



BRPC

Berkshire Regional Planning Commission

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The next meeting of the Berkshire Regional Planning Commission
Regional Issues Committee
will be held via Zoom on:
Wednesday, August 11th, 2021 at 4:00 p.m.

In person or virtual participation in this meeting is allowed by Ch. 20 of the Acts of 2021 suspending certain provisions of the Open Meeting Law, G.L. c.30 sec.20. The meeting will be held at 1Fenn St., Suite 201, Pittsfield, MA 01201, and via the Zoom information below.

Join Zoom Meeting

<https://us02web.zoom.us/j/85645141317?pwd=ZzZJcWcrdnVSSDRsem54YmFoaHNXZz09>

Meeting ID: 856 4514 1317

Passcode: 587442

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Find your local number: <https://us02web.zoom.us/j/85645141317?pwd=ZzZJcWcrdnVSSDRsem54YmFoaHNXZz09>

AGENDA

1. Call to Order
2. Approval of April 28th, 2021 Meeting Minutes
3. Transportation Climate Initiative
 - a. Discussion
 - b. Approval of comment letter
4. Topics for Future Consideration
5. Next Committee Meeting Date – September 22nd, 2021
6. Adjournment

City and Town Clerks: Please post this notice pursuant to M.G.L. Chapter 39, Section 23B

Please Note:

For information regarding postponements or cancellations on the day of a scheduled meeting, please call Berkshire Regional Planning Commission at (413) 442-1521, x5



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MINUTES OF THE REGIONAL ISSUES COMMITTEE

April 28, 2021

Meeting Held Via Zoom Video Communications

I. Call to Order

The meeting was called to order at 4:03 by CJ Hoss. The meeting was recorded.

Committee Members Present

CJ Hoss, Chair, Pittsfield
Kyle Hanlon, North Adams
Chris Rembold, Great Barrington
Andrew Groff, Williamstown

Committee Members Absent

Sheila Irvin, Pittsfield
Eleanor Tillinghast, Mount Washington (non-Commission member)

BRPC Staff Present

Tom Matuszko, Executive Director
Laura Brennan, Community and Economic Development Senior Planner
Mark Maloy, GIS Data and IT Manager
Alexander Valentini, Economic Development Researcher

II. Approval of March 10, 2021 Meeting Minutes

Chris R. mentioned a typo on page 3 of the meeting minutes, which was corrected.

Chris R. moved to approve the March 10, 2021 meeting minutes. Kyle H. seconded the motion.

Roll Call

Andrew G. – Yes
CJ H. – Yes
Kyle H. – Yes
Chris R. – Yes

III. Proposed Changes to the 2020 Urban Area Criteria

Mark M. presented on potential changes to the urbanized area criteria for the 2020 census released by the Census Bureau. Such changes occur every 10 years between census data collection and release.

According to the current (2010) urbanized area criteria, Berkshire County contains the four following urbanized areas: the Pittsfield urbanized area; the North Adams-Williamstown-Pownal urban cluster; the Lee-Lenox-Stockbridge urban cluster; and the Great Barrington urban cluster.

Tom M. asked what the difference is between an urbanized area and urban cluster. Mark M. replied that urbanized areas have a population above 50,000 while urban clusters have a population between 2,500 and 50,000.

The first major change to the criteria is that the cores of urbanized areas will be defined as census blocks containing 385+ housing units. This differs from the 2010 criteria, which defined urban cores as blocks with a population of 1,000+.

The second and third major changes concern hops and jumps, which are methods used to include blocks that are not contiguous with the urban core, but meet certain housing density and impervious surface/compactness criteria. According to the 2010 criteria, a jump could be a maximum distance of 2.5 miles. Under the new criteria, this distance has been reduced to 1.5 miles. Additionally, under the 2010 criteria, the intervening blocks between urban cores and areas included via hops and jumps were included in the urbanized area. Under the new criteria, these intervening areas will no longer be included, meaning that urbanized areas will consist of an urban core and many inconiguous exclaves.

The fourth major change is that urbanized areas will no longer be smoothed. According to the 2010 criteria, blocks that did not meet urban criteria but were surrounded on at least 3 sides by an urbanized area were included in the urbanized area. Under the new criteria, such blocks will not be included.

The last major change is that the difference between an urban cluster and urbanized area has been eliminated. Instead, all urbanized areas must now have a population of 10,000+.

