doctrine could not be strictly applied to appointive bodies.

However, it can be argued that under ISTEA, MPOs perform a role that is much more extensive than acquiring information, advising, commenting, and proposing. MPOs in areas of 200,000 or more population determine the eligibility of transportation project proposals for funding; this is more a process of selection and allocation than of commenting. The very term "programming," used to describe how MPOs prioritize proposals for funding, illustrates the programmatic and governmental nature of their activities.

As Judge Oakes pointed out in his dissent in *Education/Instruccion*, regional entities have roles not only as organizations with state-granted authority, but also as important elements in the federal system. "A

regional planning agency cannot be looked at while wearing state-oriented blinders when one of its principal purposes is to play a substantial role in the decision-making process involved in the dispensation of federal funds affecting all the citizens of the affected area" (1190). In a mild rebuke to the majority, he argued that "the test of performing governmental powers must be one based on economic reality, not the mechanical application of nineteenth century municipal law" (1190). The power of the purse in regard to the construction of major public facilities "is essentially 'governmental' in nature" (1191). And while Judge Oakes acknowledges that the Supreme Court has not applied the "one person, one vote" rule to nonelected officials, he notes that under Connecticut statutes the "COG will be basically composed of the 'chief elected official' from each member town or city" (1192). He cites an earlier Second Circuit malapportionment decision in which county supervisors were designated automatically on the bases of their election as town supervisors (*Bianchi* v. *Griffing* 393 F2d 457, 1968). This observation would seem to apply to the MPOs currently operating in California, most of which have boards of directors open only to elected officials of member municipalities.[8]

The American Public Transit Association has also made the case that "when a minority can outvote the majority, there is a federal interest in ensuring that the structure is changed. The enhanced planning and certification reviews [of MPOs under ISTEA] are opportunities for the federal government to set minimum standards to achieve that result" (Simonetta, 1995, p. 13). Congress and the U.S. Department of Transportation (USDOT) thus far have proven unwilling to tinker with

[8]The Metropolitan Transportation Commission, as a legal subdivision of the state, occupies a somewhat murkier legal position.

this potentially divisive issue; regulations currently call for the governor of each state, in cooperation with local officials, to define the form and procedures of MPOs.[9]

Even short of a federal court decision or congressional legislation, there are several potential avenues by which MPOs in California could achieve more proportionate representation:

- The state legislature could pass legislation requiring a voting structure for MPO boards based more squarely on a fair representation of the metropolitan population.
- Individual MPOs could revise their voting rules, as long as they did not violate any specifications in their enabling legislation. Where COG advisory and cooperation functions are combined with ISTEA programming activities in an MPO (that is, in every California MPO except MTC), the governing board could use weighted voting for its MPO-related policy decisions, and reconvene as a one-vote-each delegation for the more strictly advisory COG functions. Other potential remedies include the appointment of additional at-large or countywide members to MPO governing boards. In addition, board members who would specifically represent unincorporated portions of counties (currently underrepresented on most MPOs) could be appointed.

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[9]The Federal Highway Administration and Federal Transit Administration received comments on this issue as ISTEA implementing regulations were promulgated in 1993. In response to criticism of the composition of MPO governing boards, USDOT wrote, "Over twenty years of reliance on gubernatorial and local specification of MPO structure and membership has produced a working process of MPO governance tailored to state and local needs. While individual instances of MPO instability have prompted suggestions for modification of this approach, at this time there is no clear, compelling reason for changing this historic approach" (58 *Federal Register* 58044).

Summary

Beginning in the 1960s, requirements attached to the local use of federal funds were the main cause for the founding and subsequent development of MPOs and other regional political institutions. Most of California's MPOs are organized on a council-of-governments basis, with delegates sent by member cities and counties to the MPO governing board. Partially as a result of this confederation approach to regional governance, many MPO boards lack proportionate representation of the population of metropolitan areas. While the consequences of this disproportionate representation are unknown, the question is worthy of consideration because the passage of ISTEA in 1991 made MPOs more central to transportation policymaking. Chapter 4 discusses the provisions of that law and how MPOs were affected by it.

4. What Did ISTEA Change? Programs and Spending Guidelines

ISTEA enhanced the regional role in transportation. It gave MPOs primary allocative authority over two major categories of federal transportation aid—the regional component of the Surface Transportation Program (STP) and the Congestion Mitigation and Air Quality Improvement (CMAQ) program, which are discussed below. ISTEA also mandated a planning process that effectively gave MPOs the ability to choose which project proposals would be funded. This chapter summarizes the major provisions of ISTEA relevant to MPO authority and highlights an emerging debate over whether ISTEA's changes were revolutionary or more incremental. To help evaluate these competing claims, we discuss the major funding programs included under ISTEA and the degree to which the provisions of these programs differ from prior transportation law.

Provisions of ISTEA Relating to MPOs

> Congressional sponsors of ISTEA latched onto MPOs as a way of changing transportation policy: They wanted less emphasis on building roads and more on custom-fitting alternative investments, such as mass transit or car-pool lanes, to regional transportation needs. There was widespread concern that state transportation departments had too ingrained a bias toward road building and had been relatively insensitive to the impact of highways on urban areas and environmental goals ("Once and Future," 1992, p. 67).

ISTEA mandated that the MPO in each metropolitan area must take the lead role in preparing both a long-range, comprehensive transportation plan and a shorter-range transportation improvement program (TIP). The long-range plan must both identify transportation facilities that should function as an integrated metropolitan transportation system over a 20-year period, and include a financial plan showing how the long-range plan could be implemented. It must be updated at least every five years—every three years in air quality nonattainment areas. The TIP, which is to be updated at least every two years, is to contain a priority list of transportation projects for a metropolitan area to be carried out within each three-year period after the initial adoption of the TIP. A "fiscally constrained" financial plan that shows how the TIP can be implemented using federal, state, and locally derived revenues is also to be devised. Each state then must prepare a state transportation improvement program that amalgamates the projects listed in each MPO's TIP, along with additional projects in other parts of the state. To be eligible for federal funding, a project must be included in the state's TIP, a document that requires approval of the U.S. Secretary of Transportation. In California, the state TIP is prepared by the California Transportation Commission (GAO, 1993, p. 5; GAO, 1996c, 13; Caltrans, 1993, p. 3).

Another condition of federal assistance involves air quality goals. MPOs in areas that do not meet national air quality standards must engage in a modeling process to determine whether their TIPs and long-range plans are in "conformity" with the region's air quality goals. MPOs first participate with air quality districts and the state in drafting state implementation plans for air quality, establishing a "budget" of allowable emissions from transportation and other sources, as well as a plan for progress over time. In evaluating the conformity of their TIPs and long-range plans, MPOs must find that the projects they are approving will keep the region within its emissions budget for mobile sources of pollution. If the emissions budget is exceeded in any given year covered by the plan, the MPO is denied federal transportation funding.

ISTEA also formalized the process for designating MPOs. For each urbanized area of more than 50,000 in population, an MPO was to be designated by agreement among the governor and general-purpose local government units that together represent at least 75 percent of the affected population.[1] In addition, ISTEA established a process for federal certification of MPOs, with funds withheld from MPOs that remain uncertified.

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[1]The procedure for redesignating MPOs also changed slightly: Previously, redesignation required that the governor and at least 75 percent of the general-purpose local government units representing at least 90 percent of the population agree to the redesignation; under ISTEA, redesignation requires that the governor and general-purpose local government units representing at least 75 percent of the affected population agree to the redesignation. The redesignated MPOs are to include "local elected officials, officials of agencies which administer or operate major modes of transportation in the metropolitan area . . . and appropriate State officials." MPOs not undergoing redesignation—and none have in California thus far since ISTEA—need not provide voting representation at the board level to transportation agency operators or state officials.

Paralleling the increased responsibilities of MPOs was increased MPO funding. ISTEA authorized MPOs to obtain both more funding for their day-to-day operations and more control over programming of transportation funds, especially CMAQ and STP funds. The dedicated source of federal funding for metropolitan transportation planning—an earmark for MPO planning within the federal-aid stream—doubled, increasing from approximately one-half of one percent of federal-aid highway funds to about one percent. In addition, approximately one and one-third percent of mass transit funding is to be appropriated for metropolitan planning activities involving planning, programming, project selection, and research for mass transit.

Was ISTEA a Revolutionary Change or an Incremental Step?

Most writers have portrayed ISTEA as a significant departure from prior federal funding arrangements for transportation. The former transportation commissioner from New Jersey, for example, referred to it as "not an evolution, but a revolution," while a deputy administrator of the Federal Transit Administration labeled ISTEA, interestingly, as a "full employment act for planners" (Howe, 1994, p. 11). An environmental attorney writes that ISTEA "proposed a much larger view of what constituted transportation" (Dawson, 1996, p. 2). The executive director of the Surface Transportation Policy Project, the advocacy group that promoted ISTEA, views the act as a new approach "that sees transportation as society's servant rather than its master. At the heart of this new approach lies the concept that transportation should contribute to building a more sustainable society . . . " (Dittmar, 1995, p. 7). For many in the transportation community, ISTEA was welcomed in large

part because it represented a substantially increased federal commitment to surface transportation. Its $151 billion in authorization over six years far exceeded the less than $90 billion authorized by the six-year Surface Transportation Assistance Act of 1987.

In calling ISTEA innovative, these writers have stressed in particular the increased flexibility in shifting funds across modal lines (e.g., using money from the federal highway account for transit, or vice versa). The General Accounting Office (GAO), for example, referred to the "unprecedented opportunities" under ISTEA for flexible use of federal money, noting that "about $80 billion of the $155 billion authorized by ISTEA for the 6-year period ending in fiscal year 1997 can be used to finance either highway, mass transit, or nontraditional projects" such as carpool and vanpool projects, high-occupancy vehicle lanes, park-and-ride facilities, dedicated busways, bicycle paths, and pedestrian facilities (GAO, 1993, p. 1).

Other perceived innovations of ISTEA are the emphasis given to metropolitan planning organizations and the requirements for increased public participation in the transportation policymaking process. Another important change is that states and MPOs are required for the first time to "financially constrain" their long-range and short-range plans. Fiscally constrained planning has led to an emphasis upon preserving the existing transportation facilities—a so-called "maintenance-first policy" that directs close attention to proposals for new projects. California has institutionalized this emphasis into law by requiring that necessary rehabilitation expenditures be deducted from available funds before new expansionary projects may be funded (Dittmar, 1995, p. 9).

ISTEA gives states and MPOs incentives to consider the priorities and needs of their entire transportation system—its social,

environmental, economic, and energy effects. In theory at least, proposals for projects in different transportation modes—for example, a highway and a rail project—compete against each other on the basis of their overall contribution to the metropolitan transportation network, rather than having funding categories restricted to particular modes. This comes closer to cost-benefit analysis than the evaluation regimes that existed before ISTEA.[2] In air quality nonattainment areas, TIPs must implement so-called transportation control measures, designed to reduce emissions; moreover, the air quality effects of proposed transportation investments must be predicted with computer models (although this is an inexact science).

These elements, then, have led many to consider ISTEA a dramatic break from past federal transportation legislation. However, not all commentators agree with this assessment. In contrast to the prevailing wisdom, Neal Denno asserted in 1994 that "the policy articulated by ISTEA is only marginally different from what preceded ISTEA. ISTEA largely supports maintenance of the status quo in surface transportation and does not chart a broad, new surface transportation policy initiative for the United States" (Denno, 1994, p. 275). Denno views ISTEA as "one more incremental step" toward greater flexibility in federal transportation policy, noting that the 1973 Federal-Aid Highway Act had opened the use of some highway trust funds for transit projects

[2]"In practice, . . . a formal cost-benefit analysis is hard to achieve for a variety of reasons, including difficulty in identifying many benefits and costs with any precision. In addition, after years of having nearly all funds restricted to specific modes and specific types of projects, most transportation agencies have little experience in making comparisons across modes and project categories. Few transportation projects have been subjected to formal evaluation in the past, much less multi-modal evaluation; and few states or metropolitan areas have the data to support such evaluations" (Deakin, 1993, p. 6).

(p. 279). Denno argues that expectations have been raised too high by ISTEA, that most of the funding mechanisms are rooted in past funding arrangements, and thus actual spending shifts are likely to be incremental at best; in short, ISTEA is "business as usual" (p. 283). He suggests that ISTEA was perhaps an effort to "maintain good relations with existing vested interests while giving minor recognition to some new interests . . ." (p. 284).

It is true that use of the much-heralded flexible funding options by states was fairly low both before and after ISTEA.[3] In the 18 months after ISTEA took effect, according to GAO calculations, less than 3 percent of highway account funds available for "flexible" use were obligated to projects involving mass transit or nontraditional transportation (GAO, 1993, p. 2). Using fiscal year 1994 data from the Federal Highway Administration and Federal Transit Administration, the Surface Transportation Policy Project calculated that about 5 percent of flexible highway account funds were shifted to transit. Virtually no transit account funds were shifted to highway-related uses (STPP, 1995, p. 4). About 80 percent of the funds shifted from the highway account to transit came from the two categories of highway funds most under the programming control of MPOs—the Congestion Mitigation and Air Quality Program and the Surface Transportation Program.

Part of the reticence to "flex" funds has been attributed to requirements in some states that restrict state fuel tax use to road projects. State gas taxes often are used as part of the required state/local

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[3]In practice, "flexing" funds involves shifting them administratively from Federal Highway Administration (FHWA) accounts to Federal Transit Administration (FTA) accounts, or vice versa. Note that FHWA account funds, and to a lesser degree FTA funds, may be used for nonmotorized projects such as pedestrian facilities. For data on the use of flexible funding provisions before ISTEA, see Denno (1994, p. 279).

match for federally funded projects. As of 1991, 35 states, accounting for $13.5 billion of the $19.3 billion in state motor fuels taxes collected that year, had such a restriction to road uses (GAO, 1993, p. 11). Moreover, a large backlog of unmet highway needs existed at the time ISTEA was passed, so that MPOs and states were likely in the early years of ISTEA to turn their attention to backlogged projects with existing plans and demands. In addition, states and MPOs could not be expected to adjust immediately to the new flexibility. Given less than full funding of ISTEA by Congress, states and MPOs have had a difficult enough time finding funding for projects already "in the pipeline," and thus have not been able to seriously consider flexible funding or new nontraditional projects. Moreover, funds that historically have been earmarked for certain uses tend to have crystallized interest-group support to maintain such patterns. "Funding pipelines are slow to reflect change; bureaucracies remain committed to the old ways. In many ways, this is indeed a generational shift, so it will take time" (Dittmar, 1995, p. 9).

Major ISTEA Programs

To evaluate the widely varying claims about the degree of change represented by ISTEA, it is useful to catalog the major funding categories included in the act to see how much they departed from previous spending categories. The following section lists major categories of ISTEA funding, with the six-year authorized funding amount for each category listed in parentheses. For most of these federal transportation programs, state and local governments must provide matching funding, often 20 percent. This share is often exceeded where states and localities are eager to jump-start a popular project.

National Highway System ($21 billion)

This program replaced the Federal Aid Primary (FAP) highway program. Both included the funding for the interstate highway system and additional important highways, although NHS is a more restrictive set of roads than the FAP set. In both cases, states could use the money for some transit-related and alternative transportation projects, such as high-occupancy vehicle (HOV) lanes, carpool programs, and bicycle paths within highway corridors. Under ISTEA, a state is allowed to transfer 50 percent of NHS money to its STP fund—and may in fact transfer some or all of the remaining 50 percent with the permission of the Secretary of USDOT (GAO, 1993, p. 26).[4]

Surface Transportation Program ($24 billion)

STP replaced the prior Federal Aid Secondary and Federal Aid Urban System programs (FAS and FAUS). Both sets of programs are block grant in style. FAS funded primarily rural transportation systems, while FAUS was intended for major routes in urban areas. Both could be used for roads and highways and for some transit passenger facilities; FAUS also could be used for certain transit capital expenses. STP basically combines these purposes into a single program and opens the eligibility to almost any transit capital project or nonmotorized project (i.e., bicycle or pedestrian). STP is subject to the following requirements:

- Ten percent of each state's STP funds must be reserved for "transportation enhancement activities." Enhancements are

[4]"Previously, a state could transfer up to 50% of its FAP funds to the FAS and FAUS programs [discussed below] provided that neither the FAS nor FAUS funds were increased by more than 50%" (Denno, 1994, p. 277).

intended to be innovative projects that improve the community environment of transportation—for example, bicycle paths, scenic easements along highways, and historic preservation of transportation-related facilities (see Dawson, 1996).

- Ten percent of STP money is set aside for a state's use for safety improvements.
- Each state must reserve at least half of the total STP funds (that is, 62.5 percent of the non-earmarked 80 percent of the total) for use in its urbanized areas and other geographic areas, with the distribution according to population. MPOs are given the power to program the funds for urbanized areas over 200,000 in population (so-called Transportation Management Areas). FAUS had been similarly allocated partially to urbanized areas (Denno, 1994, p. 277; GAO, 1993, p. 26; Subcommittee on Surface Transportation, 1996c). In urbanized areas with between 50,000 and 200,000 population, the state retains the power to program the STP funds, but it must consult with the area's MPO.

