

GATEWAY CITIES COUNCIL OF GOVERNMENTS TRANSPORTATION COMMITTEE

AGENDA

Wednesday, April 7, 2004, 4:30 PM

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Cerritos Senior Center
12340 South Street
Cerritos, CA

Item No.	Description	Recommended Action
1.	Call to Order – Self Introductions	
2.	Pledge of Allegiance	
3.	Introduction of MTA Gateway Service Sector General Manager	Receive & File
4.	Presentation on Bus Service Restructuring by Nancy Michali	Receive & File
5.	Discussion and Possible Action on State Legislation Bermudez AB2024 Lowenthal AB2041, AB2042, AB2043	Discussion & Possible Action
6.	Update on I-5 by Ralph Webb	
7.	Update on 710 A. Draft Program EIR/EIS for the Proposed California High Speed Train System	Receive & File
8.	New Business/Date of Next Meeting	
9.	Adjournment	

IN COMPLIANCE WITH THE AMERICAN WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE COG OFFICE AT (562) 663-6850. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE COUNCIL OF GOVERNMENTS TO MAKE REASONABLE ARRANGEMENT TO ENSURE ACCESSIBILITY TO THIS MEETING.

Item 6 State Legislation

BILL NUMBER: AB 2024
BILL TEXT

INTRODUCED

INTRODUCED BY Assembly Member Bermudez

FEBRUARY 13, 2004

An act to add Chapter 4.8 (commencing with Section 2195) to Division 3 of the Streets and Highways Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2024, as introduced, Bermudez. Ports: transportation network.

Existing law provides that the Department of Transportation in the Business, Transportation and Housing Agency has full possession and control of all state highways. Existing law requires the department to engage in various transportation planning activities, including activities related to identification of intermodal corridors of economic significance.

This bill would require the Secretary of the Business, Transportation and Housing Agency to prepare recommendations for necessary statutory changes required to implement incentives for movement of port-related cargo during off-peak hours, disincentives for movement of port-related cargo during off-peak hours, mandatory hours for operation of port terminals, railroads, trucks, and distribution centers, and other related matters. The bill would require the recommendations to be submitted to the Legislature within 6 months after the enactment of the bill. The bill would require the cost of the report to be borne by assessments on the ports.

This bill would declare that it is to take effect immediately as an urgency statute. Vote: 2/3. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) California's maritime ports play an integral role in the state's economy, providing the focal point for importation of foreign goods and exportation of California goods.

(b) California consumers and businesses rely heavily on the maritime industry and the ports to transport goods for use throughout the state.

(c) In 2000, 248 billion imports entered the United States through California's ports. With more than three hundred fifty billion dollars (\$350,000,000,000) in international commerce, California's economy depends on trade. More than one in seven California jobs is tied to trade.

(d) Consumer demand for goods is essential to growth of the California economy, however, the increase in cargo movement resulting from increased commerce and a growing economy poses significant challenges.

(e) The increasing amount of cargo movement through the ports has created traffic congestion and higher emissions levels during peak commuter traffic hours. This congestion and air pollution is a result of the current system that encourages traffic to move during peak hours.

(f) The transportation network must be modernized to encourage the flow of goods during off-peak hours and to thereby also reduce air emissions. Modernization of the transportation network cannot be accomplished incrementally, as all parts of the network must work together to redirect traffic.

(g) Off-peak use of the transportation network must be supported by all sectors of the transportation industry.

(h) The transportation industry must employ comprehensive, strict security mechanisms that ensure the safety of communities in the vicinity of the ports and that protect valuable cargo.

SEC. 2. It is the intent of the Legislature to do all of the following:

(a) To create an intermodal transportation system that encourages all participants to utilize transportation facilities during off-peak hours in order to streamline the movement of cargo from the ports to distribution centers and to prevent an increase in environmental concerns in the vicinity of the ports.

(b) To require all participants in the intermodal transportation system to spread the flow of cargo between peak and nonpeak hours, and to thereby achieve all of the following:

(1) A reduction in emissions from trucks coming into and leaving from port areas.

(2) A reduction in idling of trucks near port terminals.