Based on the new criteria, Berkshire County will contain the following urbanized areas: Pittsfield (could jump down to Lee/Lenox/Stockbridge or up to Cheshire); North Adams (Will include parts of Williamstown, Adams, and Pownal). The Great Barrington and Lee-Lenox-Stockbridge urban clusters will likely no longer qualify as they do not have populations above 10,000. Note that Adams will no longer be part of the Pittsfield urbanized area as a result of the reduction in jump distance.

The minimum threshold for an MPO designation is an urbanized area with a population of 50,000+, but FHWA has informed BRPC that if the population of the Pittsfield urbanized area falls below 50,000, it is unlikely this designation will be removed. However, a decline in population will lower MPO financing by an estimated \$12,000.

Urban minor collectors are eligible for FHWA funds while rural minor collectors are not. If Great Barrington, Lee, Lenox, and Stockbridge are no longer considered urbanized areas, 28 miles of roads within these municipalities will no longer be eligible for FHWA funding.

Funding for BRTA could potentially be reduced as rural and urban transportation authorities receive state and federal funds through different mechanisms. It is unlikely that BRTA will continue to receive \$2 million in annual funding.

If the Pittsfield urbanized area jumps down to include Lenox, Lee, and Stockbridge, those municipalities will have to comply with EPA MS4 regulations.

USDA, HRSA, and Federal education funding could be affected for the current urbanized areas and clusters as these agencies and funding mechanisms offer different funding to urban and rural areas.

The comment letter drafted by BRPC staff makes the following points:

- The change from a population criterion to a housing unit criterion is supported as it captures second homes in Berkshire County.

- The change to a 10,000+ population urbanized area threshold is not supported as it renders Great Barrington, Lee, Lenox, and Stockbridge ineligible, all of which have downtown districts with genuine urban characteristics.
- The elimination of the distinction between urban clusters and urbanized areas is supported.
- The jump distance reduction is not supported.
- The exclusion of intervening blocks between urban cores and hops/jumps is not supported.
- The elimination of smoothing is not supported.

Laura B. suggested that the towns where the 28 miles of roads could be affected are listed in the letter.

CJ H. mentioned that it might be worth mentioning that the population of these towns has likely increased as a result of COVID-19 migration, and that this increase will not have been captured by the 2020 census.

Chris R. mentioned that the population of Great Barrington and the Lee-Lenox-Stockbridge urbanized clusters may indeed increase to above 10,000 during the summer months.

Chris R. moved to suggest that the letter be submitted to the Executive Committee for review. Kyle H. seconded the motion.

Roll Call

Andrew G. – Yes

CJ H. – Yes

Kyle H. – Yes

Chris R. – Yes

IV. Topics for Future Consideration

Tom M. suggested that the Census Bureau's new differential privacy policy, that is, the injection of statistical noise into census datasets for geographies below the state level to protect individual privacy, could be discussed.

Tom M. suggested that maximizing the use of COVID recovery funds for long-term growth and resilience rather than short-term goals could be discussed. Details on how such funds can be used will be released mid-May.

V. Next Committee Meeting Date – May 26th, 2021

VI. Adjournment

Kyle H. moved to adjourn. Chris R. seconded the motion. CJ H. adjourned the meeting at 4:57.

Draft Framework for Public Engagement

Presented by the current TCI-P Jurisdictions, in consultation with the other TCI collaborating states

Introduction

In the “[Update on Public Engagement Planning](#),” published on March 1, 2021, Transportation and Climate Initiative (TCI) jurisdictions outlined the next steps to ensure meaningful, equitable and inclusive community participation when jurisdictions implement the TCI Program (TCI-P). The TCI-P jurisdictions are working with Metropolitan Group to engage with communities to support meaningful public engagement as each jurisdiction develops their respective implementation plans.

This document includes draft principles that are intended to guide TCI-P jurisdictions when conducting outreach and public engagement, with a particular focus on ensuring just and equitable outcomes, including emission reductions and access to low-carbon transportation for communities that are overburdened by pollution and underserved by the transportation system.

TCI-P jurisdictions invite public input on the guiding principles (starting on the next page) and the following questions:

- 1) Is anything missing from this proposed public engagement approach that is important to you?

- 2) Are there any aspects of the proposed approach that are particularly relevant or important to you?