Congestion Mitigation and Air Quality Improvement Program ($6 billion)

This is the only completely new major program under ISTEA. Funds under this program are allocated to areas that are in "nonattainment" status for national ozone and carbon monoxide standards. CMAQ was prompted in large part by the prior requirements under the Clean Air Act Amendments of 1990 that metropolitan areas must achieve conformity with air quality standards or risk losing federal transportation funds. CMAQ funds must be programmed for transportation-related activities that are aimed at reducing auto and truck emissions, either by reducing the amount of time spent idling in

congested traffic or by making alternatives to single-occupancy vehicle travel more viable. In this way, money from the Federal Highway Account may be used for nonhighway purposes such as transit or bicycle facilities.[5] One potential problem with this program is that originally there was no provision to continue CMAQ funding to metropolitan areas that had successfully reached attainment; this could create perverse incentives, in that it seems to penalize regions that succeed in improving their air quality. This tension was temporarily resolved by the National Highway System Designation Act of 1995—partially at the instigation of officials from the Metropolitan Transportation Commission, since the Bay Area was about to meet its air quality standards. That law provided some continuing CMAQ funds to MPOs that reached attainment.

Other Major Preexisting Programs That Continue Under ISTEA

The Interstate Construction program ($7 billion) and Interstate Maintenance program ($17 billion) fund work on the nearly completed interstate highway system, while Interstate Substitution funds ($6 billion) are used to reimburse states for segments of the interstate system that were constructed without federal assistance before the program began in 1956 and for roads on federal lands. The focus of federal highway assistance is now on the Interstate Maintenance program, and new lanes are no longer eligible for interstate funding unless they are HOV lanes. Under ISTEA, 20 percent of Interstate Maintenance funds may be shifted to STP or the NHS. In the ongoing Bridge Program

[5]Each state is guaranteed a minimum proportion of the national CMAQ fund, but beyond this minimum the state's apportionment depends on the population living within nonattainment areas. States with no nonattainment areas are free to use their CMAQ apportionment as STP funds (Subcommittee on Surface Transportation, 1996c).

($16 billion), 40 percent of funds may now be transferred to NHS or STP. The major FTA assistance categories ($32 billion) retained the same basic structure as before ISTEA.[6] The initial ISTEA authorizations for transit funding were about 40 percent higher than in previous federal transit assistance laws (Glickman and Cate, 1994, p. 8), but Congress recently has greatly reduced appropriations for operating subsidies (as opposed to capital projects). ISTEA broadened the eligibility for certain transit capital funds to include HOV lanes, park-and-ride facilities, and other projects that might increase transit ridership.

The MPOs as Middlemen

The discussion above suggests that ISTEA's programmatic funding structure is not a revolutionary break from the past. Likewise, neither is the role of MPOs completely unprecedented. First, it is important to note that only certain categories of funds are under the programming control of MPOs. The metropolitan suballocation of STP, along with CMAQ funds, are the only federal funding sources under the primary control of MPOs. NHS, Bridge, and Interstate Maintenance funds go to the state, but the state must program funds for projects in areas of over 200,000 population in cooperation with the relevant MPOs. The earlier Federal-Aid Primary program had a very similar arrangement to NHS

[6]The Discretionary Program (formerly FTA Section 3, now Section 5309) funds transit capital projects. Allocations go directly to transit operators, at the discretion of FTA, but Congress also can and does earmark the funds for specific projects (Denno, 1994, p. 278). The Rural Formula program and Urban Formula program (formerly Sections 18 and 9, respectively; now Sections 5311 and 5307) are apportioned by formula to states and transit operators for capital projects and some operating expenses.

concerning the responsibilities of states and MPOs (Denno, 1994, p. 282).[7]

ISTEA gives MPOs new discretion for CMAQ, Interstate Construction, and Interstate Substitution. CMAQ programming decisions must reflect air quality goals. Not surprisingly, CMAQ funds have been used more heavily than the other ISTEA funding categories for transit and nontraditional projects. MPOs decide priorities under Interstate Substitution and Interstate Construction, but most project proposals have been in the pipeline for a long time.

The requirement that MPO plans be fiscally constrained—that is, that approved lists of projects be limited by the amount of funding reasonably expected to be available—has served to bolster the uneasy institutional position of MPOs in metropolitan governmental systems. Before ISTEA, states and MPOs were frequently criticized for producing multiyear programming plans that amounted to little more than unprioritized "wish lists." This lack of capacity to set priorities reflects the historically weak policymaking role of plans and planners in American government, where the general view had been that plans "served as a general set of guidelines" that were often "merely advisory in nature" (Garrett and Wachs, 1996, p. 53).

MPOs, which were typically in a politically weak position and afraid of offending local interests dedicated to a proposal, often accumulated a

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[7]Interestingly, small MPOs lost some programming power with the switch from FAUS to STP. Before ISTEA, the MPOs for areas of 50,000 to 200,000 population could pick FAUS projects with state concurrence; now the state picks STP projects in these areas with MPO concurrence (Denno, 1994, p. 282). MPOs in bigger areas have the same role under STP as under FAUS. There currently are 129 Transportation Management Areas—regions of over 200,000 population in which MPOs have the authority to select projects from the TIP, in consultation with the state (GAO, 1996c, p. 12).

grab bag of projects that were not clearly connected to the overarching goals of long-range plans (and some of which stood little real chance of implementation). Since TIPs before ISTEA generally did not specify priorities and failed to square with revenue resources, "the real implementation decisions took place outside of the formal planning process," that is, they were the result of political jockeying among local interests (GAO, 1996c, p. 14). State transportation departments could not choose to construct projects that were not listed in MPO plans but were free to pick projects to fund from among those on the wish list ("Once and Future," 1992, p. 67).

ISTEA's requirement for fiscally constrained planning allowed the MPOs to play hardball in their programming decisions, or to put it more gently, required MPOs "to develop a consensus-building relationship with the local communities, the transit agencies, and the states" (GAO, 1996c, p. 5). Dealing with the realities of future revenues and spending was expected to help prod MPOs in many metropolitan areas to look for new methods and sources of revenue. Another motivation for fiscally constrained planning was to help ensure that the projects ultimately selected in metropolitan areas were in accordance with air quality requirements, rather than allowing air-quality-related projects to be listed on plans but placed on the back burner in terms of implementation.

While the fiscal constraint requirement has given MPOs more credible decisionmaking authority, the relationship among local governments, their MPOs, and state government remains complex and subject to variation across states and metropolitan areas. As the Executive Director of the St. Louis MPO has stated, "We have come to realize that the question of 'who decides' is not really answered by the ISTEA in the powerful way that we once thought" (quoted in Denno,

1994, p. 281). Thus, ISTEA does not so much prescribe a new emphasis for the funding of metropolitan transportation improvements but rather shifts the debate among interested parties to the MPOs and states.

Summary

ISTEA's funding categories closely resemble the categories they replaced, with the exception of one entirely new major program, CMAQ. Although increased flexibility to shift funds across modal lines was given to some funding categories, only a small percentage of funds have been shifted. The most important changes to the MPOs' role have been their new primary control over the programming of the metropolitan suballocation of STP and CMAQ funds, and the requirement to keep their transportation improvement programs fiscally constrained. Since only projects that appear on these MPO programs may receive federal funding, fiscal constraint has meant that states can no longer pick and choose which MPO-approved projects they undertake; in turn, this makes MPOs more credible agencies and thus more successful negotiators for their programming decisions. Nonetheless, the success of MPOs can vary according to the power dynamics that exist between local governments, MPOs, and state governments. The next chapter will specifically examine the MPOs' role in ISTEA's implementation in California.

5. Implementing ISTEA

In California and throughout the nation, the passage of ISTEA put MPOs to the test. There was some doubt at the time the law passed that MPOs, as generally voluntary councils of local governments, would find themselves able to administer "bad medicine" to their constituent units (see Prendergast, 1994, p. 40). Dilger wrote that "MPOs have relatively poor records of political achievement and, in some cases, their plans have been ignored altogether" (Dilger, 1992, p. 76). *Governing* magazine summarized the conventional wisdom of the time, noting that "Putting regional planning councils in charge of decisionmaking is the biggest gamble in the whole [ISTEA] bill" ("Once and Future," 1992, p. 67). This chapter traces the experience of MPOs in carrying out their enhanced role under ISTEA. We focus in particular on California, where MPOs have displayed quite varied approaches to programming ISTEA funds, and where subregional agencies have had a strong hand in shaping the programming priorities of the multicounty MPOs.

National Overview

Since it took the U.S. Department of Transportation two years after the passage of ISTEA to issue some of the major implementing regulations, MPOs experienced both uncertainty and flexibility in the early stages (ACIR, 1995, pp. 48, 50). As the process took shape, however, the requirement that transportation improvement programs and long-range plans be fiscally constrained helped MPOs hammer out priorities and establish rating systems for proposed projects. This process, in turn, has given many MPOs a legitimacy they previously lacked and has made regional transportation policy easier to implement, based on the MPO vision for the region. "Because the TIP is now financially constrained, its credibility and 'implementability' are significantly enhanced, and the priorities spelled out in the TIP now drive investments" (GAO, 1996c, p. 22). For example, the requirement that funding sources be established before a highway or transit project is begun probably helps limit the number of massive, multiyear, ill-considered projects that have consumed large shares of funding in the past (see Plous, 1993, pp. 10–11). Overall, the fiscal constraint provision functions as something of a reality check, forcing local interests to confront the tradeoffs and resource limitations involved in transportation policymaking (see Selph testimony, 1996). But according to a national mail survey of MPOs, fiscally constraining their TIPs has been the most difficult task for MPOs presented by ISTEA (Gage and McDowell, 1995, p. 143).

MPOs also have viewed ISTEA as helping them improve their coordination and leverage with state governments (ACIR, 1995, pp. 43–44). In the urbanized areas of greater than 200,000 population, MPOs play a major role in selecting all projects except those under the National

Highway System and the Bridge and Interstate Maintenance programs. According to the General Accounting Office, "While there was uncertainty about the MPOs' ability to take on this decision-making authority at the outset of ISTEA, the MPOs and states [the GAO] interviewed believe that ISTEA has enhanced the MPOs' authority to select projects. While this enhanced authority was attributed to various provisions of ISTEA, a cooperative and constructive working relationship with the state was essential" (GAO, 1996c, p. 23). The GAO found, however, that some states have proven unwilling to provide reliable estimates of future revenues to MPOs, thus hindering their ability to write fiscally constrained priority plans (GAO, 1996b, p. 21).

Moreover, most federal transportation money is still programmed by the states, rather than MPOs, and all funds initially pass through the states. In addition, states typically have not obligated those funds under MPO discretion with the same speed as they have funds for state highways. Consequently, MPOs are still, at best, "junior partners" with state DOTs (Prendergast, 1994; ACIR, 1995, p. 17). Overall, most MPOs examined in one national study had a low opinion of the effectiveness of their relationships with state government (Gage and McDowell, 1995, p. 148).

ISTEA also altered the political dynamics by which MPOs relate to local governments and transportation agencies. While the MPOs' influence was increased by their authority to select projects, exercising this newfound muscle came at the risk of some disruption of existing relationships. An Advisory Commission on Intergovernmental Relations report found that "delicate balances of cooperation in some MPOs have been upset by ISTEA. Transit interests have been encouraged in some areas to be too aggressive too quickly, while the additional funding

promised by ISTEA remains unavailable. Some small communities in large MPOs feel they have little effective input to the MPO process" (ACIR, 1995, p. 45). Some MPOs requested training help from the U.S. Department of Transportation at managing intergovernmental negotiations and conflict (ACIR, 1995). Largely unexplored has been the potentially explosive issue of formal representation on MPO governing boards, as was discussed in Chapter 3.

ISTEA not only changed the decisionmaking process and some of the categories and emphases of funding but also required, for the first time, extensive public participation in transportation planning. MPOs have found it difficult, however, to involve a broad cross-section of the population. As with most specialized areas of public policy, citizens typically become heavily involved in the process only when the policy issues affect them deeply and immediately. Thus, professional associations, activist groups, and other interest groups with a pecuniary interest or avocation in transportation policy are most likely to become involved with the deliberation—although most MPOs also seek involvement from minority groups and poorer neighborhoods (see GAO, 1996c, pp. 18–19).

The clean air requirements attached to ISTEA in nonattainment areas forced MPOs to wrestle with the technical area of emissions (Howe, 1994, p. 13). MPOs in areas that have not attained federal clean air standards must implement transportation control measures intended to reduce congestion and lower the reliance on single-occupant vehicles. Such areas face a timetable for attaining federal standards and cannot count cleaner-burning engines in cars toward a region's accomplishments in moving toward compliance. Most transportation control measures that MPOs have used under the Clean Air Act Amendments of 1990

have shown little definitive effect on air quality. Transit and pedestrian/bike improvements, carpooling programs, HOV lanes, and trip-reduction plans have had a marginal effect on air quality compared to technological improvements in automobiles (Glickman and Cate, 1994, pp. 10–13). Other control measures, such as very strict emission inspections, parking charges, and congestion pricing techniques, show more promise but are very difficult to implement politically because large segments of the public see such measures as imposing real costs on them.

Some urban design advocates and environmentalists recommend a long-term strategy that involves regulating land use in such a way as to support greatly increased levels of mass transit use and walking—for example, by increasing zoning densities and mixing land uses around rail transit stops. However, virtually all MPOs lack authority over local land-use control and thus are limited in their capacity to realize such a vision (see Lewis, 1996).

California Implements ISTEA

With ISTEA's new provisions and funding categories also came a degree of uncertainty for California and its MPOs. Attempting to introduce some certainty, many of the affected governmental interests met shortly after the law's passage and soon agreed on a plan that would accomplish two major objectives. First, existing funding commitments to specific projects around the state would be maintained. Second, state legislation would be sought that would exempt the new STP and CMAQ funds—which the federal government requires to be partially suballocated to MPOs—from existing state statutory distribution formulas that had specified a minimum share of funding for each county

as well as a north/south split (Gerber, 1992; Younger and Murray, 1994).[1]

This pact culminated in the rapid drafting and passage of Senate Bill 1435, introduced by State Senator Quentin Kopp. The law exempted STP and CMAQ funds from the state formulas for distributing transportation funding, which had been geared more toward norms of geographical equity than meeting the goals of the new federal programs. In addition, for the Southern California and Monterey Bay MPOs, it was established that the STP and CMAQ funds would be further suballocated by the MPOs to the county transportation planning agencies in their area on the basis of population and, for CMAQ funds, the area's degree of ozone nonattainment. In the San Francisco Bay area, half of the STP funds would be suballocated from MTC to the county congestion management agencies (Younger and Murray, 1994). The law also set up a system for reporting to the state unused budget authority, which was to be made available for use by Caltrans.

According to SB 1435, no STP and CMAQ funds were to be given to an MPO unless a congestion management program had been adopted for its area by the end of 1992. Such funds are also not to be given to a project within a jurisdiction that is in nonconformity with a congestion management program, unless the congestion management agency determines that the project has regional significance. An STP funding "exchange" program was also established by the law. Areas with an urbanized area population of less than 200,000 could exchange their

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[1]Since 1947, 60 percent of highway construction funds are reserved for a 13-county area of Southern California. Within the north and south regions, county minimums are calculated based upon population and vehicle miles traveled (Kern Council of Governments, 1996, p. 18).

annual STP apportionment for nonfederal State Highway Account funds. This exchange allows local interests to avoid some federal environmental reviews and other reporting requirements, in some cases also enabling local governments to escape the required local funding match. SB 1435 also established a schedule for the submittal of MPOs' long-range plans and TIPs to the state.

Throughout the ISTEA years, preparing the TIPs has been the most important policy-setting activity for the state's MPOs. Federal rules require that an MPO's TIP list all projects in its area that use ISTEA funds, even those projects that are not overtly selected by the MPO. For example, Caltrans highway projects using federal funds from the National Highway System fund, or transit agency capital expenditures using Federal Transit Administration funds, will largely be chosen by those agencies but still must be listed in the TIP. Normally, however, Caltrans will select its projects in consultation with the MPO. This is particularly the case where locally controlled funds, such as county sales taxes, will be used for part of the financing. The 12 district offices of Caltrans are in close and regular communication with MPO staff, and a Caltrans representative is typically seated as an ex officio member of MPO governing boards. Any conflicts that might arise between Caltrans and the MPO regarding which highway project to select—which sources say is an infrequent occurrence—can be taken before the California Transportation Commission for resolution.[2]

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[2]Technically, if there were a true standoff between the MPO and Caltrans, the state could refuse to place the MPO's projects in the state TIP, in effect holding the MPO's other projects hostage to the disputed project. Given the repeated interactions between the MPOs and the state, however, and the interest of all parties in securing maximal federal funding, this last-resort scenario simply does not occur.

In reality, the federal funding categories most relevant to MPO decisionmaking—STP and CMAQ—are not very large shares of the total revenue stream for most metropolitan transportation systems in California. State and county sales taxes dedicated to transportation purposes, for example, outweigh these federal categories in most parts of the state, and user fees such as bridge tolls and transit fares also provide a significant share in some areas. State gas tax subventions, federal demonstration grants for transit projects, and local general revenues also supplement the "pot" of funds available for metropolitan transportation. At first glance, then, the prominent attention given to ISTEA by urban transportation interests seems a case of "much ado about nothing."