(3) Enhanced security procedures for traffic and cargo operations at port terminals.

- (4) More attention to proper maintenance of equipment.
- (5) More accurate identification of cargo at port terminals.
- (6) A significant diversion of transportation of port-

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related cargo from peak hours to off-peak hours.

SEC. 3. Chapter 4.8 (commencing with Section 2195) is added to Division 3 of the Streets and Highways Code, to read:

CHAPTER 4.8. PORT-RELATED CARGO

2195. The Business, Transportation and Housing Agency shall prepare recommendations for necessary statutory changes required to implement measures including, but not limited to, the following:

- (a) Incentives for movement of port-related cargo during off-peak hours.
- (b) Disincentives for movement of port-related cargo during off-peak hours.
- (c) Mandatory hours for operation of port terminals, railroads, trucks, and distribution centers.
- (d) Changes in the appointment system.
- (e) Technology and operation upgrades.

2196. The recommendations shall be incorporated into a report to be submitted to the Legislature within six months after the date of enactment of this chapter.

2197. The cost of the report shall be borne by assessments on the ports.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to move forward as quickly as possible with improvements to the transportation network serving California's ports, it is necessary that this act take effect immediately.

BILL NUMBER: AB 2041 INTRODUCED
BILL TEXT
INTRODUCED BY Assembly Member Lowenthal

FEBRUARY 17, 2004

An act to add Part 2.5 (commencing with Section 1750) to Division 6 of the Harbors and Navigation Code, relating to harbors and ports.

LEGISLATIVE COUNSEL'S DIGEST

AB 2041, as introduced, Lowenthal. Ports: congestion.

(1) Existing law authorizes 2 or more harbor agencies, as defined, to form a joint powers authority for the purpose of establishing an infrastructure fund and financing port or harbor infrastructure, as specified.

This bill would establish the Port Congestion Management District as an entity of regional government, governed by a board consisting of 7 members appointed by, and serving indefinite terms at the pleasure of, the Secretary of Business, Transportation and Housing.

The bill would require the board to establish a charge for the privilege of transporting cargo by commercial motor vehicle into or out of the Port of Los Angeles or the Port of Long Beach during the hours of 8:00 a.m. to 5:00 p.m., inclusive, on Monday to Friday, inclusive. The bill would require the board to establish and manage a Port Congestion Management Fund. All revenues derived from imposition of the charge would be deposited in the fund and expended to fund certain projects to help alleviate congestion caused by scheduling shipments by commercial motor vehicle during the specified hours.

To the extent that these requirements would impose additional duties upon local governmental entities, the bill would establish a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Part 2.5 (commencing with Section 1750) is added to Division 6 of the Harbors and Navigation Code, to read:

PART 2.5. PORT CONGESTION MANAGEMENT DISTRICT

1750. For the purposes of this section, the following terms have the following meanings, unless the context clearly requires otherwise:

(a) The "district" is the Port Congestion Management District established under subdivision (a) of Section 1754.

(b) The "board" is the governing board of the district, as described in subdivision (b) of Section 1754.

(c) "Commercial motor vehicle" has the meaning defined in subdivision (b) of Section 15210 of the Vehicle Code.

(d) The "fund" is the Port Congestion Management Fund established under Section 1758.

1752. The Legislature hereby finds and declares all of the following:

(a) The portion of Interstate Highway 710, also known as the Long Beach Freeway, that serves the Port of Los Angeles and the Port of Long Beach has been overwhelmed by increases in traffic, especially commercial motor vehicle traffic, and population growth.

(b) It is estimated that by the year 2020, demand on that portion of the Long Beach Freeway will exceed capacity.

(c) Approximately 35 percent of United States imports and exports handled by ship travel through the Ports of Long Beach and Los Angeles.

(d) A study conducted by these ports predicts that commercial motor vehicle traffic to and from the ports will more than double in the next 20 years, from roughly 35,000 vehicles per day to nearly 83,000 vehicles per day.

(e) The commonly accepted practice of transporting cargo into and out of the ports via commercial motor vehicles during the most congested hours of the day, instead of using alternative means such as rail and shipping during less congested hours, greatly increases traffic congestion at the ports.