- 3) How could TCI-P jurisdictions provide additional opportunities and entry points for environmental justice, equity and other stakeholders to meaningfully engage in the implementation of TCI-P?

- 4) Does anything need to be added to these principles to guide each jurisdiction’s implementation of TCI-P to effectively target benefits for environmental, climate, and transportation justice communities, tribal communities, and other equity stakeholders (e.g., air quality improvement, access to reliable low-cost transportation options)?

Please submit input through the [TCI public input portal](#).

Guiding Principles

- 1) Each TCI-P jurisdiction will work with their stakeholders to create, or adapt existing, public engagement plans that include the following elements:**
 - Plans for meaningful and effective public engagement, particularly for environmental, climate, and transportation justice communities, tribal communities and other equity stakeholders;
 - Articulation of clear goals, expectations, and limitations;
 - Clearly outlined timelines for each stage of the TCI-P Implementation Plan;
 - Engagement plans that will be updated and revised over time as milestones are reached and related policies are adopted or advanced;
 - Description of how equity and justice considerations will be centered and how input from overburdened communities will be incorporated into decision-making processes; and
 - Inventory of existing communication and engagement channels to identify gaps.
- 2) Build trust through honest and open exchanges of information.**
 - Maintain respect, honesty and integrity in the process.
 - Use an open, two-way exchange of information to increase understanding among all stakeholders, and encourage active listening. Establishing or maintaining open communication channels that are consistently monitored and responded to.
 - Maintain a public funding dashboard/report detailing where program proceeds are being spent.
- 3) Encourage active community participation.**
 - Increase the number of community members who recognize themselves as stakeholders in the low-carbon transportation policy conversation.
 - Where possible, partner with other types of community centers, such as employment centers and rural health offices, to help expand the transportation dialogue.
- 4) Recognize community knowledge and expertise.**
 - Document input received from community members, respond to it, and be transparent regarding how input is reflected in decision making. Make efforts to reconnect with the groups that originally provided the input to see that the input has been effectively integrated into the program.
 - Use input received through community engagement to inform TCI-P decisions and activities in the wider context of overburdened and underserved communities' strengths and concerns.
- 5) Make public engagement accessible for everyone (e.g., language and disability access).**
 - Methods, processes, and information should be targeted and applicable to the specific community's needs.
 - Host meetings at varied times, in venues and in formats that maximize community engagement, including through accommodations for language, disability and other needs. Meeting structures should vary (e.g., including presentations, breakout rooms, and facilitated discussion) to provide different ways for people and organizations to participate and provide input.

- Reduce barriers to engagement and enable interested community members to meaningfully participate. This may include viewing parties for online meetings in areas where internet access is limited.
- Provide plain language resources, technical assistance, and materials that make TCI-P more understandable and accessible to a broad cross-section of stakeholders. Best practices include frequently asked questions, a glossary defining common terms, and contact information for agency officials able to provide assistance. Create anonymous options for submitting questions about program content or requests for simplifying definitions and education materials.
- Provide translation and interpretation services and follow culturally relevant communication practices. If possible, identify commonly spoken languages in different regions across the jurisdiction and translate accordingly for those communities.

6) Build capacity for sustained, long-term community engagement that can exist beyond the TCI-P implementation process.

- Build capacity within communities and community organizations to ensure that underserved and overburdened communities have the technical and policy knowledge to effectively influence low-carbon transportation policy outcomes.
- Invest in community-based air quality monitoring and other tools so data collected in communities is accessible to the public and used in decision-making by TCI-P jurisdictions. Establish and/or maintain a public dashboard/report to share data.
- Build capacity within government agencies to institutionalize public participation
- Ensure that data and information collected by TCI-P jurisdictions can measure the outcomes of transportation policies in ways that are disaggregated by race, income, and other equity-related metrics.
- Leverage federal resources (e.g., U.S. EPA and U.S. DOT grants) and work with federal agencies, as appropriate, to further enable capacity building within communities and TCI-P government agencies.

Draft Proposed Strategies for Regional Collaboration

Presented by the current TCI-P Jurisdictions, in consultation with the other TCI collaborating states

The TCI-P jurisdictions are proposing to include the following policies and programs as components of our respective Implementation Plans, and to pursue these strategies in collaboration with each other. Through collaboration, we can learn from each other's experiences and leverage resources to achieve better outcomes for our communities, businesses, and workers.