However, the federal ISTEA funding has an importance that far exceeds its share of the funding "pie," for two major reasons. First, as with almost all federal aid, ISTEA money comes with significant strings attached—requirements through which the national government exerts its authority and attempts to achieve national purposes through state and local activity in transportation. For example, the air quality attainment emphasis mandated under CMAQ and other ISTEA provisions requires plans and decisions that reduce the emphasis on single-occupant automobile travel and that accommodate environmental concerns. Similarly, federal requirements that mandate accessibility for the handicapped to transportation facilities, that require the consideration of alternatives for major planned transportation facilities, or that emphasize safety concerns all work to alter the dynamics of autonomous local decisionmaking. Significantly, federal requirements on the use of funds typically apply to any project in which federal funds are used, no matter how small the federal share is. Of course, the very requirement of MPO planning and programming is tied to receipt of federal funds.

Second, while federal STP and CMAQ funds are a small share of *overall* local transportation revenues, they represent a large component of the *discretionary* funding available to California's MPOs. Other funding sources often are dedicated to specific uses, generally emphasizing maintenance rather than new construction. User fees generally accrue to the organization operating the facility; county sales taxes fund county transportation programs; and state gas taxes, under the provisions of the California Constitution, may be used only for highways and for the construction of fixed guideway transit projects. In an era where budgets at all levels of government are strained and transportation needs are great, the flexibility inherent in the STP and CMAQ programs is crucially important in enabling MPOs and the state to set priorities, change the direction of transportation policy, and consider new capital projects.

The ability to shift federal funds among modal categories in ISTEA has not been used extensively in California to date. MPOs cite their preexisting funding commitments as a major cause. Another problem limiting MPOs' ability to add flexible new projects has been the lack of full funding of ISTEA. For example, the federal government has been imposing annual limits on "Obligational Authority" within each state, a figure often about 10 percent below the appropriation level for the ISTEA funds. In other words, the state and its MPOs are apportioned a certain amount of money to program but are able to actually commit to spending only about 90 percent of those funds. This constraint has

forced the state to be somewhat creative in its financing arrangements to keep projects moving through the pipeline.[3]

Some metropolitan areas have experienced problems in implementing their federally assisted projects on schedule. Staff shortages and lengthy environmental and other reviews have frequently meant that federal funds have not been obligated during the fiscal year in which the project was scheduled to proceed. (Funds are considered "obligated" when a project proposal is sufficiently finalized that the Federal Highway Administration or the Federal Transit Administration signs a form giving local officials the go-ahead to dispense the funds.) In Santa Barbara County, for instance, only 40 percent of the STP-funded projects and 53 percent of the CMAQ projects programmed in the 1994–95 TIP had been implemented in time for the 1996 TIP. The Santa Barbara County Association of Governments now requires project sponsors to present approved environmental reviews by the fiscal year in which the project is programmed. The MPO's board can delete or reallocate funds for projects considered by its staff to have shown a lack of progress (Santa Barbara County Association of Governments, 1996, p. 5).

The two categories of ISTEA funds that are directly programmed by the MPOs (in areas of 200,000 or more population) are those deriving from the CMAQ program and the component of STP suballocated to metropolitan areas. The following section analyzes the patterns that MPOs have shown in deciding how these funds are used.

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[3]The state manages the limit on Obligational Authority by taking advantage of TIP projects that have been delayed or canceled, and sometimes by funding construction in advance of securing federal funds, with federal reimbursement sought later.

Following the Dollars: Where California MPOs' Flexible Federal Funds Are Going

A major question regarding the programming of federal funds by MPOs concerns the modal emphasis of the planned expenditures—that is, how much is approved to be spent on roads and highways, mass transit, or nonmotorized transportation. There are other potential strategic uses for transportation funds in congested metropolitan areas as well. Notable among these are "transportation demand management" strategies and "transportation control measures," which attempt to provide incentives for individuals to alter their travel behavior and consider alternatives to single-occupant car commuting. Examples include programs that promote ridesharing, flexible work hours, or telecommuting, as well as expenditures to support van pools, park-and-ride facilities, and enhanced pedestrian environments. One notable transportation control measure that was advanced by air quality districts in California in an attempt to comply with clean air requirements is the trip-reduction ordinance, which requires employers to develop plans to reduce single-occupant vehicle commuting by their employees. However, California's legislature has passed SB 437, a law which prohibits the implementation of mandatory trip-reduction programs.

To determine how the flexible federal funds are being allocated, we examined the most recent transportation improvement program from each MPO. TIPs, as noted above, contain a list of projects approved for funding that are "fiscally constrained" so as not to exceed the expected revenues available. The project lists in each MPO's TIP provide basic information about each project, including its cost, the sources of funding to be used for it, and a brief description of its purpose and location. Each project using regional STP or CMAQ funds that was scheduled for

the 1996–97 fiscal year[4] was coded according to its type, and totals were compiled for the following categories of programming:

- **Roads/highways:** any expenditure predominantly for a road project, including signage and railroad crossings for streets, but not including traffic signal projects or high-occupancy vehicle lanes.
- **Signalization:** expenditures for traffic signal projects, which often are proposed as ways to facilitate traffic flow, alleviate congestion, and thereby reduce vehicle emissions.[5]
- **HOV facilities:** expenditures for highway lanes reserved for high-occupancy vehicles. These are intended to alleviate congestion and promote carpooling and transit usage.
- **Mass transit:** any capital or operating expense predominantly for a bus or rail system, or for paratransit (variable route, small-vehicle service usually for the elderly or handicapped). In addition to spending on transit vehicles, guideways, and operations, this category includes such items as passenger waiting areas and station facilities, bus repair yards, and transit organization equipment and offices, but not park-and-ride facilities.
- **Park-and-ride facilities:** expenditures for parking areas intended to promote transit use and carpooling and to reduce congestion.

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[4]Except fiscal year 1996 for the Monterey area, and one-half of the combined two fiscal years of 1997–98 and 1998–99 for the Metropolitan Transportation Commission (due to the vagaries of project listings at these MPOs).

[5]By improving traffic flow, however, it is possible that signalization projects may, in the long run, simply generate more travel demand along these roads and thereby negate air quality gains. See Downs (1992, pp. 27–30) for a discussion of the problem of travel convergence, by which improvements in travel flow inevitably tend to erode over time as drivers and developers adjust to take advantage of the new travel flow. For a related discussion of travel flow and air quality, see Garrett and Wachs (1996, pp. 101–103).

- **Bike and pedestrian facilities:** expenditures predominantly for nonmotorized transportation, including sidewalks, wheelchair ramps, trails, and bicycle paths.
- **Other:** expenditures for projects such as ridesharing and vanpooling promotion, alternative fuel facilities, freeway service patrols,[6] general planning studies, computer modeling, and miscellaneous purposes.

Tables 5.1 and 5.2 show the STP and CMAQ programming choices by California MPOs. Several caveats are in order regarding the data presented here. The dollar amounts of programming reflect only the federal share, and not the state/local match for these projects. Some of the amounts include carryovers from projects programmed in prior years that are to be continued in the current fiscal year. MPO boards of directors may amend their TIPs, so final spending on projects may be slightly different. There generally is a lag of two to three years between programming of funds and their obligation (see STPP, 1995, p. 2). In addition, the process of coding each project by its purpose, based on a short description, introduces a degree of subjectivity, although the vast majority of projects are very straightforward to code.

Finally—and the most important cautionary note in interpreting the tables—these data are for a single fiscal year and thus represent only a cross-sectional snapshot of transportation investments. Many projects are multiyear, and projects that ultimately may be very significant may be an insignificant part of the current data because they are only in a

[6]Freeway service patrols, which are deployed in the Bay area and parts of Southern California, are roving tow trucks that attempt to reduce congestion by locating and quickly assisting disabled vehicles that need repairs, towing, or gasoline.

preliminary engineering or planning stage.[7] Nevertheless, the same criticisms might be made about any period-specific budgetary data. The important point is that the amounts presented here represent costs for projects "in the pipeline" for the current year. We do not purport that the programming emphases of individual MPOs remain unchanged from year to year. However, these data do present interesting perspectives on current transportation spending priorities around the state.

Table 5.1 shows programming patterns for Surface Transportation Program funds for the ten MPOs that direct the investment of federal funds under this program. Excluded are the smaller MPOs of Tulare County, San Luis Obispo County, Merced County, Shasta County, and Butte County. These MPOs, with urbanized areas of under 200,000 population, exchange their STP allocations for an equivalent amount of State Highway Account funds under the provisions of SB 1435 (although San Luis Obispo deducts the STP amounts it intends to use for mass transit before exchanging the remainder[8]). The presentation of projects in the TIPs of these small MPOs does not allow us to trace the ultimate disposition of the specific state funds received in exchange for STP funds.

STP funds may be used flexibly for highway, transit, nonmotorized, and other projects reflecting local priorities and needs. The table shows that eight of the ten MPOs programming federal funds under this program are using at least 83 percent of the money for road projects.

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[7]For example, the San Diego Association of Governments has programmed $19,000 for fiscal year 1997 on an HOV project that is in its early stages. This project is then programmed for $8.1 million in FY 1998.

[8]According to the project list in its 1996 TIP, for fiscal year 1996–97 the San Luis Obispo Council of Governments programmed $1.32 million of its federal STP allocation for transit, programmed another $258,000 for a road-with-bikeway project, and exchanged $5.07 million for State Highway Account funds.

Table 5.1

Allocation of Programmed Federal STP Funds by MPOs (in percent)

	Purpose							
MPO	Roads/ Highways	Signal-ization	HOV Facilities	Mass Transit	Park and Ride Facilities	Bike and Pedestrian	Other	Total Amount Programmed ($ thousands)
Fresno	96						4	3,127
Kern	97	3						4,681
Monterey	83	5		7		3	1	6,142
MTC	57	6		31	1	3	2	49,947
Sacramento	83	1		14		3		20,803
San Diego	89						11	38,994
San Joaquin	94	3				4		6,081
Santa Barbara	83	6				11		11,359
SCAG[a]	52	8	7	20	.	1	11	472,886
Stanislaus	92	7			.		1	12,155
Total Funds	59	7	5	18	.	1	9	626,175

SOURCE: Authors' coding of projects in Transportation Improvement Programs of the individual MPOs.

NOTES: All data are for fiscal year 1996–97 except Monterey (FY1996) and MTC (one-half of two-year total of FY1997–98 and FY1998–99). Butte, Merced, San Luis Obispo, Shasta, and Tulare exchanged their STP funds for state funds. The following amounts of funding for roadway projects include a bikeway component: Monterey ($0.9 million), MTC ($0.9 million), Sacramento ($4.3 million), San Diego ($3.6 million), San Joaquin ($1.7 million), SCAG ($1.7 million), and Stanislaus ($0.4 million). Rounding to 0 is represented by "." in the table. Totals may not add to 100 percent due to rounding.

[a]Unclassifiable and "lump-sum" funds amounting to $33,757,000 are included in SCAG's total but are not reflected in the subtotals and percentages.

This emphasis is particularly notable in the San Joaquin Valley, where the MPOs representing Fresno, Kern, San Joaquin, and Stanislaus Counties devote nearly all of their STP funds to highways and signalization projects. These metropolitan areas have among the most rapid growth rates in the state and have traditionally had relatively low population densities. These factors suggest a rapid geographic spread in urbanized areas and poor suitability for traditional forms of mass transit, which in turn would put demands on the road system for expansion. Given the programming emphases shown here, these MPOs appear to be accommodating auto-dependent growth, rather than attempting to change the trajectory of development patterns through investment in alternative transportation infrastructure. As Gage and McDowell write regarding relations between MPOs and state departments of transportation, "these relationships are conditioned by inertia: transportation still means 'highways only' in many locales" (1995, p. 148).

Other California MPOs show somewhat more varied patterns of programmed expenditures, although all devote more than half of STP funding to highways. The three large multicounty MPOs—Southern California's SCAG, San Francisco's MTC, and Sacramento—have "flexed" substantial proportions of STP funds to mass transit; not coincidentally, all three have new or expanding rail systems. SCAG is also devoting 7 percent of its STP funds to HOV lanes, and SCAG and San Diego are each funding a substantial number of miscellaneous ("other") projects. Santa Barbara's MPO has a notable emphasis on bicycle/pedestrian projects.

While the STP program is the largest single source of funding flexibility for MPOs, the Congestion Mitigation and Air Quality

program is another important revenue resource for most of the state's urban areas. Table 5.2 shows programming patterns for CMAQ funds for the 11 MPOs that currently direct the investment of federal funds under this program. Excluded is the Metropolitan Transportation Commission, which has received CMAQ funds in the past but does not program any CMAQ starting in FY 1997 because of the Bay Area's achievement of conformity with federal air quality guidelines and the associated uncertainty over receiving future revenues. Also excluded are the MPOs for San Luis Obispo, Shasta, and Butte Counties, which did not receive funding under the air quality program.

CMAQ funds must be used for transportation-related projects that reduce the reliance on single-occupant vehicles, or that reduce the amount of time cars spend idling (and polluting) in congested traffic. Dilger wrote shortly after ISTEA's passage that mass transit was "clearly the biggest winner" under the act, and, specifically, that it was "expected to receive most of the $6 billion set aside [nationally] for the congestion relief and air-quality improvement program" (1992, p. 77). A 1993 GAO analysis that sorted CMAQ *obligations* (not programming) for 1992 and the first half of 1993 found that transit was receiving about 52 percent of the funds nationwide and about 33.5 percent in California (calculated from GAO, 1993, pp. 35–36).[9] It has been reported that nationally, most of the Highway Account funds that have been made available to transit have come from CMAQ.

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[9]GAO, which included only the broad categories of transit, highways, and "nontraditional" (i.e., nonmotorized transportation), found California's CMAQ obligations going primarily to the highway category (58.4 percent), with nontraditional activities attracting 8.1 percent of obligations. GAO's "highway" category, however, most likely consists mainly of HOV and signalization projects.

Table 5.2

Allocation of Programmed Federal CMAQ Funds by MPOs (in percent)

MPO	Purpose							Total Amount Programmed ($ thousands)
	Roads/ Highways	Signal-ization	HOV Facilities	Mass Transit	Park and Ride Facilities	Bike and Pedestrian	Other	
Fresno		64		25		10		2,493
Kern		14		86				2,638
Merced		22		63		7	8	1,182
Monterey				54		25	21	1,728
Sacramento		1		39	21	12	28	8,194
San Diego		40	.	21		37	3	17,569
San Joaquin		9		91				2,443
Santa Barbara				65		12	23	1,682
SCAG	3	2	33	55	1	2	5	97,893
Stanislaus	6	53		15		18	8	7,808
Tulare		62		13	2	22	.	4,415
Total Funds	2	12	22	47	2	8	6	148,045

SOURCE: Authors' coding of projects in Transportation Improvement Programs of the individual MPOs.

NOTES: All data are for fiscal year 1996–97 except Monterey (FY1996). Butte, San Luis Obispo, and Shasta received no CMAQ funding. MTC anticipated no CMAQ funding after 1996. Rounding to 0 is represented by "." in the table. Totals may not add to 100 percent due to rounding.

Table 5.2 shows that transit is easily the largest single category of CMAQ spending in California, receiving 47 percent of CMAQ funds programmed by the state's MPOs—although this summary statistic conceals considerable diversity in emphases among MPOs. SCAG programs 55 percent of its CMAQ funds for mass transit, again showing the sustained recent emphasis on transit development in a region known for its freeways, while a third of SCAG's CMAQ money goes toward HOV lanes. San Diego devotes a notable 37 percent of CMAQ funds to its expanding network of bike and pedestrian facilities, an emphasis that is also strong in the Monterey and Tulare MPOs. The Sacramento area shows an unusual emphasis on park-and-ride facilities, which are a secondary means of investing in mass transit.

In the San Joaquin Valley, the MPOs in Kern and San Joaquin Counties devote the vast majority of CMAQ funds to transit capital and operations, with a much smaller residual category of signalization projects receiving all of the remaining funds. By contrast, the nearby MPOs in Fresno, Tulare, and Stanislaus Counties allocate most CMAQ funds to signalization, with no more than than a quarter going to mass transit. Considered in combination with STP spending, these latter counties clearly are devoting the vast majority of their flexible federal funding to their road systems and seem to be betting that improved traffic flow will be the best way to alleviate their considerable air quality problems.

Overall, what is perhaps most notable about CMAQ programming is the diversity of uses that MPOs have found for the funds. Strategies for improving air quality and relieving congestion around the state clearly differ considerably from one region to the next. In this sense, the CMAQ program reflects the spirit of regional devolution inherent in the ISTEA legislation, as local priorities are given great weight in the

expenditure of federal funds and experimentation is encouraged. With the much more substantially funded STP program, on the other hand, MPOs are not as compelled to consider environmental goals and alternative uses for the funds.[10] California's MPOs devote a large majority of these funds to traditional road work (especially if signalization projects are included)—although this emphasis is considerably attenuated in the state's two largest and most complex metropolitan areas.