(f) Because of the importance of these ports to the state's economy, traffic congestion at the ports is a matter of statewide concern.

1754. (a) The Port Congestion Management District is hereby established as an entity of local government.

(b) The district shall be governed by a board consisting of seven members, appointed by, and serving indefinite terms at the pleasure of, the Secretary of Business, Transportation and Housing.

(c) The geographic jurisdiction of the district is limited to the Port of Los Angeles and the Port of Long Beach.

1755. The district has all of the powers necessary for imposing the charge required under Section 1756, establishing and managing the fund established under

Section 1758, and planning, acquiring, leasing, developing, jointly developing, owning, controlling, using, jointly using,

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disposing of, designing, procuring, and building projects necessary to alleviate congestion in the Port of Los Angeles and Port of Long Beach, including, but not limited to, all of the following:

(a) Acceptance of grants, fees, and allocations from the state, local agencies, and private entities.

(b) Acquiring, through purchase or through eminent domain proceedings, any property necessary for, incidental to, or convenient for, the exercise of the powers of the district.

(c) Incurring indebtedness, secured by pledges of revenue available for project completion.

(d) Contracting with public and private entities for the planning, design, and construction of congestion management projects. These contracts may be assigned separately or may be combined to include any or all tasks necessary for completion of those projects.

(e) Entering into cooperative or joint development agreements with local governments or private entities. These agreements may be entered into for the purpose of sharing costs, selling or leasing land, air, or development rights, or for any other purpose that is necessary for, incidental to, or convenient for the full exercise of the powers granted the district.

(f) Relocation of utilities, as necessary for completion of congestion management projects.

1756. The board shall establish a charge for the privilege of transporting cargo by commercial motor vehicle into or out of the Port of Los Angeles or the Port of Long Beach during the hours of 8:00 a.m. to 5:00 p.m., inclusive, on Monday to Friday, inclusive. The charge shall be paid by the person who orders the shipment and shall be expended to help alleviate the traffic congestion caused by scheduling shipments by commercial motor vehicle during those hours.

1758. The board shall establish and manage a Port Congestion Management Fund. The board shall deposit all revenues derived from imposition of the charge required under Section 1756 in the fund. Authorized expenditures from the fund shall include, but need not be limited to, funding all of the following:

(a) Projects to encourage inland shipping of cargo into and out of the ports via means other than by commercial motor vehicle, including, but not limited to, rail.

(b) Projects to repair, improve, and expand existing transportation infrastructure serving the ports to reduce congestion.

(c) Projects to encourage scheduling of shipments during other than normal business hours.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section

17556 of the Government Code.

BILL NUMBER: AB 2042 INTRODUCED
BILL TEXT

INTRODUCED BY Assembly Member Lowenthal

FEBRUARY 17, 2004

An act to add Section 1740 to the Harbors and Navigation Code, relating to ports.

LEGISLATIVE COUNSEL'S DIGEST

AB 2042, as introduced, Lowenthal. Ports: Port of Los Angeles:
Port of Long Beach: air pollution.

(1) Existing law provides for the regulation of ports and harbors.

This bill would require the Port of Long Beach and the Port of Los Angeles to ensure that all future growth at each port will have a zero net increase in air pollution. The bill would require each port to establish the baseline for air pollution in consultation with the South Coast Air Quality Management District. The bill would establish a state-mandated local program by imposing new duties upon those local entities.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

BILL NUMBER: AB 2042

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature hereby finds and declares all of the following:

(a) Exhaust fumes from diesel fuel are known to cause cancer.

(b) A landmark study conducted by the South Coast Air Quality Management District, the "Multiple Air Toxics Exposure Study," found that 70 percent of all serious health risks attributable to mobile pollution sources are attributable to diesel engine exhaust.

(c) The federal Clean Air Act (42 U.S.C. Sec. 7401, et seq.) requires certain regions that have high levels of air pollution demonstrate that construction of new highways will not worsen air pollution.

SEC. 2. Section 1740 is added to the Harbors and Navigation Code, to read:

1740. (a) The Port of Long Beach and the Port of Los Angeles shall ensure that all future growth at each port will have a zero net increase in air pollution.