Public input is invited on how these proposals and other strategies could help to further reduce emissions and achieve other TCI-P program goals, including direct benefits for overburdened and underserved communities.

Each of the proposed strategies for regional collaboration that are outlined in this document relate to sections of the [Draft TCI-P Model Implementation Plan \(MIP\)](#) that are contemplated to be included in individual TCI-P jurisdictions' Implementation Plans, as follows:

In Section 6 of the MIP, Ensuring transparency and accountability regarding TCI-P implementation and progress toward achieving program goals:

1. Air quality monitoring in communities overburdened by air pollution to ensure transparency regarding the effectiveness of emissions reduction policies.

In Section 7 of the MIP, Investing proceeds and creating high-quality jobs through transparent processes:

2. Ensuring high-quality domestic jobs and workforce development; and
3. Investing in transit to ensure safe, reliable and equitable service.

In Section 9 of the MIP, Advancing additional policies to help achieve the goals of TCI-P:

4. Coordinating public engagement and implementation plans to replace diesel trucks and buses with zero emissions vehicles; and
5. Multi-state electric vehicle corridor planning to enable equitable access to electric vehicle charging.

In addition to the proposed regional collaborations outlined here, individual jurisdictions will also continue to develop other equitable clean transportation and emission reduction policies to advance shared climate and low-carbon transportation goals.

1. Air Quality Monitoring in Communities Overburdened by Air Pollution to Ensure Transparency Regarding the Effectiveness of Emissions Reduction Policies

Air quality monitoring is critically important to the successful implementation of TCI-P. In response to robust public input, TCI-P jurisdictions committed to monitor air quality in communities overburdened by air pollution, to transparently ensure the effectiveness of policies and investments. To help ensure that these efforts are successful, TCI-P jurisdictions will work collaboratively and with our respective Equity Advisory Bodies and communities on opportunities to integrate TCI-P implementation into existing air quality monitoring programs and address the need for community-scale monitoring.

TCI-P jurisdictions will work with communities and organizations in the region, particularly those communities overburdened by air pollution, to develop community-based air quality monitoring approaches. This will include sharing best practices, discussing new monitoring technologies and equipment, and reviewing data. Each jurisdiction will work with technical experts and communities to inform air quality monitoring.

To support collaborative air quality monitoring efforts, TCI-P jurisdictions will conduct public engagement and seek input on the following topics:

- What locations and types of areas are the highest priorities for jurisdiction air monitoring efforts?
- What parameters should be monitored; including pollutant types (e.g., particulate matter including ultra-fine particulates, black carbon)?
- How can air quality monitoring provide a baseline that can be used to measure progress and improvements as a result of TCI-P and other complementary policies and programs?
- What kinds of community air quality monitoring strategies can be used to inform TCI-P?
- How can air quality monitoring findings and results be shared with residents and stakeholders using communication methods that are accessible, timely, and transparent?

2. Ensuring High-Quality Domestic Jobs and Workforce Development

In the 2020 TCI-P MOU, Signatory Jurisdictions “committed to working with communities, businesses and labor to accelerate the transition to an equitable, safe, and affordable low-carbon transportation sector.” The MOU also established “promoting local economic opportunity and creating high quality jobs” as a goal of the TCI-P program, and TCI-P jurisdictions recognize that unionization is an important strategy for achieving this goal.

TCI-P jurisdictions will, to the extent consistent with applicable law, work toward ensuring that TCI-P investments reduce pollution while creating well-paying jobs and economic benefits.

- Low-carbon transportation investments funded by TCI-P program proceeds will aim to prioritize projects that are subject to prevailing wage rules.

- Low-carbon transportation investments funded by TCI-P program proceeds will aim to source a high percentage of components from US-based manufacturers.
- Low-carbon transportation investments funded by TCI-P program proceeds, where applicable, will aim to provide for workforce development that creates economic opportunities for people of color and low-income communities.
- Low-carbon transportation investments funded by TCI-P program proceeds will aim to prioritize employers with “Ban the Box” or “Fair Chance” hiring policies in place, to help enable previously incarcerated job applicants to make it past the first screen of hiring processes.