What Makes a Region? Subregionalism and Superregionalism in MPO Programming in California

One key element of California's state legislation implementing ISTEA concerned programming authority for those MPOs consisting of multiple counties. As we have seen, SB 1435 required that funds that otherwise would be in MPOs' discretion in some cases be passed down to the county level. However, each multicounty MPO is expected to consider transportation needs of regional significance.

At the Southern California Association of Governments, county transportation commissions receive apportionments, rather than SCAG as a whole. Each county authority programs its own STP and CMAQ funds, although SCAG may delete individual projects from the TIPs submitted by the counties. In the San Francisco Bay area, the Metropolitan Transportation Commission passes through half of its STP apportionment to the congestion management agencies of its constituent counties for their programming, although the CMAs are

[10]They must, however, as with all federal funding categories, demonstrate that their programming decisions are in conformity with overall air quality goals.

required to work within MTC's overall framework for evaluating transportation priorities. SCAG and MTC are discussed in more detail in Chapter 6.

At the Association of Monterey Bay Area Governments, which plans for the counties of Monterey, Santa Cruz, and San Benito, regional planning responsibility is shared among the MPO and the Transportation Planning Authorities of the three counties.[11] In a sort of miniature version of the state process, AMBAG incorporates the short- and long-range plans of its constituent counties into the regionwide plans. In addition, there are congestion management agencies in Santa Cruz and Monterey Counties, and the "regionally significant" facilities planned by the CMAs are included in AMBAG's list of projects (Association of Monterey Bay Area Governments, 1995, p. 4). Although not bound by the state to suballocate, the multicounty Sacramento Area Council of Governments has used subregional policy advisory committees to help guide its planning and programming (USDOT, 1994, p. 10). Even in single-county San Diego, the county's Metropolitan Transit Development Board is given statutory authority under state law to program the funds available for transit in its area. The board's own improvement program is incorporated into the San Diego Association of Governments' TIP.

These issues of subregionalism and suballocation raise interesting questions about the role of California MPOs, especially in multicounty

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[11]San Benito County has elected not to join AMBAG, so it does not have a voting seat on the AMBAG board (although the San Benito Council of Governments has been granted ex officio board representation). However, the city of Hollister in San Benito County has chosen to join AMBAG as a voting member. Since the urbanized area includes part of San Benito County, AMBAG has signed a Memorandum of Understanding to perform the federally required MPO planning functions for that county.

areas. Is the MPO to be a central priority-setting body? Or is it to be an "umbrella" organization with some functions devolved to the counties? Or does the MPO exist solely to meet the letter of federal requirements, while most key decisions are made by county-level entities? In the latter scenario, "metropolitan" planning leads a problematic existence.[12]

The case for a strong form of regional transportation decisionmaking is bolstered by the significant amount of cross-county commuting in the four multicounty MPO areas. Table 5.3, using journey-to-work data from the 1990 Census, shows that commutes across county lines are very common, particularly in the more outlying suburban counties. For example, each county in the five-county Sacramento area, except Sacramento County itself, sends more than a third of its employed residents across county boundaries to work. And in the Southern California region alone, nearly 900,000 workers were making cross-county commuting journeys in 1990, including over a quarter million each from Orange County and Los Angeles County. All told, nearly 1.9 million employed residents—or 17.3 percent of all employed residents—traveled to work across county lines in these four MPO areas. If MPOs did not exist to consider the interconnected travel networks of these multicounty areas, and county agencies took over the transportation planning role entirely, such commuters might not have their transportation needs weighed as heavily.

While some metropolitan areas have had to wrestle with issues of subregionalism and suballocations, other MPOs must look beyond their boundaries to coordinate with surrounding areas. ISTEA requires that if more than one MPO exists in a single air basin, the transportation

[12]AMBAG's motto, interestingly, is "local control through regional cooperation."

Table 5.3

Cross-County Commuting in Multicounty MPO Regions (as of 1990)

County	Employed Residents Who Work Outside County	
	Number	Percent
Monterey Bay Area		
Monterey	12,813	7.8
San Benito	5,752	34.8
Santa Cruz	25,574	22.2
Sacramento Area		
Placer	34,891	42.8
Sacramento	57,396	11.9
Sutter	10,559	40.4
Yolo	21,432	33.2
Yuba	7,758	37.5
San Francisco Bay Area		
Alameda	186,791	29.5
Contra Costa	161,272	40.2
Marin	51,783	41.4
Napa	13,151	25.5
San Francisco	74,933	19.6
San Mateo	145,208	41.9
Santa Clara	86,033	10.8
Solano	61,263	38.6
Sonoma	34,658	18.2
Southern California		
Imperial	2,226	6.2
Los Angeles	242,800	5.9
Orange	235,274	18.4
Riverside	142,372	29.5
San Bernardino	191,146	32.0
Ventura	84,802	25.3

SOURCE: U.S. Bureau of the Census, *County and City Data Book*, 1994.

NOTE: Data are for workers age 16 years and over.

planning efforts of the MPOs must be coordinated in consideration of the wider air quality implications. This has been an issue especially in California's San Joaquin Valley, where six single-county MPOs (and two

additional nonurbanized counties) share an air basin that has significant pollution problems, as well as population growth rates that exceed the state average.[13] This area is three times the geographic size of New Jersey and is home to 3.1 million people. The transportation planning agencies in this broad region have entered into a Memorandum of Understanding with the San Joaquin Valley Unified Air Pollution Control District to coordinate transportation and air quality planning. This includes developing new valley-wide planning models and transportation control measures (see "San Joaquin Valley Regional Transportation Overview," 1994, which is included as part of the TIPs from all of the MPOs in the affected area).

In the Sacramento area, the ozone nonattainment area extends beyond the boundaries of the Sacramento Area Council of Governments into portions of El Dorado, Placer, and Solano Counties. Thus, SACOG has signed Memoranda of Understanding with the county transportation agencies in Placer and El Dorado Counties and with the MTC (regarding Solano County) to carry out its transportation planning responsibilities that affect air quality in the basin. Placer and El Dorado Counties, according to a U.S. Department of Transportation study (1994, p. 8), have been "reluctant to join an urban transportation planning process with a dominant center city," which indicates the challenges of voluntary regional cooperation.

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[13]The MPOs involved represent the counties of San Joaquin, Stanislaus, Merced, Fresno, Tulare, and Kern. In addition, Madera and Kings Counties are in the air basin; they are represented by their county-level regional transportation planning agencies.

The Transportation Enhancements Program in California

A special subcategory of the Surface Transportation Program is a set-aside of 10 percent of each state's STP funds for Transportation Enhancement Activities. (These funds are not counted as part of the STP programming amounts in Table 5.1 above, nor are funds under the similar STP set-aside for safety-related projects.) Enhancement funds are to focus on improving the natural and community environment of transportation facilities. Proponents generally defend the program as one that ensures that transportation serves communities, rather than the reverse.

While enhancement funds cannot be used for routine environmental mitigation of highway or transit projects, they may be used for a wide variety of uses ranging from archeological digs at transportation sites to landscaping and billboard removal along freeways to rehabilitation of historic train stations (see Dawson, 1996). Some examples of enhancement activities slated for funding in current MPO improvement programs in California include a downtown "streetscape beautification" project in Escalon (San Joaquin County), historic bridge signs in San Bernardino County, acquisition of scenic open space along the San Joaquin River Parkway in Fresno County, and construction of a bicycle trail along a coastal rail corridor in San Diego County. Although there are occasional exceptions, most of the individual enhancement projects are small expenditures, compared to the more typical highway or transit projects.

The sundry list of activities eligible for enhancement funds helped bring active support for the ISTEA legislation from a variety of interest groups, such as historic preservationists, bicycle clubs, and

environmentalists. These groups have been among the most vocal in defending ISTEA's funding provisions and in monitoring its implementation (in part through participation in the Surface Transportation Policy Project). Critics, on the other hand, allege that the enhancements program has little connection to the national transportation purposes that federal gas tax revenues are ostensibly dedicated to, and accuse it of subsidizing what essentially are local economic development efforts or aesthetic improvements. With such criticism, an often slow implementation by state departments of transportation (DOTs), and a complex reimbursement process,[14] the enhancements program experienced an obligation of funds that fell well behind its appropriated levels. By fiscal year 1995, for example, the cumulative rate of obligation of available funds was about 55 percent nationally, after very slow rates in the early years of the program. "Factors hindering the states' obligation of enhancement funds include the time and staff resources required to implement a new program, the nontraditional nature of transportation enhancement projects, and sponsors' lack of familiarity with the administrative requirements of federal-aid highway programs" (GAO, 1996b, p. 2).

Most states "have kept the choice of enhancement projects in the hands of the state highway personnel" (Dawson, 1996, p. 4), and some state DOTs have proven ambivalent about the program, which is outside their usual expertise and emphasis. In California, a relatively straightforward process has been developed that (as with other ISTEA programs) combines regional and county priority-setting and project

[14]Enhancement funds take the form of reimbursements for local expenses, not grants, and require local matching funds. This procedure can be unfamiliar to local officials sponsoring enhancement projects (GAO 1996b, p. 5).

development with state oversight. Local public agencies apply for enhancements through their MPO or RTPA, which then ranks the proposals. Next, the California Transportation Commission funds those projects that are in the top half of the regional rankings and chooses from among the other proposals based upon its own perceptions of state needs and priorities (see Caltrans, 1995). California received about $34 million of federal funds per year during ISTEA under the enhancements program, but the demand for these popular projects was far greater. For its 1996 round, for example, the San Diego Association of Governments received proposals for 83 projects, which would amount to $57 million—but the California Transportation Commission had requested SANDAG to submit only its top-ranked proposals, up to a total limit of $500,000 (Rude testimony, 1996).

Still, California has been among the slowest states at obligating funds under the enhancements program. Throughout the 1992–95 fiscal years, California's rate of obligation was consistently far below the national average. A likely reason for this low rate of obligation, in spite of the high demand for projects under the program, is that the state is "conserving" its obligational authority for programs perceived to have a higher priority—or at least, more powerful interest groups behind them—namely, highways and transit.[15] It is possible, although not certain, that if enhancement funds were directly passed through to MPOs for programming decisions, without the statewide competition and review process, a higher proportion of enhancement funds would be obligated in California. This appears to be the case in the state of Washington (see GAO, 1996b, p. 35).

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[15]See the comments of the Rails-to-Trails Conservancy to the General Accounting Office (GAO, 1996b, p. 47).

Summary

With a recent history of devolving programming and policymaking authority to the substate level, California was able to fairly quickly develop a politically acceptable framework for the implementation of ISTEA and its regional components. The state's prior experience with regional transportation planning probably made ISTEA less of a jarring policy shift than it was in states where the state transportation department had to cede substantial authority for the first time. The state's MPOs have been able to use flexible STP and CMAQ funds to set widely different priorities for transportation investment in different regions—although STP funds are heavily used for highway purposes by most of the MPOs. The variations in emphasis for CMAQ programming are particularly notable. These regional differences may reflect the variations in "tastes" around a large state, rooted in the different economic bases, historical trajectories, and land-use patterns of the metropolitan areas. The differing programming priorities also may reflect variations in political power of the relevant interest groups and units of government—highway contractors, transit districts, bicycle clubs, and so on—in the politically diverse regions of California.

One potential tension in processing a policy written in Washington through institutions designed in Sacramento and at the local level involves the very definition of what constitutes a "region." Urban areas with interconnected travel networks are the relevant political communities for deciding on certain transportation priorities under the logic of ISTEA, but are those regions to be counties, multicounty metropolitan areas, or air basins? In a state historically wary of regionalism, much authority has been further devolved from MPOs to county-level institutions in some of the largest and most complex regions

of the state. Chapter 6 looks in more detail at the state's two most significant MPOs—those in Southern California and the San Francisco Bay area—which have played markedly different roles as intermediaries between federal transportation policy and local outcomes.

6. The Southern California Association of Governments and the Metropolitan Transportation Commission

The data presented in the previous chapter indicate that different regions in California have taken substantially different approaches to their transportation problems. This chapter considers the context for metropolitan transportation planning in the state's two largest regions, Southern California and the San Francisco Bay area. Since most transportation programming in Southern California is performed by the county transportation commissions, the region's MPO largely serves a coordinating role. In the San Francisco Bay area, the MPO is a considerably more active participant in the programming of transportation funds for its region, although county agencies also have an important role. We find that the degree of influence given to county-level agencies in the state implementing legislation, particularly in the

Southern California region, has diminished the regional nature of the decisionmaking process.

SCAG: Accommodating Localism

The Southern California Association of Governments is the MPO for over 180 cities and the six counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. It is the largest MPO in the nation. The SCAG region, covering an area of more than 38,000 square miles, is roughly the size of Indiana. The population of the SCAG region, which is mostly urbanized, exceeds 15 million, which is larger than the population of 47 states.

SCAG was established in 1965 by the cities and counties of Southern California after almost three years of effort. As previously discussed, the formation of SCAG was presumably a response to the 1963 California law which enabled the state to establish regional governments in areas which did not form them on their own. By creating SCAG, Southern California localities were able to resist greater state control (Wikstrom, 1977, pp. 43–44).

The governing board of SCAG, the Regional Council, consists of 71 local representatives and meets monthly. The seven county representatives are appointed by their boards, and the 64 city representatives are elected by their peer mayors and council members to represent groups of cities (districts) with approximately 200,000 people. Each year there is also a meeting of SCAG's General Assembly, which is composed of local representatives, to give SCAG general direction. For the past ten years, SCAG has maintained a staff of approximately 100 members who report to an executive director. An increasing amount of

the workload is performed under contract by subregional organizations and private consultants.

Before ISTEA, SCAG was primarily an advisory body. County transportation agencies made most decisions regarding which transportation projects to pursue. These county transportation commissions (CTCs) have long played a major role in the transportation planning process for the SCAG region.[1] Over the years, state legislation and ballot initiatives have provided them with numerous transportation planning and programming responsibilities. In addition, the state has given CTCs the power to generate their own-source funding. Some counties passed initiatives in the late 1980s that raised local sales taxes by 0.5 percent for transportation purposes (Saltzstein, 1996, p. 66).

To aid the county transportation commissions and other local officials in developing the counties' transportation projects, SCAG collected transportation statistics, developed demographic forecasts, and recommended projects. It also performed analyses of the effect of various transportation proposals on congestion and air quality. SCAG's technical studies have been widely recognized for their high degree of sophistication. In a 1993 performance review by the U.S. Department of Transportation, reviewers wrote, "This level of technical analysis focuses political decision-making on the difficult decisions facing the region" (USDOT, 1993, p. 16).

Before ISTEA was enacted, SCAG also prepared on a regular basis the long-range regional transportation plan and a regional growth management plan. Since SCAG lacked any real decisionmaking

[1]Each county in the SCAG region has a county transportation commission except for Imperial County, which is represented by the Imperial Valley Association of Governments.

authority, it relied on political consensus for adoption of its project recommendations. As a result, its plans were often the result of stringing together each CTC's list of proposals. According to SCAG staff members, the county proposals, which were not fiscally constrained, consisted largely of requests for more highway and mass transit facilities. The amalgamation approach to SCAG's regional plans prevented serious consideration of regional concerns, such as the region's poor air quality and increasingly crowded roads ("Cleaner Air and Clearer Roads," 1992, p. 6).

SCAG also played a major role in developing the transportation and land use parts of the air quality plans produced by the South Coast Air Quality Management District (SCAQMD). These long-range plans (required by the state) are to provide a course of action for the region which will lead to conformance with federal and state pollution standards. SCAQMD is responsible under state law for almost all air quality issues within the South Coast Air Basin, which includes the counties of Los Angeles, Orange, and Riverside, and the nondesert portion of San Bernardino County (USDOT, 1993, p. 14).[2] SCAQMD is a large regional entity with over 1,000 employees and an annual budget of more than $100 million; a substantial amount of its revenue is derived from inspections and fines (Saltzstein, 1996, pp. 63–64).

As the region's council of governments, SCAG also participated in nontransportation activities. SCAG facilitated the discussion of an array of regional issues, such as growth management, housing, water quality,

[2]Imperial and Ventura Counties are in different air basins, so they have other agencies responsible for their air quality management plans. SCAG also assists in the development of the transportation and land use components of the plans for these air basins.

and economic development, and encouraged the development of policy options for these issues (USDOT, 1993, p. 13).

After ISTEA was enacted, SCAG's role changed in a number of ways. SCAG was designated under state law SB 1435 as the agency to allocate STP funds to the CTCs in the SCAG region on the basis of relative population. The CMAQ funds were to be allocated by SCAG according to relative population and the area's degree of seriousness of ozone nonattainment.

SCAG began to decentralize planning for the regional transportation plan in 1992–93. This move was part of what SCAG's Executive Director Mark Pisano calls SCAG's "bottom up/top down" approach. Thirteen subregional organizations, which are cities and counties grouped together by geography and similar interests, now assist SCAG in the development of policies and strategies for the regional transportation plan (Jeffe, 1995, p. 43). To fund the planning activities of these subregional organizations, SCAG allocated to the organizations the full increase in planning funds provided by ISTEA, approximately $4 million (USDOT, 1993, p. 14).