(b) Each port shall establish the baseline for air pollution in consultation with the South Coast Air Quality Management District.

SEC. 3. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

BILL NUMBER: AB 2043 INTRODUCED
BILL TEXT
INTRODUCED BY Assembly Member Lowenthal

FEBRUARY 17, 2004

An act to add Section 1760 to the Harbors and Navigation Code, relating to ports.

LEGISLATIVE COUNSEL'S DIGEST

AB 2043, as introduced, Lowenthal. Maritime Port Strategic Master Plan Task Force. Existing law provides for the regulation of ports and harbors.

This bill would establish the Maritime Port Strategic Master Plan Task Force in state government. The task force would consist of 11 members appointed by, and serving indefinite terms at the pleasure of, the Secretary of Business, Transportation and Housing.

The bill would require the task force to meet on an unspecified basis, hold public hearings, and compile data on certain issues relating to the growth and congestion of maritime ports. The bill would require the task force to compile specified information and submit its findings in a report to the Legislature not later than January 1, 2006, including recommendations on methods to better manage the growth of maritime ports and address the environmental impacts of moving goods through those ports.

The bill would establish the Maritime Port Strategic Master Plan Task Force Fund in the State Treasury and require each maritime port to submit an unspecified amount of money per year to the Controller, who would be required to deposit that amount in the fund. The money in the fund would be available, upon appropriation, to cover the costs incurred by the task force under these provisions. The bill would prohibit the task force from being funded with appropriations from the General Fund.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1760 is added to the Harbors and Navigation Code, to read:

1760. (a) The Maritime Port Strategic Master Plan Task Force is hereby established in state government.

(b) The task force shall consist of 11 members appointed by, and serving indefinite terms at the pleasure of, the Secretary of Business, Transportation and Housing.

(c) The task force shall meet, hold public hearings, and compile data on issues that include, but need not be limited to, all of the following:

(1) The projected growth of each maritime port in the state.

(2) The costs and benefits of developing a coordinated state program to obtain federal funding for maritime port growth, security, and congestion relief.

(3) Impacts of maritime port growth on the state's transportation system.

(5) Air pollution caused by movement of goods through the state's maritime ports, and proposed methods of mitigating or alleviating that pollution.

(d) The task force shall compile all information obtained under subdivision (c) and submit its findings in a report to the Legislature not later than January 1, 2006. The report shall include, but need not be limited to, recommendations on methods to better manage the growth of maritime ports and address the environmental impacts of moving goods through those ports.

(e) The Maritime Port Strategic Master Plan Task Force Fund is hereby established in the State Treasury. Each maritime port shall submit the amount of ____ dollars (\$____) per year to the Controller, who shall deposit that amount in the fund. The money in the fund shall be available, upon appropriation, to cover the costs incurred by the task force under this section. The task force shall not be funded with appropriations from the General Fund.

Item 7A
Draft Program EIR/EIS for the Proposed
California High Speed Train System

TO: Transportation Committee

FROM: Richard Powers, Executive Director

SUBJECT: Draft Program EIR/EIS for the Proposed California High Speed Train System

Background

Established in 1996, the California High-Speed Rail Authority is charged with the planning, designing, constructing and operating a state of the art high-speed train system. The proposed system stretches from San Francisco, Oakland and Sacramento in the north to Los Angeles and San Diego in the south utilizing bullet trains operating at speeds up to 220 mph.

Issue

The Authority has issued a Draft Program EIR/EIS and is accepting public comments through May 14, 2004. The document is available for viewing at the Norwalk Public Library and on line at www.cahighspeedrail.ca.gov.

The proposed system route between Los Angeles and Anaheim traverses several Gateway Cities communities and has potential impacts on those communities as well as on other potential transportation projects.

The Cities of La Mirada, Santa Fe Springs and Pico Rivera have concerns about project impacts and have requested a discussion of the Draft Program EIR/EIS.

Recommended Action

Discuss the proposed California High Speed Rail System and consider submitting formal comments from the Gateway Cities Council of Governments.