3. Investing in Transit to Ensure Safe, Reliable and Equitable Service

TCI-P jurisdictions are committed to providing safe, reliable and equitable transit service for communities and businesses. Robust and affordable transit systems are critical for providing people with access to jobs, healthcare and education. Our goal is to leverage state and federal investments to help transit recover from recent revenue and budget shortfalls while prioritizing TCI-P investments for new and expanded transit projects that reduce emissions from transportation and/or make low-carbon transportation more affordable and accessible, particularly for overburdened and underserved communities.

4. Coordinating Public Engagement and Implementation Plans to Replace Diesel Trucks and Buses with Zero-Emission Vehicles

The current TCI-P jurisdictions are also signatories of the Multi-State Medium- and Heavy-Duty Zero Emission Vehicle Memorandum of Understanding (M/HD ZEV MOU), a multi-jurisdiction commitment to advance and accelerate the market for electric medium- and heavy-duty vehicles, including trucks and buses, with a goal of ensuring 100 percent of new trucks and buses are zero-emission by 2050 and an interim target of 30 percent by 2030. The M/HD ZEV MOU jurisdictions are currently working together, with the facilitation of Northeast States for Coordinated Air Use Management (NESCAUM) to engage with stakeholders and develop a multi-state action plan “to identify barriers and propose solutions to support widespread electrification of medium- and heavy-duty vehicles.”¹

When planning and implementing low-carbon transportation policies, TCI-P jurisdictions recognize the importance of meaningful, equitable, and inclusive participation by people and communities—particularly those in communities overburdened by air pollution. TCI-P jurisdictions propose to coordinate public engagement around M/HD ZEV MOU action plan development, TCI-P implementation, and other low-carbon transportation strategies. For example, TCI-P jurisdictions propose to hold discussions with community groups, Equity Advisory Bodies, technical advisory bodies, and other

¹ Multi-State Medium- and Heavy-Duty Zero Emission Vehicle Memorandum of Understanding (2020), <https://www.nescaum.org/documents/multistate-truck-zev-governors-mou-20200714.pdf>

organizations, as well as develop materials and technical analysis, about how each policy helps to achieve important TCI-P objectives, including better air quality and access to transportation, particularly for underserved and overburdened communities.

Along with input on the [Draft Framework for Public Engagement](#), TCI-P jurisdictions seek input on opportunities to coordinate public input and engagement for multiple low-carbon transportation policies to ensure meaningful public participation.

5. Equitable Electric Vehicle Corridor Planning

TCI-P jurisdictions are working to electrify the transportation sector as a key strategy to meet climate goals, reduce air pollution, and generate fuel and maintenance costs savings for people and businesses. Jurisdictions are supporting EV adoption through a range of policies and investments, such as funding the electrification of bus fleets, trucks, and port equipment; offering rebates for EV purchases—with targeted rebates for low-income drivers; installing EV charging stations; EV ride- and car-sharing networks; public education efforts, and developing utility rate structures to promote efficient and low-cost EV charging. A robust network of EV fast charging stations along highway corridors and other major roadways is one strategy to ensure that people throughout the region can conveniently drive an electric vehicle, including people in rural communities and people without access to home charging. While investment in EV charging stations will come from federal, state, and local governments, electric utilities, automakers, EV charging providers, and other businesses, state policies have a critical role in planning and implementing fast charging networks.

TCI-P jurisdictions propose multi-state electric vehicle corridor planning as one complementary policy for regional collaboration, including: developing an inventory of fast charging stations across the TCI-P region; developing criteria for prioritizing additional locations for equitable EV fast charging investments; and identifying priority locations for EV fast charging investment. TCI-P jurisdictions will work collaboratively and with stakeholders to identify additional opportunities to provide equitable and convenient EV charging stations.

TCI-P jurisdictions seek input on the following topics:

- Criteria for prioritizing new locations for EV charging infrastructure installation, including how infrastructure investments can advance equity;
- Prioritization of parameters for EV corridors, including the maximum distance of a highway charger from a corridor;
- Estimate of electric vehicle charging infrastructure needed to meet state climate and EV adoption goals;
- Ways to identify EV charging infrastructure investments in the development and construction pipeline; and
- Additional opportunities for regional coordination and consistency (for example, on permitting processes, EV highway signage) to foster public and private EV charging investments.