ISTEA provided SCAG with limited additional authority over the TIP's content. Although the CTCs are to continue composing their project lists, or county TIPs, SCAG now has the power to refuse to include in the regional TIP proposed county projects that are not in conformance with the SCAG-produced long-range transportation plan or the state clean-air implementation plan (USDOT, 1993, p. 28). SCAG rarely rejects projects, however, so the balance of power between SCAG and the CTCs appears relatively unchanged. At times, though, SCAG has negotiated changes in county project lists.

Since the passage of ISTEA, the county TIPs have been required to be consistent with available funds (USDOT, 1993, p. 28). The CTCs (and the Imperial Valley Association of Governments) select projects for their county TIPs based on their own criteria. For example, the Los Angeles Metropolitan Transportation Authority scores proposed projects within modal categories on a 100-point scale. Points are assigned for each of eight criteria, ranging from readily quantifiable factors (e.g., regional significance) to more vague and subjective ones (e.g., land use and environmental compatibility).[3] For example, within one category pertaining to roads, factors considered for assigning points for regional significance include the average daily traffic of the project area and the number of lanes to be added by the project. By contrast, land use and environmental compatibility are partially judged from the applicant's written description of how the project supports local land-use goals, air quality, and energy conservation. The Orange County Transportation Authority also uses a point system to choose projects for the two programs (interchanges, street rehabilitation) funded by its STP funds. Orange County does not have a call-for-projects process for CMAQ funds because all CMAQ funds are being combined with local and state funds to construct a 108-mile system of carpool/transit lanes for the county.

Since the CTCs serve areas with distinct needs and use different project criteria, there is wide variation among the counties in the distribution of ISTEA funding among modal categories, as illustrated in Tables 6.1 and 6.2. For example, in both Los Angeles and Orange

[3]The eight criteria are regional significance, land use and environmental compatibility, cost effectiveness, benefit to transit users, maintenance of existing systems, integration among modes, long-term value, and project readiness.

Table 6.1

Allocation of Programmed Federal STP Funds for Fiscal Year 1996–1997 by SCAG Counties (in percent)

	Purpose							
County	Roads/ Highways	Signal-ization	HOV Facilities	Mass Transit	Park and Ride Facilities	Bike and Pedestrian	Other	Total Amount Programmed ($ thousands)
Imperial	93	7						2,568
Los Angeles	37	9	8	31		2	13	284,271
Orange	83		13	2			1	60,825
Riverside	78	18					4	37,996
San Bernardino	88	3		1	1	.	7	41,196
Ventura	52						48	7,074
SCAG—Multicounty Projects	31						69	5,199
Total	52	8	7	20	.	1	11	439,129

SOURCE: Authors' coding of projects in SCAG's 1996 Transportation Improvement Program.

NOTES: Rounding to zero is represented by "." in the table. Totals may not add to 100 percent due to rounding.

Table 6.2

Allocation of Programmed Federal CMAQ Funds for Fiscal Year 1996–1997 by SCAG Counties (in percent)

	Purpose							
County	Roads/ Highways	Signal-ization	HOV Facilities	Mass Transit	Park and Ride Facilities	Bike and Pedestrian	Other	Total Amount Programmed ($ thousands)
Los Angeles			6	92		2		49,644
Orange			100					20,000
Riverside	21	13	8	20	2		36	13,006
San Bernardino			62	33	3	.	2	13,149
Ventura				54		37	9	2,094
Total	3	2	33	55	1	2	5	97,893

SOURCE: Authors' coding of projects in SCAG's 1996 Transportation Improvement Program.

NOTES: Imperial County did not receive CMAQ funding. Rounding to zero is represented by "." in the table. Totals may not add to 100 percent due to rounding.

Counties the category programmed to receive the largest share of STP funds in 1996–97 is roads and highways; however, Los Angeles County proposes to program only 37 percent of its funds for this category whereas Orange County proposes 83 percent. In these counties, the modal category to receive the second-largest allotment of STP funds was mass transit in Los Angeles County and HOV facilities in Orange County. Los Angeles County is devoting a large portion of its STP and CMAQ funds to mass transit as part of the financing of its projected 400-mile light rail and subway system.

Another change brought about by ISTEA for the SCAG region was funding for the Alameda Corridor project, which will consolidate 90 miles of railroad track into an 18-mile rail corridor that will move freight from the Ports of Los Angeles and Long Beach to distribution centers further inland. From ISTEA's demonstration project funds, Southern California was authorized to receive $55.4 million to help finance direct loans to the Alameda Corridor Transportation Authority. The $1.8 billion project, which is scheduled to be completed in 2001, is expected to reduce truck travel and thus traffic congestion, as well as to boost the productivity and capabilities of the area's ports (GAO, 1996a, pp. 7–8).

Over the years, there has been a great deal of criticism of the role of SCAG by local government officials. At times, SCAG has been boycotted by about one-fifth of its members (Feldman, 1991). After the passage of ISTEA, legislation was proposed to establish a separate MPO for Orange County, but this secession has not taken place (Saltzstein, 1996, pp. 66–67). Dissatisfaction with SCAG is due in large part to the governing structure and size of the SCAG region. Since each county has a county transportation agency that performs a substantial amount of the county's transportation planning and programming, some government

officials argue that SCAG is unnecessary. Although the Riverside and San Bernardino CTCs focus primarily on short-range transportation planning, both the Los Angeles County and Orange County CTCs have extensive staffs who also conduct long-range transportation planning (USDOT, 1993, p. 15). In testimony before a U.S. House Transportation and Infrastructure Committee hearing, Stan Oftelie, chief executive officer of the Orange County Transportation Agency, stated that ISTEA requires SCAG to perform many of the same functions of the CTCs, "creating an unnecessary, duplicative, and costly bureaucracy" (Oftelie testimony, 1996).

Other complaints stem from a feeling among many local officials that SCAG is unresponsive to their individual concerns. SCAG has taken some actions in response to this criticism. It recently expanded its governing board from 35 to 71 local officials. The formal inclusion of 13 subregional entities in SCAG's planning process for the regional transportation plan was also an effort to increase local participation.

Some local officials have applauded SCAG's recent efforts to broaden local participation. A local official who was skeptical of SCAG became "moderately supportive" of the organization after it expanded membership and increased its reliance on subregional entities. Other local officials do not believe the changes have done enough. A building industry representative claimed that because only a small number of subregions assisted in a recent regional transportation plan, the majority of local governments had minimal, if any, input (Jeffe, 1995, p. 43). Orange County's CTC is displeased that SCAG rejected the agency's request to serve on SCAG's governing board.

Criticism of SCAG is likely to persist regardless of any changes SCAG might make at the margins in response to specific complaints.

This is because, as one Southern California local official stated, "Resistance to regional governance is age-old" (Feldman, 1991). A number of conditions exist in the SCAG region that make the area adverse to regional governance. The greater Los Angeles area has traditionally strong city and county governments. City officials also concentrate largely on local concerns because competition for revenues among individual counties and cities has become increasingly keen since 1978 when Proposition 13 passed (Saltzstein, 1996, pp. 58, 61). Conditions that have been identified as conducive to regional governance support do not exist in Southern California. According to Baldassare (1994, pp. 282–283), these conditions include past favorable experiences with regional governance, an affinity for the region's central city, and a distinct geographical boundary throughout the region, such as a body of water for a border.

Despite the conditions unfavorable to regional governance, there are some strong single-purpose regional and subregional governmental agencies in Southern California.[4] For example, Orange County has two powerful Transportation Corridor Agencies, each of which focuses on the construction of a single road that will span the county. Although these entities help promote a type of regional governance in Southern California, they also may hinder the effectiveness of regionalism in the aggregate. Since issue-specific agencies have a single objective, such as building a road, it is unlikely that they will reevaluate or modify their objective in light of changing circumstances. The inability of single-purpose entities to assess their goals within the broader context of

[4]Such governmental agencies include the Southern California Air Quality Management District, Transportation Corridor Agencies in Orange County, and the Los Angeles Metropolitan Transportation Agency.

regional tradeoffs—transportation development, environmental protection, and air quality—impedes regional governance. Because single-purpose entities have jurisdiction over certain components of transportation and air quality, it is more difficult for a multipurpose agency, such as SCAG, to confront tradeoffs among competing policy options and choose the most optimal regional policies (see Bollens, forthcoming).

In the late 1980s, there was a short-lived surge of interest in greater multipurpose regional governance for the greater Los Angeles area. The mayor of Los Angeles established the Los Angeles 2000 Committee to study the region's governmental problems. Their 1988 report proposed two powerful regional agencies: "a Regional Growth Management Agency to set policy for land use, housing, and transportation, and a regional environmental agency merging the AQMD with agencies that manage water control and solid waste." At the state level, multiple legislative bills were drawn up proposing additional regional governance. With time, however, interest in regional governance and growth management dissipated as the economy soured and more immediate political problems surfaced (Saltzstein, 1996, pp. 67–68). It is unlikely that SCAG's role will change in any dramatic way unless major changes to the transportation planning process are made at the state or federal level.

MTC: Setting a Regional Agenda

The Metropolitan Transportation Commission is the MPO for the nine-county San Francisco Bay area, which has a population of 6.2 million and includes 100 cities. MTC is unique among MPOs in California in being an actual unit of government, a legal subdivision of

the state. Created by the legislature in 1970 to provide areawide transportation planning, it has the ability to issue debt, to allocate funds collected from some of the area's toll bridges, and to review the budgets of transit operators. "Whereas the financial capacity, membership, and authority of MPOs are vaguely defined for many regions, they are legislated clearly for MTC and the Bay Area" (M. Francois, 1996, p. 2). For example, state law provides that the counties with larger populations send two representatives to MTC's governing board, and the smaller counties send one. The board members, or commissioners, serve four-year terms.

Part of the motivation for the state's creation of MTC was concern over problems of coordination and rivalry among the area's numerous transit providers.[5] Another reason involved the reservoir of support for enhanced regional governance in the Bay area, which has been unusually strong compared to other California metropolitan areas (see Baldassare, 1994), and the regionalist perspectives of some key state elected officials from the region, notably former state senator Jack Knox. Knox and others sensed the weak political position of the area's council of governments, the Association of Bay Area Governments, and on a number of occasions introduced bills in the legislature for stronger, more general-purpose, regional units of government.

MTC has had the advantage of stable organizational leadership. It has had only two executive directors in its history; the current one, Lawrence Dahms, has served since 1977.[6] The commissioners' four-year

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[5]For an alternative perspective that stresses the benefits of having numerous overlapping transit agencies in the Bay area, see Chisholm (1989).

[6]It should be noted that SCAG's executive director, Mark Pisano, has served even longer—since 1976.

term also affords them a degree of insulation that allows them to see issues more from a regional perspective.[7] Commissioners have noted that MTC requires an unusual time commitment from its members, a fact that may dissuade many local politicians from seeking a seat on the commission. It is likely that a self-selection process is at work to some degree, where the local politicians who seek a spot on the board tend to be those who are already heavily interested in regionalism and transportation issues.

According to various reports (Howe, 1994; M. Francois, 1996; Younger and Murray, 1994), MTC's perceived success under ISTEA—or at least, its reputation for achieving more consensus than MPOs in many other large regions—is a result of the participation and involvement of interested parties (or "stakeholders," in policy jargon).[8] Staff leadership was crucial in focusing the attention of deliberants on the overall process and criteria for selection of projects, rather than solely on pet projects. MTC may have been in a better position than other California MPOs to quickly develop an approach to its work under ISTEA—not just because of its unique legal status, but because MTC staff, including executive director Lawrence Dahms, were closely involved in drafting and supporting the federal legislation. MTC had published "Principles for Post-Interstate Advocacy" in 1989, recommending greater flexibility and devolution to regions. Early in 1992, in response to ISTEA, MTC

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[7]An example of the political boldness born of such insulation was MTC's attempt (thwarted by the California legislature) to place before the voters a regional gasoline tax that would fund transportation improvements in the nine-county area. This interpretive paragraph draws upon comments made by former MTC chairs at a 25-year retrospective roundtable held in Oakland, October 30, 1996.

[8]However, most of these accounts are firsthand or secondhand accounts of MTC staff and other participants in the process, which may lead some analysts to discount the independence of their appraisals.

"sponsored a conference and a series of workshops and produced legislative analysis, policy papers, and a reference handbook of the [ISTEA] law" (Younger and Murray, 1994, p. 2).

About a month after ISTEA passed, MTC enlisted a group of leaders from the Bay area's regional institutions, congestion management agencies, transit agencies, and air/seaport agencies, as well as representatives of state and federal agencies, to form the Bay Area Partnership. (This account draws upon Kahn and Griffin, 1992; Glickman and Cate, 1994; Younger and Murray, 1994; and M. Francois, 1996.) The partnership task force was closely involved in developing the procedures that would be used under ISTEA to rank work proposals. An interagency project called JUMP Start (Joint Urban Mobility Program) was developed by the partnership and focused on coordinated, relatively low-cost projects aimed at facilitating mobility. JUMP Start projects involved more than one transportation mode and more than one agency. The group also helped MTC develop (along with Caltrans and the California Highway Patrol) the Freeway Service Patrol, a roving tow truck fleet that patrols the area's freeway system and offers assistance to motorists with automotive problems. More recently, the partnership has been involved in early planning and implementation discussions for Intelligent Transportation Systems and in MTC's development of a telephone clearinghouse on travel conditions and options in the Bay area.

After ISTEA became law, MTC began to develop a scoring system that could be used across all the various modes of transportation to rank projects. This was a difficult and potentially controversial procedure, in that multimodal programming was an untested and undeveloped concept. MTC had received proposals that collectively would cost more than twice the amount of federal, state, and local funding expected to be

available. It needed some method to settle upon a group of priority projects. Toward this end, existing mode-specific policy committees sent delegates to a new committee charged with the task of generating criteria for project rankings. This "face-to-face meeting . . . forced participants to be less parochial, since other interests were at the table as well" (Younger and Murray, 1994, p. 3). The end result was a set of "multimodal criteria," which aim to weigh the tradeoffs among alternative proposals in the context of the entire metropolitan transportation system.

To sort out the proposals, projects are first *screened* against some basic criteria; projects failing this test are removed from the competition. The remaining proposals are then *scored* on the basis of various priority factors. These factors include rehabilitation of the existing transportation system, safety and security, congestion relief, cost-effectiveness, freight movement, system expansion, air quality effects, land-use effects, energy conservation, and accessibility for the disabled. For example, up to eight points on a 110-point scale are awarded for proposals expected to directly or indirectly promote a shift in travel away from single-occupant automobiles (MTC, 1996, p. I-422; Younger and Murray, 1994, p. 3). Multipliers are used in the ranking process to reflect the magnitude of the transportation problem being addressed, and proposed solutions are expected to be clearly linked to the reduction of identifiable problems. An additional challenge in this regard has been the development of *performance standards* that are applicable across modes of transportation. These include the number of accidents reduced, the reduction of travel time, tons of pollutants reduced, and measures involving freight throughput. Some of these measures are quantifiable in dollar terms, but many are not. While this scoring process is not a traditional cost/benefit

analysis, one of the ranking criteria (weighted as ten points out of a 110-point total) is cost-effectiveness.

Clearly there is some subjectivity to such a scoring procedure. Nevertheless, the system did force applicants to consider a wide variety of factors—economic, environmental, and aesthetic—that previously were rarely invoked systematically in transportation planning. It also was a step toward truly multimodal transportation planning, which removed some of the single-mode blinders that had fragmented the transportation community in the past. According to Howe (1994, p. 14), "The result was a process that was perceived to be fair, and that allowed MTC staff to score 350 proposals in three months and produce a draft document that needed only minor modifications when released for public comment. Although project proposers sometimes debated the scoring, there was little carping about the overall approach or the weights given to various criteria." The scoring system also introduced a degree of certainty and predictability to the process, which benefited local interests seeking funds. The then-deputy executive director of the Alameda County Congestion Management Agency said that the process "energized local participation. Local jurisdictions now have a better sense of how their transportation projects will fare. There's no more mysterious black box" (Jose Moscovich, quoted in Kahn and Griffin, 1992, p. 26).

MTC's committees and consultations were responsible for the principle that 50 percent of STP funding would be programmed by the county CMAs, an idea then written into the state implementing law (Younger and Murray, 1994, p. 3). The individual CMA selections, however, are required to conform to the screening requirements developed at the regional level, with the understanding that "each of the

areas may advance certain lower scoring projects that are of especially high local value" ("MTC Multimodal Process," n.d., p. 3). Requiring the CMAs to rank local priorities and fiscally constrain their own programming gives them greater perspectives on the regional process. By dealing with inter-local conflicts in a preliminary step short of the MTC arena, the CMAs are "making MTC's job easier" (M. Francois, 1996, p. 16). However, countywide perspectives still can be expected to be more localistic than MTC's regionwide view.