Appendix: Examples of Air Quality Monitoring Initiatives in TCI-P Jurisdictions

In recent years, TCI-P jurisdictions have launched new programs, often in collaboration with community groups, to conduct additional air quality monitoring to address the gap between ambient air monitoring stations and source emission testing (i.e., stack testing), particularly in areas that are impacted by local sources of air pollution. For example:

Connecticut Department of Energy and Environmental Protection (CTDEEP) is implementing an innovative mobile monitoring program--Geospatial Measurement of Air Pollution (GMAP)—which will integrate state of the art monitoring techniques into its Air Enforcement program to benefit communities across Connecticut. GMAP is a mobile air monitoring lab fitted with instrumentation to monitor emissions from major emitting facilities as well as minor sources of air pollution. The GMAP program will provide CTDEEP with the ability to quickly identify sources of pollution that have gone undetected using traditional source identification techniques. While the program will be statewide, the focus will be in environmental justice communities.

In addition to its established network of air monitoring stations and using grant funding from EPA, the Massachusetts Department of Environmental Protection (MassDEP) is working with City of Chelsea officials and local citizens to characterize local air quality and to identify potential sources of pollution as well as emissions reduction and mitigation strategies to protect human health. Chelsea is an Environmental Justice (EJ) community and has been disproportionately impacted by COVID-19. MassDEP is developing the concept for a statewide program to support community air monitoring. The idea would be to offer a grant program to provide “PurpleAir” sensors to municipalities to measure levels of airborne fine particulate matter (PM2.5) and other contaminants. The grant program concept would also provide educational materials on how community members can take action to help address local air quality problems. The concept focuses on communities in Environmental Justice areas.

The Rhode Island Department of Environmental Management (RIDEM) conducted a project entitled “Evaluation of the Impact of On-Road Mobile Source Air Toxics on Air Quality at Sensitive Receptors Adjacent to Interstate Route 95 in the Providence Metropolitan Area” using an EPA grant. The findings from the report indicate that on average, pollutant concentrations are twice as high in urban areas near I-95 as other urban areas. Data also indicated that ethylbenzene and xylene levels may be influenced by emissions from port activities and that emissions from the Port of Providence should be further evaluated. In response to the recommendations from a 2019 report on this project, RI DEM began planning for a comprehensive study to evaluate air emissions from the Port of Providence. The upcoming Community-Scale Air Toxics monitoring project will characterize air toxic emissions near the Port to characterize risk to the most highly impacted populations including surrounding environmental justice areas, schools and hospitals.

DRAFT - TCI-P Model Implementation Plan (MIP) for Low-Carbon Transportation

Presented by the current TCI-P Jurisdictions, in consultation with the other TCI collaborating jurisdictions

June 10, 2021

Each TCI-P jurisdiction will develop an Implementation Plan that describes the various steps and processes it will pursue to put the necessary regulations and other legal mechanisms into place, and the other steps it will take to advance the goals of the program. Each jurisdiction's implementation plan will include a timeline and address the topics outlined below, in a manner that reflect the laws, regulations and other specific circumstances and priorities of that jurisdiction. This Model Implementation Plan provides a common framework for jurisdictions to follow in developing their own Implementation Plans.

TCI-P Model Implementation Plan Outline:

- 1) Introduction and Program Goals
- 2) Establish or designate Equity Advisory Body
- 3) Defining "Underserved and Overburdened Communities" for the purposes of this program
- 4) Working with stakeholders to develop a public engagement plan with special emphasis on equity considerations for underserved and overburdened communities
- 5) Adopting jurisdiction-specific rules based on the Model Rule
- 6) Ensuring transparency and accountability regarding TCI-P implementation and progress toward achieving program goals
- 7) Investing proceeds and creating high-quality jobs through transparent processes
- 8) Collaborating with other TCI-P jurisdictions to administer TCI-P
- 9) Advancing additional policies to help achieve the goals of TCI-P

1) Introduction and Program Goals

This implementation plan describes the [jurisdiction] plan for implementing the goals stated in the [December 2020 TCI-P Memorandum of Understanding](#):

- *Reducing carbon dioxide (CO₂) emissions from the transportation sector;*
- *Improving air quality and public health, increasing resilience to the impacts of climate change, and providing more affordable access to clean transportation choices;*
- *Promoting local economic opportunity and creating high quality jobs;*
- *Maximizing the efficiency of the multijurisdictional program to ensure greater benefits; and*
- *Advancing equity for communities overburdened by pollution and underserved by the transportation system, including expanding low-carbon and clean mobility options in*

urban, suburban, and rural communities, particularly for populations and communities that are disproportionately adversely affected by climate change and transportation pollution and currently underserved by the transportation system.

2) Establish or designate Equity Advisory Body

As stated in the [Model Rule](#):

[Each TCI-P jurisdiction] shall establish and support an Equity Advisory Body (or bodies) composed of diverse stakeholder groups, with a majority of members being representatives of overburdened and underserved communities or populations, or designate an existing body that meets this description, to advise on decision-making and equitable outcomes for the TCI-P, including:

- (1) Developing criteria for defining overburdened and underserved communities, building on existing criteria and definitions, where applicable;*
- (2) Providing recommendations for equitable investments of program proceeds and complementary policies that would achieve the requisite benefits for overburdened and underserved communities; and*
- (3) Developing metrics for evaluating how investments of program proceeds demonstrably provide direct and meaningful benefits for overburdened and underserved communities.*
- (4) Make recommendations on program improvements to ensure jurisdictions are making significant progress with respect to equity metrics and that overburdened and underserved communities receive direct and meaningful benefits; and*
- (5) Make recommendations regarding the development and implementation of air quality monitoring to inform TCI-P.*

EAB Membership and Representation

[Jurisdiction] will describe here the parameters for determining the membership of the EAB, or specify how an existing equity advisory body will serve as the EAB for TCI-P.

EAB Roles, Responsibilities and Capacity Building

[Jurisdiction] will describe here the roles and responsibilities of the EAB and how the jurisdiction will support and facilitate participation by EAB members (e.g., training, facilitation, technical support, reimbursement or compensation).

EAB Accessibility and Transparency

[Jurisdiction] will describe here how EAB activities will be accessible and transparent to the public, consistent with existing laws.

Anticipated Timeline for Implementation of this section:

- EABs will be established early in the process, as jurisdictions begin rulemaking and other initial program development steps.

3) Defining “Underserved and Overburdened Communities” for the purposes of this program

[Jurisdiction] will describe here the process by which it will determine which communities are identified as “Underserved and Overburdened” for the purposes of administering TCI-P.

4) Working with stakeholders to develop a public engagement plan

[Jurisdiction] will describe here its plans for ensuring that the public, including residents of overburdened and underserved communities, are able to provide meaningful input into decision-making processes during all phases of the program. These plans will build on a [TCI-P Framework for Public Engagement](#).

5) Adopting jurisdiction-specific rules based on the Model Rule

The [Model Rule](#) serves as a common framework that each TCI-P jurisdiction will use to develop regulations within their respective jurisdictions. The Model Rule is designed to ensure that participating jurisdictions use consistent approaches to regulating and enforcing a declining cap on carbon dioxide emissions from transportation fuel providers that will have compliance requirements under the multijurisdictional TCI Program.

[Jurisdiction] will propose regulations consistent with the Model Rule, with opportunity for public input.

[Jurisdiction] will describe here whether offsets will be issued or accepted for compliance [after the first program review].

6) Ensuring transparency and accountability regarding TCI-P implementation and progress toward achieving program goals, including through:

- a. Air quality monitoring**
- b. Annual reporting on investments and equity**

As described in the [Model Rule](#): jurisdiction and/or the regulatory agency will annually review and report the impacts of the TCI-P, including with respect to equity. JURISDICTION and/or the REGULATORY AGENCY will work with communities, its Equity Advisory Body and relevant technical experts to assess the equity impacts of the program on an ongoing basis, including by monitoring air quality in communities overburdened by air pollution to ensure the effectiveness

of policies and investments. Results of air quality monitoring from participating jurisdictions will be considered during TCI-P program reviews. Annual reports will specify how TCI-P proceeds are spent and include lists of projects and programs supported by TCI-P proceeds and the levels of investment received by each.

[Jurisdiction] is taking the following steps to implement this commitment:

7) Investing proceeds and creating high-quality jobs through transparent processes

As described in the [MOU](#): each TCI-P jurisdiction is committed to working collaboratively within its jurisdiction to invest, in a manner that reflects the population of overburdened and underserved communities, no less than 35 percent of the proceeds from the auction of allowances to ensure that overburdened and underserved communities benefit equitably from clean transportation projects and programs.

Furthermore, the [MOU](#) committed TCI-P jurisdictions to “promoting local economic opportunity and creating high quality jobs.”