Early data indicated that the STP funds programmed by CMAs were more heavily directed toward pavement rehabilitation and arterial roadways, and were less generous to mass transit, than the half of the STP funds programmed by MTC itself. For example, Younger and Murray (1994, Table 1, p. 2) reported that 44 percent of MTC's discretionary STP resources went to transit, compared to 21 percent of the STP funds given to CMAs. Using the more detailed coding categories discussed above, a clear contrast can be drawn between MTC's programming decisions and those of the CMAs in the 1997 TIP. As Table 6.3 shows, CMAs allotted nearly three-quarters of the STP funds in their discretion to road projects, compared to 41 percent by MTC. MTC programmed over three times as much funding for mass transit projects compared to the CMAs.

These programming differences may reflect a natural "division of labor" whereby the regional commission makes provision for mass transit—a more regional enterprise—and counties show more interest in road projects, which can have more of a local effect. However, it is quite unclear whether regional transit—which has benefits that generally are not internalized to any single county—would achieve similar precedence

Table 6.3

Comparison of Allocation of Total Federal STP Funds for Fiscal Years 1998 and 1999 under MTC's and County CMAs' Programming Discretion (in percent)

Purpose	MTC	CMAs
Roads and highways	41	74
Signalization	11	1
Mass transit	46	15
Park and ride	0	2
Bike and pedestrian	0	6
Other	2	2
Total amount programmed	$51,527,000	$48,367,000

SOURCE: Authors' coding of projects in MTC's 1997 Transportation Improvement Program.

in funding in the region if a unit like MTC did not exist. Quite possibly, transit interests are not as politically prominent at the county level as at the regional level, particularly in the Bay area where some of the major transit systems are multicounty (BART, Alameda-Contra Costa Transit, and Caltrain). Interestingly, all of the region's bicycle, pedestrian, and park-and-ride projects were programmed by the county agencies, perhaps because of the more localized nature of these projects.

Despite these clear differences in programming orientations, it is notable that CMAs were active participants in both the development of multimodal criteria and other ISTEA policy questions at MTC. "To their credit, the CMAs jumped in enthusiastically, in part because they were testing the bounds of their new powers and were interested in establishing a role for themselves amid any changes to decision-making" (M. Francois, 1996, p. 24).

For the most recent rounds of investment decisions, MTC developed an application form for project sponsors that includes all of the screening

and scoring criteria. Sponsors now may do preliminary scoring of their own proposals, which has provided incentives to address transportation problems in a more careful and comprehensive manner ("MTC Multimodal Process," n.d., p. 4). The revised scoring procedure also includes a new criterion relating to land-use/transportation connections, which awards points to projects that are seen as encouraging infill development, compact and contiguous growth, and the vitality of older business districts ("MTC Multimodal Process," n.d., p. 5).

In implementing ISTEA's requirement that plans be fiscally constrained, MTC was able, in turn, to force a degree of realism upon project proponents. All participants in the scoring competition became quite aware of the small share of funds available for new projects and system expansion. In a particularly notable case (see M. Francois, 1996), MTC forced the Bay Area Rapid Transit District to reassess its rail expansion plans, given the district's long-term needs for the rehabilitation of its physical plant. "The ISTEA provision gave MTC a strong position, as BART could not fulfill its plans without MTC releasing certain dollars under its control. MTC used its position to leverage BART into a long-awaited agreement regarding the operator's capital rehabilitation financial plan" (M. Francois, 1996, p. 10). BART was obliged to raise its fares to increase the "local match" available for federal program funds; this fare restructuring also had the effect of bringing BART's fare structure in line with comparable transit systems. MTC also hinged its release of capital funds on BART's finalizing a long-delayed revenue-sharing plan with the Alameda-Contra Costa Transit

District, which provides feeder bus service for BART lines (M. Francois, 1996, p. 11).[9]

In general, then, MTC was able to use its leverage in programming funds to generate enhanced cooperation and coordination among the region's often fractious jurisdictions and transit providers. Monica Francois reports that "problems do exist, however, as some of the Partnership committees have had little focus, and some agencies have had representatives sitting at the table with little authority to make significant decisions" (1996, p. 12).

The Bay area has struggled with air quality problems, although its topography and wind patterns have made pollution less severe than in most of Southern California and the Central Valley. Areas with particular problems have included the Santa Clara Valley in the southern part of the metropolitan area, and the Livermore Valley to the east (see MTC, 1994, p. 32). In fact, before ISTEA, MTC had been successfully sued by environmental groups who argued that the commission's transportation modeling did not sufficiently consider the consequences of projected transportation investments on growth levels and land-use patterns—which, in turn, affect air quality. This case resulted in an increased technical and procedural standard for transportation modeling in MPOs across the country (see Garrett and Wachs, 1996).

With technologically improved automobile engines and reformulations in gasoline, the Bay area's air quality had improved sufficiently to meet federal standards in 1995. MTC lobbied successfully to allow urban regions that had achieved conformity—so-called

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[9]On the larger issue of new rail starts in the region, MTC issued Resolution 1876 in 1988, which set priorities for funding among the various expensive proposals for rail lines in the Bay area.

"maintenance" regions—to retain at least some of their CMAQ allocations. MTC argued that taking CMAQ funds away punished metropolitan areas for their success in achieving cleaner air.

MTC, although viewed as something of a model among the nation's large MPOs, still is hindered by a limitation common to nearly all regional governance entities: an inability to tie transportation investment to land-use decisionmaking. This is particularly the case in the Bay area, since the Association of Bay Area governments (ABAG) has the responsibility to perform regional land-use analyses. MTC leaders have recognized this shortcoming and on occasion have attempted to secure a more important role in land-use planning. For example, MTC staff worked with BART and Contra Costa County to design a land-use plan for the Pleasant Hill BART station, which was located in an unincorporated area. The plan anchors the transit stop with a relatively high-density, mixed-use center of commercial buildings and residential units. The centerpiece of this emerging node was to be a multiplex movie theater and retail complex to be located on BART property directly at the station site. Showing the strength of localism in the area, however, the city of Pleasant Hill filed a lawsuit in 1995 to halt this plan, and city officials in nearby Walnut Creek also raised objections, arguing that environmental and traffic effects had not been assessed. Pleasant Hill was at that time engaged in a competing proposal for a movie theater at a city redevelopment site nearby. In the face of this opposition, efforts to develop the BART site recently were suspended.[10]

MTC's long-range transportation plan for the Bay area notes that the region's job growth is anticipated to continue to exceed its population

[10]This narrative draws upon Hallissy, 1995, and other newspaper and magazine articles.

growth—which means that more long-range commuters will jam the region's freeways, coming from areas of lower-cost housing such as San Joaquin County. MTC notes that "the projected surplus of jobs is largely attributable to local land-use planning policies that favor employment-generating development over housing" (MTC, 1994, p. 14). While it is likely that this process is, to a degree, self-correcting—a region with insufficient housing supply relative to employment will probably lose its competitive edge in attracting new jobs—MTC can only wring its hands over local policies that collectively will probably lead to painful results for the region: either additional long-range auto commuting, an escalation in housing costs, and/or a loss of jobs to competing metropolitan areas. MTC must live with the transportation consequences of such local land-use decisions, but it has no real authority to intervene with localities or do much to alter their incentives for zoning and subdivision requirements. This difficulty shows the limitations inherent in single-purpose regional governing institutions (see Lewis, 1996; Bollens, forthcoming).

Summary

Both the Southern California region and the Bay area are huge, diverse, politically complex regions with strained transportation systems. Both have multiple subregions and subcenters that have been developing more rapidly than the traditional central business districts. Accordingly, it is difficult to reach a consensus on priorities for the transportation needs of either region.

In the Southern California region, which is by far the larger and more diverse area, SCAG holds an uneasy role as a coordinating umbrella entity and long-range planning organization, while county transportation

authorities perform the actual programming. Counties use different methods for prioritizing proposed projects, and the emphases among the counties in the use of STP and CMAQ funds are just as variable as among the state's MPOs. Without much of an independent programming role for SCAG, it is unclear whether an integrating regional framework of priorities really exists—although some would no doubt argue that a region of such scale and complexity makes any such central direction problematic.

In the Bay area, a blend of regionwide priority-setting and county-level devolution exists. While the county CMAs control half of the region's STP funds, they must program those funds in accordance with the multimodal framework developed by MTC. The counties emphasize road projects, while MTC places a heavier emphasis on mass transit, perhaps indicating that transit is viewed politically as more a regional and less a local responsibility. The stronger statutory role of MTC, as compared to SCAG, and the traditional vein of support for regionalism in this smaller and less complex region, help explain the Commission's weightier and more prominent role.

7. The Future of Federal Transportation Policy: A Consideration of Alternative Paths

ISTEA lent a more prominent role to MPOs, reinforcing a regional dimension to complement the national and state dimensions of surface transportation policy. As Congress considers rewriting the transportation legislation, a number of proposals have been advanced that might restructure the federal-state-regional relationship. Some interest groups and policymakers, including the Clinton administration, favor preserving the basic structure of ISTEA in the new transportation law. Others, including the Wilson administration in California, advocate eliminating much of the federal role in collecting and distributing funds and would prefer to devolve this responsibility to the states. Still others would maintain a federal presence but would simplify the programmatic structure of ISTEA and reduce federal restrictions on the use of the

funds—for example, by folding the Congestion Mitigation and Air Quality Program into the larger Surface Transportation Program block grant.

This chapter discusses some of the major legislative options and their possible implications for transportation policy in California. Some proposals have the potential to create greater fiscal problems for the state's mass transit systems. None of them resolves the tension between the state's county-based approach to "regional" planning and the national government's metropolitan-level emphasis. To illuminate these policy debates, we raise larger questions of federalism and intergovernmental relations, including positive and normative approaches to the role of national, state, and regional levels of government in the area of transportation policy.

A California Consensus on Reauthorization?

In May 1996, a set of "consensus principles" regarding the reauthorization of ISTEA was formulated and signed by the heads of the state's 15 MPOs, Caltrans, and other key signatories.[1] Perhaps not surprisingly, the joint statement of principles remains agnostic on the key issue of MPO versus state authority in programming funds, other than calling for the continuation of "joint state/local approval of the Transportation Improvement Program."

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[1]Also signing the document were the heads of the state's Business, Transportation, and Housing Agency, the California Transportation Commission, the League of California Cities, the California State Association of Counties, the California Association of Councils of Governments, and the Rural Counties Task Force.

The document does make several policy recommendations, however, that reflect the experience of California in implementing ISTEA. Among the salient points are the following:

- The statement recognizes that the drafting of ISTEA was informed in large part by the experience and ideas of California organizations, and that the state thus has an interest in continuing the Act's principles: "California was instrumental in shaping the ISTEA of 1991 and is well advanced in applying many of the important changes which it advocated. . . . Reauthorization should preserve the basic architecture of ISTEA's current program categories and refrain from creating any new funding pots, categories or take-downs for specific transportation modes or purposes. Transferability and flexibility should be expanded."
- In one of the perennial themes of intergovernmental relations, the signatories, not surprisingly, call for greater state and local discretion and less federal oversight. They call for the federal government to "fully fund transportation mandates" and "provide for the increased self-certification and delegation of current federal regulatory authority to the state, metropolitan planning organizations, regional transportation planning agencies, cities, counties, and other local agencies." They argue that the federal role should be limited "principally to strategic planning, transportation safety, and applied research and development." They also write that, given the state's interest in maintaining the existing transportation system, federal officials should exempt maintenance and rehabilitation projects from air quality conformity requirements.

- The signatories also advanced their concerns about the funding of federal transportation programs, calling for gas tax "donor" states—of which California is the largest—to each receive minimum allocations of at least 95 percent of the funds they contribute.[2] Like most transportation interests, they call for the federal Highway Trust Fund to be taken "off budget" so that it cannot be used to build up surpluses that are used to help reduce the federal deficit.

Devolving Responsibility for Transportation to the States?

Any sense that California transportation organizations would present a united front on ISTEA reauthorization dissipated over the summer of 1996 as Governor Pete Wilson and his Secretary of Business, Housing, and Transportation, Dean Dunphy, set a different policy direction by endorsing the concept of *turnback*. This refers to "turning back" gas tax collection, and transportation responsibilities, from the national level to the states. Under such a plan, most of the national gas tax would be eliminated, and states could replace all or some of it with a gas tax at the state level. It echoes similar proposals made, unsuccessfully, during the Reagan and Bush administrations (Dilger, 1992, pp. 68–71). In the

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[2]The idea that states should receive parity between contributions to the Highway Trust Fund and their apportionments from that fund seems straightforward at first glance; after all, the gasoline tax is a user fee, and the usual logic of user fees is that they be used to benefit the contributors. However, basing Trust Fund apportionments on the amount paid into the fund by auto and truck users effectively penalizes those states that have managed to shift a disproportionate amount of travel or freight to mass transit or rail. In an era in which it is the policy of the federal government to attempt to reduce reliance on single-occupant vehicles, this would seem a perverse incentive. In addition, some would argue that budget-writers should consider the entire distribution of federal spending among the states—including military procurement, disaster relief, etc.—and not focus exclusively on one policy area.

U.S. Congress, legislation introduced by Representative John Kasich and Senator Connie Mack has proposed such a turnback plan.

In part, turnback is another attempt to try to maximize the amount of gas tax dollars paid by Californians that would be captured by California (and likewise in other donor states). With a vastly reduced federal role, the redistributive effects of Highway Trust Fund apportionments among the states would be much decreased. In addition, the reduction in administrative costs that turnback proponents expect is also anticipated to increase the amount of revenue flowing into projects rather than overhead. The federal role would be limited to a handful of minor purposes such as maintenance of the National Highway System, safety, research and development, and emergency relief. With the interstate highway system essentially complete, "It is now time for the federal highway bureaucracy to declare victory and go home," Dunphy testified before Congress on behalf of Governor Wilson (Dunphy testimony, 1996).

Concerned with mandates and oversight from Washington—particularly on environmental matters—turnback advocates represent the vanguard of the "devolution" movement in transportation policy. Since the interstate highway program began in 1956, Dunphy argues, "states have developed considerable expertise in the design, construction, and preservation of transportation facilities. States no longer need federal oversight. . ." (Dunphy testimony, 1996).[3]

Some transportation advocates worry that state legislatures may not have the political boldness to raise their state gas taxes sufficiently to

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[3]Some turnback proponents suggest drawing down the existing balance in the federal Highway Trust Fund by releasing it to the states as an unrestricted transportation block grant.

make up for the loss of federal funds. In California, however, the Motor Vehicle Fuel License Tax Law provides for automatic increases in the state tax rate in the event of a federal fuel tax reduction, so that the combined federal/state gas tax would not decrease. Dunphy also has suggested that "regional or local revenue mechanisms" could be used to raise additional transportation funds. It is unlikely that many local elected officials in California would be comfortable with this prescription, however, since local tax increases require approval from two-thirds of voters, and since many counties already have gone before voters in the past decade to secure countywide sales taxes dedicated to transportation.[4] Moreover, *regional* taxes in multicounty metropolitan areas would need state legislative approval merely to be proposed to the voters, since California's MPOs do not have the authority to propose taxes on their own volition. In any event, MPOs—as entities that exist largely in response to federal requirements—may have little or no role to play in the event of turnback.

Some worry that mass transit and other urban-oriented programs are likely to emerge in a weak position if gas tax collection is shifted to the states, especially since 31 states legally limit the use of state gas tax revenues to highway purposes.[5] Article XIX of the California Constitution, for example, limits state gas tax revenues to uses involving highways and the construction of fixed mass transit guideways (i.e., rail lines). Specifically prohibited are uses of fuel taxes for "maintenance and

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[4]There currently are 19 so-called "self-help" counties levying sales taxes in support of transportation needs. In response to a lawsuit raised over the sales tax in Santa Clara County, the California Supreme Court ruled that henceforth all such ballot measures would require a two-thirds affirmative vote.

[5]Currently, two cents of the 18-cent federal gas tax are specifically reserved for mass transit programs; in addition, as noted, certain highway account funds may be "flexed" to transit.

operating costs for mass transit power systems and mass transit passenger facilities, vehicles, equipment, and services" (Article XIX, Section 1; see the discussion in Grodin, Massey, and Cunningham, 1993, p. 305*)*.[6]

Thus, unless California's constitution were amended, transit needs including operating expenses, maintenance, or purchase of buses or rail cars would lack the support under a state-administered trust fund that they now receive under the federal programs. As it is, several of the state's transit operators have instituted service cutbacks and fare increases in recent years, due in large part to the substantial reduction in federal support for operating subsidies in the mid-1990s.

Streamlining ISTEA? The Future of CMAQ

Meanwhile, the so-called STEP 21 plan, introduced by Representative Tom DeLay and Senator John Warner, and backed by about 20 "donor states," is a less thoroughgoing devolution proposal than the turnback idea. STEP 21, which stands for Streamlined Transportation Efficiency Program for the 21st Century, would move toward more of a block grant arrangement for transportation funding. The federal government would still collect gas taxes, but distribution of this revenue to the states would be simplified and would allow more state discretion. For example, this bill would attempt to simplify federal highway-aid categories into a National Highway System component and a flexible Surface Transportation Program, with the existing CMAQ

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[6]The constitution further holds that mass transit uses of the gas tax are permitted only after voters approve the idea in the county or counties where the funds are to be spent (Article XIX, Section 4). The provision allowing use of gas tax revenues for mass transit was inserted in the constitution via constitutional amendment in 1974 (during the first oil price shock period). Previously, only highway-related expenditures were permitted. Voters rejected a 1990 initiative that would have allowed the purchase of mass transit vehicles with these funds.

program folded into STP. It would guarantee all states that they would receive at least 95 percent of the gas taxes paid by their residents.

Advocates of streamlining ISTEA claim that the 10 percent set-aside within the STP fund for the enhancements program limits the ability of local and state officials to set priorities through their transportation programming.[7] Some critics further charge that the CMAQ program is an inefficient way to meet the air quality challenges of the nation's urban areas. In the words of a Virginia Department of Transportation official, for example, "the CMAQ program was developed based on the faulty and expensive premise that air quality improvements could be addressed best through transportation demand measures. However, in metropolitan areas across the U.S. land uses are already well-developed. Most changes to the transportation system at this point are small, relative to the system as a whole, and thus have only a marginal impact. . . . Study after study shows that the greatest improvements in air quality have been caused not by demand management techniques, but by technological improvements. Cleaner fuels and cleaner cars, not forcing people out of their cars and into transit, is the answer for clean air" (Ybarra testimony, 1996).

The original STEP 21 proposal would eliminate CMAQ as a separate funding category but would allow STP funds to be used for congestion mitigation and air quality purposes at the discretion of states and MPOs. The concern of some highway-oriented interests with the

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[7]Some of the same highway advocates who see the enhancements category as too intrusive do favor retaining the 10 percent of STP funds reserved for road safety projects. With a similar logic of "set-asides for me, but not for thee," many alternative transportation interests embrace the general concept of allowing flexible use of federal funds by MPOs and states—*except* for the enhancements program, which they insist on preserving as an STP subcategory. Philosophical consistency has not always been a major feature of interest group positions in the reauthorization debate.

CMAQ program is that it "subverts" the idea of a highway trust fund by devoting a portion of it to uses that cannot include any expansion of highway capacity (and often involve funding for mass transit). The American Highway Users Alliance, for example, would not only end CMAQ but also proposes that the STP program—also uncomfortably "flexible" in the way it can be spent, for their tastes—be limited to 15 percent of the total federal highway program (Fay testimony, 1996).

There are several considerations regarding the ability of MPOs to use CMAQ funds to improve air quality. Despite their wide geographic scope for planning, MPOs, which are not units of government with discrete enforcement powers, are at a general disadvantage in advancing policies that would further air quality improvement. Transportation control measures typically involve either some form of increased system capacity that does not constrain the freedom and choice of individual drivers—e.g., building HOV lanes, creating pedestrian and bike facilities, or expanding transit service—or else voluntarist efforts such as new ridesharing programs and encouragement of flexible working hours. In recent rounds of ISTEA programming in California, CMAQ funds have been used heavily to support mass transit operations, which were seriously affected by cutbacks in operating subsidies under Federal Transit Administration programs (refer to Table 5.2). In effect, the CMAQ program has in part been used as a substitute for shrinking FTA operating subsidies, and although this may keep some transit routes in operation, the direct effects on air quality probably are minimal. The voluntary nature of councils of governments, and the local rivalries within each region, make it difficult for MPOs to generate serious consideration of policies that impose geographically uneven costs and benefits, such as congestion pricing, new toll charges on bridges or

highways, parking limitations, or requirements upon cities to balance jobs/housing ratios.[8]

Moreover, "many of the most effective tools for reducing the impact of motor vehicle emissions are not within the control of local government" ("San Joaquin Valley Regional Transportation Overview," 1994, p. 20). Such tactics include emissions standards for vehicles, gasoline taxes, vehicle registration charges, or alternative fuels. Some have argued that the CMAQ program is an unrealistic approach to air quality improvements, since it is geared at improving traffic flow and providing transportation alternatives, rather than altering the underlying incentive structure facing travelers or the land-use patterns that affect traffic congestion. In any event, devolution to MPOs is no substitute for bold or innovative state and national policy in this area.

The CMAQ program might enjoy greater credibility as an air quality effort if eligibility for CMAQ funds were broadened to activities such as purchasing old, polluting vehicles and taking them off the road (an activity specifically excluded from CMAQ eligibility by ISTEA); instituting congestion pricing programs or demonstrations; or setting up programs that would establish pricing for parking at workplaces. Such efforts, which impose noticeable costs on polluting activities, are generally considered far more effective than traditional transportation control measures at reducing single-occupant car travel; but they risk alienating the public and thus are unpopular politically (see Downs, 1992; Glickman and Cate, 1994, pp. 11–13). New CMAQ guidance issued by the Federal Highway Administration in 1996 did expand

[8]In theory, some of California's air quality districts may have the statutory authority to issue rules on these topics, although any such administrative requirements would be politically controversial.

eligibility for air-quality-related inspection and maintenance programs. Still, some MPO staff are concerned "that many of the elected officials have not accepted the seriousness of the [air quality] problem and the need to support a range of actions" (USDOT, 1994, p. 26).

The Debate over MPO Population Thresholds and Programming Authority

Conflict also has directly emerged regarding the proper role for MPOs under a new federal transportation act. The Association of Metropolitan Planning Organizations (AMPO) supports allowing all MPOs, not just those in areas over 200,000 population, to select projects for funding. AMPO also has recommended that states be given the power to devise formulas for distributing *all* federal transportation funds—not just STP and CMAQ—among their MPOs for programming (Villines testimony, 1996).[9]

Currently, MPOs with populations under 200,000 are supposed to cooperate with states in the selection of projects. One representative of small MPOs has advocated granting them more authority, arguing that "lack of ultimate project selection can minimize the importance of the MPO's plans and programs. . . . It may pit state policies and goals against local priorities. . . . It can restrict innovative funding opportunities since the MPO has no true project selection power or funding predictability assurance, so creative financing or bonding options which could leverage federal funds are nearly impossible" (Shorten, 1995). The lack of authority among such MPOs may also reduce the

[9]In addition, most MPOs support continuing the ISTEA requirement of fiscally constrained planning. State transportation departments are less enthusiastic, ostensibly because of the difficulty of accurately predicting revenues. The state DOTs would prefer there to be at least some "over-programming" (GAO, 1996c).

opportunities and incentives for meaningful citizen participation in the programming process at the regional level. In California, where the smaller MPOs also function as single-county transportation planning agencies under state law, there is some precedent for devolving greater programming authority to such entities.

State-level transportation interests, not surprisingly, are wary of enhanced substate regionalism. In contrast to the calls of MPO interests for greater say in the programming process, the American Association of State Highway and Transportation Officials advocates increasing the minimum population at which MPOs would be able to select projects from 200,000 to 1,000,000 (GAO, 1996c, p. 27). Former Federal Highway Administrator Ray Barnhart, who during his term urged President Bush to veto ISTEA, argues that "through ISTEA the Congress has so diluted the authority of state DOTs that they can no longer efficiently, effectively, and economically plan, build and manage their transportation programs"—mainly because they must share decisionmaking authority with MPOs (Barnhart testimony, 1996).[10] A representative of highway contractors testified by complaining that "Layers of local bureaucracies were created to micro-manage this national program" (Burkett testimony, 1996).

Under AMPO's plan to lower the MPO programming threshold to 50,000 population, as many as all 339 MPOs could receive project-selection authority, while AASHTO's plan for a threshold of 1 million population would reduce the number of MPOs with such authority to as

[10]Barnhart does not mince words, going on to say that "As a result of ISTEA, highway funding has become the mother lode, the perceived bottomless pit from which dollars can be extracted to finance almost any cockamamie scheme political activists can dream up." Barnhart advocates a turnback of fuel taxes to the states for their discretionary use.

few as 35, from the current 129. In California, MPOs that could lose programming authority under the AASHTO plan would include those representing the counties of Fresno, Kern, San Joaquin, Santa Barbara, Stanislaus, and Tulare, as well as the Monterey Bay region.

Clearly there is no "magical" population size at which MPOs become viable policymaking and priority-setting units. The technical capacity and political credibility of these units probably is more important than the scale of the areas they represent. Discussions of "layers of bureaucracy" may obscure the more substantive philosophical question of whether there is a legitimate "regional interest" in transportation policy, and if so, how it should be represented.

In California, a bill introduced in the legislature and supported by the Wilson administration would institute a "regional choice" funding program for state and federal funds subject to allocation by the California Transportation Commission. Such funds, including the state Highway Account and Public Transportation Account, would be subject to a more widespread devolution to county transportation planning agencies or commissions. As introduced in the state senate bill (SB 45), the plan would turn over 80 percent of funds available for capital improvements to the county agencies for programming, while 20 percent would be reserved for the state's interregional road and rail programs and state discretionary projects. (Expenditures for operations and maintenance, rehabilitation, and administration would be deducted before applying the 80/20 formula.) Apportionments to each county would be based on its population and state highway mileage.

In connection with the devolution from the federal government to the states proposed under turnback, this plan would guarantee some continuing devolution of programming authority from the state to

substate regions. However, the state's definition of what constitutes a region continues to be different from the federal definition. While regional programming authority under federal ISTEA rules rests with MPOs, which must correspond to urbanized areas and air basins, the regional dimension of state transportation policies, including this proposal, lies with county-level transportation planning agencies. This reflects the existing experience with using county-level mechanisms for Transportation Development Act and congestion management programming, and the traditional suspicion of larger-than-county regional entities in California, especially outside of the San Francisco Bay area.

Federalism and the Debate over ISTEA Reauthorization

While there are elements of political self-interest involved in the debate among the policy alternatives discussed above, serious questions regarding federalism in transportation policy are raised by these issues: What is the "national purpose" justifying federal transportation funding to state governments? To MPOs? Should more decisionmaking authority rest with the states, and if so, will important national goals be given short shrift? Is there a "metropolitan interest" sufficiently distinct from a state interest to justify a major role for MPOs?

National Role

In theory, the role of the national government in a federal system would be mainly devoted to those key activities that states lack the capacity or the incentive to accomplish individually, such as national defense, monetary control, and setting a basic level for a redistributional

social "safety net." In the area of infrastructure, the main responsibilities at the national level are promoting interstate and international commerce and helping ensure national defense. "According to the geographic range-of-benefits argument, the federal government should focus its surface transportation resources on facilities and projects that have national significance, either because they have strategic significance for the nation's defense or are designed to move traffic and goods between states" (Dilger, 1992, p. 70). In the modern era, the interstate highway system (originally justified in part on national defense grounds) is the most obvious example of a surface transportation investment with national purposes and implications—even though local traffic has overwhelmed long-distance traffic on many segments of the interstate network.

In the contemporary era, setting environmental standards and defraying the costs of meeting those standards also has been considered by many to be properly a national responsibility. In the case of ISTEA, many policymakers view the CMAQ program as the federal government's attempt to fund the implementation of the part of the Clean Air Act Amendments that pertain to transportation. Disaster relief, research, promulgation of safety standards, and support for roads serving federally owned land and facilities can also be counted as clearly national responsibilities.

However, policy rarely responds to theories of federalism so much as it reacts to political pressures and incentives. The political realities of sectional and interstate rivalry, and the local nature of congressional constituencies, have meant that the federal government often provides funding for transportation projects of more limited local or state benefit. As Adler (1993, p. 78) writes, "Spatial competition engenders a

continuing demand for transport projects that will create and maintain location advantages. . . ." State and local officials also have looked covetously at the national government's ability to collect vast sums through its gasoline tax, especially given the political difficulty in states and localities of raising taxes to support transportation. Thus, money from Washington has been used regularly for highways and mass transit systems that are primarily of benefit within individual metropolitan or rural areas.

State Role

States and localities, which must compete with other jurisdictions for mobile businesses and residents, typically have political incentives to promote their relative position within the economic hierarchy of places. They generally seek to institute developmental policies, such as the building of infrastructure, that will allow them to capture economic benefits localized to their particular area and have less incentive than the national government to pursue redistributional policy (Peterson, 1981, especially Chapters 3 and 4).

Administratively, transportation activity by states typically is lodged in state departments of transportation, and the bureaucratic lineage of these agencies is important. State DOTs historically have been accused of favoring highway expansion projects in less densely populated areas. Building highways is what the state DOTs originally were established to do and, except in the case of a few state DOTs with a truly multimodal tradition, the road-building tradition often pervades the organizational culture. In addition, road construction is naturally associated with jobs and local economic development, as many interest groups and politicians realize.

The perception of a "rural bias" in highway building emerges partially because the low population in rural areas makes per capita expenditures on roads naturally higher in rural areas than in urban areas. Highway spending in rural areas must support not only the travel within the local area but also the interregional traffic flowing through the rural area. Politically, road building is often more welcome in less developed areas, where neighborhood disruption and resident relocation are less likely, environmental groups are less well-organized, and local political leaders are often more desperate for economic growth. In essence, state DOTs find it easier to carry out their traditional activities in rural areas.

Not surprisingly, then, per capita transportation spending is higher in rural areas than in urbanized areas.[11] An analysis of Federal Highway Administration data from FY 1995 by the Surface Transportation Policy Project found that while the expenditure of federal funds for roadways was about $72 per capita in FY 1995, spending in urbanized areas of 50,000 or more population was about $54 per person. Small-town and rural transportation expenditures were correspondingly higher. Stated in another way, urbanized areas, which comprise 64 percent of the U.S. population, received 46 percent of obligations (STPP, 1996, pp. 6–7). In California, a highly metropolitan state, 86 percent of the 1990 population resided in urbanized areas, while 75 percent of ISTEA roadway spending went to such areas (STPP, 1996, p. 15). Thus, the disparity between urbanized-area population share and urbanized-area spending share is somewhat smaller in California than in the nation as a whole.

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[11]For multivariate analyses of highway expenditure levels using the 50 states as units of analysis, see Peterson, 1981, pp. 52–59. Measures of state urbanization show significantly negative effects on per capita highway spending in Peterson's study.

In addition, federal ISTEA funds have been obligated—that is, committed by states for spending—significantly *more slowly* for projects in metropolitan areas than in other areas. Of the STP funding earmarked for suballocation to the nation's urbanized regions of 200,000 or more population from fiscal year 1992 through February 1996, 82 percent was obligated, a significantly slower rate of obligation than statewide levels. In California, 78 percent of the metropolitan STP funds were obligated, placing the state among the lowest 15 in percentage obligated.[12] Also, in California—as in the nation—federal-aid funds were spent disproportionately on state-owned highways and interstate highways, rather than on locally owned roads (STPP, 1996, pp. 36–37).

Where state-collected revenues are distributed to the local level for transportation purposes, funding assistance typically is apportioned based on existing administrative arrangements (i.e., to the counties) and based on formulas that emphasize equitable population-based funding across areas. Such decision rules are understandable politically but may not always provide the most effective means to address the transportation needs of metropolitan areas. For example, the sales tax revenues devoted to mass transit under California's Transportation Development Act are apportioned to the counties based on where the sales taxes are collected (a "situs" rule)–which tends to support transit subsidies in affluent suburban counties. Within each county (except Los Angeles, which has arranged a special exception), TDA subsidies are further distributed to the various transit operators on the basis of population, rather than

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[12]Within California, obligation rates varied enormously, from 96 percent in the San Jose urbanized area to just 21 percent in the Stockton urbanized area. Stockton, Sacramento, San Bernardino-Riverside, Fresno, and Modesto were among the 20 lowest urbanized areas in the country in the rate of obligations. See the presentation of Federal Highway Administration data in STPP, 1996, pp. 8–10, 18–19.

ridership. Again, this has the effect of providing a much heavier subsidy per rider in low-density suburban areas where transit cannot attract many riders, while fiscally strapped inner city transit properties that are more significant parts of the transportation system receive far lower subsidies per rider (Taylor, 1991).[13]

Regional Role

The regional level of governance is typically missing in discussions of American federalism. While municipalities and counties are the principal governing institutions at the substate level, major surface transportation facilities have effects and spillovers that normally do not correspond geographically to any one local government. As with labor markets and air basins, transportation networks have a regional character—larger than a city and often larger than a county. Just as blood circulation cannot be understood just by focusing on a single vein or artery, problems involving the movement of people and goods in an urbanized area cannot be systematically addressed through the actions of any individual city. Where regional governmental institutions exist, they may be expected to focus on systemic transportation needs of that urbanized area, since congestion and circulation issues affect the ability of the area to compete economically and also affect the quality of life of its residents. For this reason, federal policymakers have stimulated the formation of MPOs (and other regional governmental bodies), in an attempt to have federal transportation assistance spent in an efficient and planned manner. Regional governance in transportation is more well-

[13]Taylor's data show, for example, that the TDA subsidy per transit rider in fiscal year 1987–88 was about 13 cents for San Francisco's city transit system, while the transit operator in the suburban Livermore area enjoyed a subsidy of over $5.00 per rider (1991, p. 90).

developed than regionalism in most other realms of public policy in the United States. And MPOs, at least in California, as seen in Chapter 5, take distinctive approaches to regional transportation needs through their programming activities.