Through a variety of processes, public input will help to inform how program proceeds are invested and high-quality jobs will be promoted. As described in section 2, above, Equity Advisory Bodies will provide recommendations regarding investments to ensure that overburdened and underserved communities benefit equitably from clean transportation projects and programs.

Level of proceeds invested for the benefit of Overburdened and Underserved Communities

[Jurisdiction] will describe here the legislative and/or decision-making processes through which investments levels will be determined.

Project Selection Criteria

[Jurisdiction] will describe here the policy and programmatic decision-making processes through which projects will be selected for funding, including any conditions to ensure high-quality domestic jobs.

Workforce development programs

[Jurisdiction] will describe here plans for identifying new jobs and new skills that may be required for TCI-P funded projects and developing programs to train workers for these jobs.

8) Collaborating with other TCI-P jurisdictions to administer TCI-P, including through:

- a. Administering the Transportation Registration, Emissions, and Allowance Tracking System (TREATS)**
- b. Allowance auctions and market monitoring**
- c. Regular program review**
- d. Issue Progress Reports**

As noted in the [MOU](#): *TCI-P jurisdictions will establish an Administrative Organization to provide administrative support and technical assistance to TCI-P jurisdictions. The Administrative Organization shall have no authority to adopt, implement, or enforce the requirements of any TCI-P jurisdiction's individual program. The Administrative Organization will be funded by TCI-P jurisdictions proportionally to their TCI-P allowance budgets subject to applicable appropriations processes.*

TCI-P jurisdictions will establish a board to oversee the activities of the Administrative Organization, which will manage allowance auctions, emissions reporting, and contract with a professional independent market monitor. The market monitor will monitor each auction and develop and apply data collection methods, metrics, and analytic techniques, and thresholds for identifying any bidding behavior or activity that may have a significant impact on the efficiency and performance of such auctions, including, but not limited to, collusion, market power, or, price manipulation.

A professional independent market monitor will also monitor allowance market data and information known to each jurisdiction's regulatory agencies, including allowance transactions and associated pricing reported in the Transportation Registration, Emissions, and Allowance Tracking System, and other relevant data and information to ensure fair competition, efficient pricing, and protection against collusive or manipulative behavior in the allowance auctions and in the TCI-P.

Regular Program Reviews. To ensure that TCI-P is achieving program goals within three years after program launch and regularly thereafter, the TCI-P jurisdictions will collaboratively conduct regular comprehensive program reviews of TCI-P. Program reviews will involve public engagement and may result in revisions to the Model Rule and the corresponding regulations of TCI-P jurisdictions including additional reductions before or after 2032.

TCI-P jurisdictions are taking the following steps to implement this commitment:

- In June 2021, the TCI-P jurisdictions will formally establish Transportation and Climate Initiative, Inc, or TCI, Inc, a non-profit organization to assist with the administrative functions implementing of TCI-P. This organization is modeled after a similar administrative organization created to help administer the multistate Regional Greenhouse Gas Initiative (RGGI Program). TCI, Inc. Is expected to carry out the emissions and allowance tracking, quarterly auctions, and engagement of a regional

market monitor, all on behalf of the TCI-P jurisdictions under contract. In June, the TCI-P jurisdictions will establish the board to oversee the activities of this organization.

- TCI-P jurisdictions are committed to thoughtful public engagement to inform periodic program reviews, including seeking input from each jurisdiction’s Equity Advisory Body.
- TCI, Inc. will produce annual reports with data and analysis on multiple parameters of TCI-P program performance.
- Markets will be monitored closely through the TCI, Inc. market monitor program for any market irregularities that may indicate unfair or deceptive practices.

[Jurisdiction] will describe here individual jurisdiction plans for enforcing anti-competitive market behavior identified by the TCI, Inc. independent market monitor.

9) Advancing additional policies to help achieve the goals of TCI-P.

As noted in the MOU: TCI-P jurisdictions recognize that achieving long-term reductions in pollution from transportation will require a combination of policy approaches. Each TCI-P Jurisdiction will consider a range of complementary policies to achieve additional emissions reductions, particularly in overburdened and underserved communities.

Examples of additional policies that TCI-P Jurisdictions will be pursuing collaboratively are in the [“Proposed Strategies for Regional Collaboration”](#)

[Jurisdiction] will describe here any additional policies that are being pursued.