Anthony Downs of the Brookings Institution has recently called upon Congress to extend ISTEA's regionalist approach to policies and intergovernmental grants in other issue areas, such as health, welfare, and housing, writing that "Congress is . . . missing a unique chance to create and reinforce a system of governance much more in tune with the spatial realities of modern life." Downs points to the growing amount of scholarship that finds metropolitan areas, rather than cities or states, to be the true building blocks of the nation's economy. "Why? Because the various spatial sections of each metropolitan area are linked together in a series of densely interlocking networks" (Downs, 1996, p. 2). The data in Table 5.3 on cross-county commuting in multicounty regions bear out this notion of interconnected networks. As we noted in Chapter 5, nearly 1.9 million employed residents of the four multicounty MPOs in California–Monterey, Sacramento, San Francisco, and Southern California–traveled across county lines to work as of 1990. In some sense, this constituency would be less than fully represented in transportation planning if the multicounty MPOs were disbanded or disempowered.

Downs's call for an increased metropolitan-level presence in decisionmaking over the allocation of federal funds reflects comments made during the Kennedy administration by Robert Weaver, administrator of what was then called the Housing and Home Finance Administration (now HUD). Weaver told Congress that federal subsidies to remedy urban problems must "go to some place where there

is a central approach to the problem, or else we are going to dissipate our funds entirely and make chaos, rather than an improvement" (quoted in Adler, 1993, pp. 82–83). Much more recently, transportation analyst Neal Denno (1994, p. 284) recommended that the federal government apportion transportation funds directly to MPOs, rather than passing them through the states, so that MPOs could program the funds according to their own priorities without fear of losing them to other sections of the state.

But while state governments are an essential party to American federalism, and local governments in the twentieth century increasingly have approached the national government for assistance, regional interests have a more difficult time establishing their legitimacy as direct claimants of Washington's resources. Upon what theoretical grounds should the national government aid transportation at the regional level? Or, stated another way, what is the "national interest" in metropolitan transportation improvements? Defenders of MPOs make the case that regional economies are the "economic engines" of the nation's prosperity, and thus that metropolitan areas' "continued vitality is essential to the nation's ability to compete globally" (Villines testimony, 1996; see also Dahms testimony, 1996). Such statements reflect the argument, made forcefully in some influential books (Jacobs, 1984; Peirce, Johnson, and Hall, 1993), that metropolitan areas are distinctive, meaningful economies that largely drive the national economy and deserve more attention from makers of national economic policy (see also Mills, 1990).

State boundaries often are more historical artifacts than they are demarcations of different economic realms. Metropolitan areas, on the other hand, are in some sense coherent economic communities, with distinctive characteristics and transportation issues. They are not,

however, political communities, in the sense of having a unit of general-purpose government that corresponds to the urbanized area. Urbanized areas contained within a single county do have county institutions that can assume such a role, but the larger and more complex metropolitan economies tend to be composed of multiple counties.

Conclusion: MPOs, Mass Transit, and the Politics of Federalism

In effect, federal transportation policymakers in recent decades have functioned as something of a surrogate for what might be called the metropolitan political interest—the latent interest of urban and suburban residents in developing and maintaining an adequately functioning transportation system in their areas. The metropolitan political interest typically fails to develop as a potent political force because there are very few, if any, elected officials who are elected by a constituency that corresponds to the metropolis.[14]

In particular, with their interest in environmental problems and in the special transportation needs of the poor, many members of Congress look to MPOs to provide a voice for the fiscally enfeebled mass transit systems in making programming decisions. Although the congressional sponsors of ISTEA never formally indicated it, "it was assumed that [they] advocated a greater role for MPOs in project selection because they [MPOs] represented urban areas and were likely to use their new authority to shift funding toward mass transit" (Dilger, 1992, p. 72). The state government, particularly in a large state such as California, typically is more interested in connecting its regions and in protecting its

[14]On "local majorities" versus "latent majorities" in urban regional politics, see Lewis (1996, pp. 213–214).

existing investment in transportation, which suggests an emphasis on highway spending. Moreover, the origins of Caltrans as a single-mode highway agency probably add to this emphasis. As ISTEA approaches reauthorization, some of the proposed changes in transportation policy that would increase the authority of the states could undercut the support available to transit. Not surprisingly, major advocates for retaining the basic structure of ISTEA have included interest groups representing MPOs, central cities, and public transit agencies.

Some of California's most significant metropolitan areas are multicounty. State laws mainly have stressed the county level in planning and programming activities, and the proposed state legislation that would create a "regional choice" funding system again seems to imply county-level choice. In the multicounty regions—given what we have learned from the SCAG and MTC data on county-level programming—it is likely that this shift would mean more emphasis on local priorities, less on regionwide transit. In the state's single-county metropolitan regions, a shift from MPO programming to county transportation authority programming would seem a difference more in semantics than in the substance of transportation planning. However, if this shift were accompanied by a replacement of federal funds by state funds–as under the turnback plan–a significant amount of funding flexibility available to support mass transit would be lost, due to the restrictive language in the state constitution. Additionally, if the CMAQ program were eliminated as a separate category in a "streamlined" successor to ISTEA, another significant prop for urban transit operations would end.

The tension among levels of government regarding responsibilities and spending power over transportation is natural in a federal system.

The desire of federal policymakers to preserve their decisionmaking prerogatives, and their natural desire to claim credit for benefits delivered to home districts, almost ensures a continued significant federal role in surface transportation. Whether the distinctive regional perspective of MPOs continues to play a large part in channeling, directing, and planning federal assistance remains to be seen. In all cases, the activities and choices of these little-known regional planning entities—and their representational character—merit careful attention by policymakers and others concerned about transportation and governance in metropolitan areas.

Appendix A

Measurement of Representation in Metropolitan Planning Organizations

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In Chapter 3, we use an *index of deviation from proportionality* to quantitatively describe the degree to which representation of the population is skewed on any MPO governing board. This deviation index, labeled *D*, is adapted from the work of political scientists who have studied electoral systems across nations and states. They used the index to demonstrate differences in how electoral systems convert vote shares for various political parties into shares of seats in the legislature (see Taagepera and Shugart, 1989, for a discussion of *D* and other quantitative indexes of political representation).

For our purposes, the index is calculated according to the following formula:

$$D = (1/2) \sum | s_i - p_i |$$

where s is the percentage of votes on the MPO governing board by each population unit i, and p is the percentage of total population held by that unit. The resulting index D, which measures the overall deviation of the MPO from proportional representation of its population, will range from 0 to 100 percent. The higher the value of D, the more skewed that representation is.

In essence, what we do in applying this formula is the following:

- Determine the difference between a unit's proportion of population in an MPO and its proportion of voting power on the MPO board;
- Add together the absolute value of these individual deviations; and
- Divide the resulting total in half to standardize the index to the 0 to 100 percent range.

In most of California's MPOs, the relevant "units" for measuring deviation are individual cities. However, we must also take into account the board representation of residents of unincorporated areas. In two of the large multicounty MPOs—the Metropolitan Transportation Commission and the Sacramento Area Council of Governments—the units represented are not individual cities but the cities of each county, considered collectively. In addition, the Southern California Association of Government's city representatives are chosen from geographic districts within each county. In SCAG's case, then, we use the county as the unit of analysis.

In the 11 single-county MPOs in the state, we make the assumption that the county supervisors sitting on the MPO board represent the residents of each city within their county in proportion to the population share of that city. For example, imagine that a city constitutes 50 percent

of the population of its county. If the city has one vote on the MPO board, and a supervisor from this city's county also has one vote on the board, we assume that the city effectively gets 1.5 votes on the board (one of its own, and half of the county delegate's "attention"). An unincorporated portion of a county that makes up 30 percent of its county population may have no "direct" votes on the MPO board but would be assumed to be represented by 0.3 votes of any county supervisor on the board.[1]

Using information on board voting structure provided by each MPO in California, values of *D* were calculated and are reported in Table 3.1. Results show a fair amount of variation in representational patterns among the state's MPOs. What explains variation in the values of the index among MPOs? Although multivariate analysis of *D* is necessarily limited by the small number of cases, it is possible to begin to explore two potential explanations. First, deviation from proportionality is likely to be positively associated with the number of subunits, since more measurement units leads to the possibility of more random deviation (see Taagepera and Shugart, 1989, pp. 108, 261). Second, it is possible that larger MPOs—those with higher populations—may find it more difficult politically to attain proportionality of representation. When we examined the entire set of 14 MPOs, the first proposition (number of subunits) appeared to be confirmed, while the second (population) was disconfirmed; larger values of *D* are associated with more subunits and *lower* population, whether simple correlations or multiple regression analysis is used. However, these results may be skewed by the very high

[1]MTC's board members from the Association of Bay Area Governments and the Bay Conservation and Development Commission are similarly assumed to be "at-large" members who represent each area of the MPO in proportion to its relative population.

populations and rather low values of *D* at the two largest MPOs—SCAG and MTC.[2] Overall, the tiny number of cases and the multicorrelation between population and subunits in the smaller MPOs make it imprudent to draw causal inferences from the California sample.

MPO representational rules typically underweight central cities (Benjamin, Kincaid, and McDowell, 1994). Among the most egregious examples of deviations from proportionality for individual subunits in California are the city of San Diego, which has 44 percent of the population of San Diego County but only 8 percent of the MPO votes, and the city of Stockton, which has over 44 percent of San Joaquin County's population but only 29 percent of its MPO votes. Unincorporated portions of most MPOs also are seriously underrepresented by this measure. They do not receive a vote of their own and thus receive only some share of the county delegates' attention (assumed here to be a share equal to their percentage of the county population).[3]

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[2]If we reestimate the relationships, using as cases only those ten MPOs of less than one million population (thus omitting SCAG, MTC, San Diego, and Sacramento), we find highly positive correlations between *D* and both population and subunits. However, a regression analysis for this restricted set of cases finds that the number of subunits has an insignificant (and in fact negative) effect on *D*, once we control for the positive and significant effects of population.

[3]Critics of this assumption might argue that county supervisors could be expected to mainly represent the corporate interests of the county government—and thus perhaps overemphasize the unincorporated areas, where the county is the primary service provider. This criticism would be more persuasive if county supervisors were elected at large. But in nearly every California county, supervisors are elected by district. Thus, the county supervisor sitting on an MPO board cannot be expected to give extra attention to the needs of the unincorporated area, unless he or she happens to represent a district composed largely of unincorporated-area residents. The safest assumption for the current analysis would seem to be that countywide delegates represent the interests of all areas of the county in accordance with each area's share of the county population.

Appendix B

California's Metropolitan Planning Organizations

Table B.1

California's Metropolitan Planning Organizations

MPO	Address/Phone/Web Site	Area	Population	Governing Board
Butte County Association of Governments (Chico)	Jon Clark Executive Director 479 Oro Dam Blvd. Oroville, CA 95965 (916) 538-6866 - phone (916) 538-6868 - fax www.bcag.org	Butte County and its 5 cities (approximately 1,670 sq mi)	197,000	10 members: 5 Butte Co. supervisors, 1 representative from each of 5 incorporated cities
Council of Fresno County Governments	Barbara Goodwin, Executive Director 2100 Tulare St., Suite 619 Fresno, CA 93721 (209) 233-4148 - phone (209) 233-9645 - fax www.cybergate.com/cofcg	Fresno County and its 15 cities (approximately 5,963 sq mi)	760,900	16 members: 1 Fresno Co. supervisor, 1 representative from each of 15 cities (double-weighting voting method described in Chapter 3)
Kern County Council of Governments (Bakersfield)	Ronald E. Brummett Executive Director 1401 19th St., Suite 300 Bakersfield, CA 93301 (805) 861-2191 - phone (805) 324-8215 - fax	Kern County and its 11 cities (approximately 8,172 sq mi)	624,700	13 members: 2 Kern Co. supervisors, 1 representative from each of 11 cities

Table B.1 (continued)

MPO	Address/Phone/Web Site	Area	Population	Governing Board
Merced County Association of Governments	Jesse Brown Executive Director 1770 M St. Merced, CA 95340 (209) 723-3153 - phone (209) 723-9322 - fax www.merced.k12.ca.us/~mcag	Merced County and its 6 cities (approximately 1,929 sq mi)	198,500	11 members: 5 Merced Co. supervisors, 1 representative from each of 6 cities
Metropolitan Transportation Commission (San Francisco Bay area)	Lawrence Dahms Executive Director 101 Eighth St. Oakland, CA 94607 (510) 464-7787 - phone (510) 464-7848 - fax www.mtc.dst.ca.us	Counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma, and their 100 cities (approximately 7,179 sq mi)	6,439,000	16 members: 2 representatives from each of 5 counties, 1 representative from each of 4 counties, 1 representative from ABAG, 1 representative from the Bay Conservation and Development Commission
Association of Monterey Bay Area Governments (Salinas, Monterey, Santa Cruz)	Nicolas Papadakis Executive Director P.O. Box 809 Marina, CA 93933-0809 (408) 883-3750 - phone (408) 883-3755 - fax	Counties of Monterey and Santa Cruz and their 15 cities, and 1 city in San Benito County (approximately 3,768 sq mi)	632,200	20 members : 2 representatives from each of 2 counties, 1 representative from each of 16 cities (any member can invoke weighted voting)

Table B.1 (continued)

MPO	Address/Phone/Web Site	Area	Population	Governing Board
Sacramento Area Council of Governments	Michael Hoffacker Executive Director 3000 S St., Suite 300 Sacramento, CA 95816 (916) 457-2264 - phone (916) 457-3299 - fax www.sacog.org	Counties of Sacramento, Sutter, Yolo, and Yuba and their 12 cities, and 3 cities in Placer County (approximately 3,212 sq mi)	1,506,350	10 members : 1 supervisor from each of 4 counties, 1 representative from the city of Sacramento, 1 city representative from each of 5 counties (Sacramento County Supervisor gets 3 votes; City of Sacramento representative gets 2 votes)
San Diego Association of Governments	Kenneth Sulzer Executive Director 401 B St., Suite 800 San Diego, CA 92101 (619) 595-5300 - phone (619) 595-5305 - fax www.sandag.cog.ca.us	San Diego County and its 18 cities (approximately 4,205 sq mi)	2,690,300	19 members: 1 San Diego Co. supervisor, 1 representative from each of 18 cities (any member can invoke weighted voting)
San Joaquin County Council of Governments (Stockton)	Barton R. Meays Executive Director 102 S. San Joaquin St., 4th Fl. Stockton, CA 95202 (209) 468-3913 - phone (209) 468-1084 - fax	San Joaquin County and its 7 cities (approximately 1,399 sq mi)	529,300	10 members: 2 San Joaquin Co. supervisors, 2 representatives from the city of Stockton, 1 representative from each of 6 cities

Table B.1 (continued)

MPO	Address/Phone/Web Site	Area	Population	Governing Board
San Luis Obispo Council of Governments	Ronald L. DeCarli Executive Director 1150 Osos St., Suite 202 San Luis Obispo, CA 93401 (805) 781-4219 - phone (805) 781-5703 - fax http://biggulp.callamer.com/~ipslocog	San Luis Obispo County and its 7 cities (approximately 3,305 sq mi)	232,400	12 members: 5 San Luis Obispo Co. supervisors, 1 representative from each of 7 cities
Santa Barbara County Association of Governments	Gerald R. Lorden Executive Director 222 E. Anapamu St., Suite 11 Santa Barbara CA 93101 (805) 568-2546 - phone (805) 568-2947 - fax	Santa Barbara County and its 7 cities (approximately 2,739 sq mi)	394,600	12 members : 5 Santa Barbara Co. supervisors, 1 representative from each of 7 cities
Shasta County Regional Transportation Planning Agency (Redding)	William Lyman Executive Officer 1855 Placer St. Redding, CA 96001 (916) 225-5661 - phone (916) 225-5667 - fax	Shasta County and its 3 cities (approximately 3,786 sq mi)	161,600	7 members: 3 Shasta Co. supervisors, 1 representative from each of 3 cities, 1 representative from the Redding Area Bus Authority

Table B.1 (continued)

MPO	Address/Phone/Web Site	Area	Population	Governing Board
Southern California Association of Governments	Mark Pisano Executive Director 818 W. Seventh St., 12th Fl. Los Angeles, CA 90017-3435 (213) 236-1800 - phone (213) 236-1964 - fax www.scag.ca.gov	Counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura, and their 184 cities (approximately 38,141 sq mi)	15,821,700	71 members: 2 Los Angeles Co. supervisors, 1 supervisor from each of 5 counties, 64 representatives from districts
Stanislaus Area Association of Governments (Modesto)	Gary C. Dickson Executive Director 1025 15th St. Modesto, CA 95354 (209) 558-7830 - phone (209) 558-7833 - fax	Stanislaus County and its 9 cities (approximately 1,521 sq mi)	415,300	16 members : 5 Stanislaus Co. supervisors, 3 representatives from the city of Modesto, 1 representative from each of 8 cities
Tulare County Association of Governments (Visalia)	Douglas Wilson Executive Secretary Room 10, County Civic Center Visalia, CA 93291 (209) 733-6291 - phone (209) 730-2621 - fax	Tulare County and its 8 cities (approximately 4,824 sq mi)	351,500	16 members : 5 Tulare Co. supervisors, 1 representative from each of 8 cities, 3 members-at-large

NOTES: 1996 population estimates are from the California Department of Finance, Demographic Research Unit. All governing board members have one vote except where noted.

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