

AMENDED IN ASSEMBLY MARCH 26, 2019

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1025**

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**Introduced by Assembly Member Grayson**

February 21, 2019

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~~An act to amend Section 75221 of the Public Resources Code, relating to transportation. An act relating to transportation.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1025, as amended, Grayson. ~~Transit and Intercity Rail Capital Program. Transportation: California Transportation Commission: San Ramon Branch Corridor: reimbursement.~~

*Existing law creates the California Transportation Commission, with various powers and duties relative to the programming of transportation capital projects and the allocation of funds to those projects, pursuant to the state transportation improvement program and various other transportation funding programs. Through certain commission resolutions, the commission allocated moneys appropriated to it in the 1980s from the Transportation Planning and Development Account to the County of Contra Costa for the acquisition of a specified right-of-way, and for associated projects, relating to the San Ramon Branch Corridor. Those resolutions require the county to reimburse the state if the county fails to meet specified conditions.*

*This bill would relinquish the rights of the state to reimbursement pursuant to those resolutions.*

*This bill would also require the County of Contra Costa to revise the bylaws of the Iron Horse Corridor Management Program Advisory Committee to: (1) include a seat for a Contra Costa Transportation Authority representative, (2) expand the management program elements*

to include a new, 7th element that considers proposals to study new and emerging mobility modes and technologies in the corridor, and (3) include a new task in the committee’s work program to recommend a framework for acting on these proposals. The bill would also make findings and declarations in support of these requirements.

By imposing new duties on local public officials, the bill would create a state-mandated local program.

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, 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 the statutory provisions noted above.

Existing law establishes the Transit and Intercity Rail Capital Program to fund transformative capital improvements that will modernize California’s intercity, commuter, and urban rail systems and bus and ferry transit systems to achieve certain policy objectives. Existing law prescribes the eligibility requirements for projects under the program.

This bill would make a nonsubstantive change to the provision related to project eligibility.

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

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The Southern Pacific Railroad’s San Ramon Branch Line
- 4 started service in 1891. That section of the rail line in the County
- 5 of Contra Costa extended 18.5 miles from the City of Concord to
- 6 the Alameda County line.
- 7 (b) In 1978, Southern Pacific Railroad received federal
- 8 permission to abandon the rail line. The line’s railroad tracks
- 9 were removed over the following one to two years.
- 10 (c) The County of Contra Costa obtained \$10,579,000 in
- 11 Transportation Planning and Development Account (TP&D) grants
- 12 starting in 1982 to fund a feasibility study and pay for the partial
- 13 acquisition of the San Ramon Branch Corridor’s right-of-way,

1 including a 1982 TP&D grant, MT-83-16, for \$2,000,000, a 1985  
2 TP&D grant, MT-86-1, for \$2,579,000, and a 1986 TP&D grant,  
3 MT-87-2, for \$6,000,000.

4 (d) The grants' requirements included (1) the conduct of a  
5 feasibility study with costs to be shared equally by state and  
6 nonstate sources, and (2) the planning and construction of a  
7 busway or exclusive mass transit guideway. The feasibility study  
8 investigated possible transportation improvements within the  
9 right-of-way and the Interstate Route 680 corridor between the  
10 Cities of Concord and Pleasanton.

11 (e) The County of Contra Costa raised some of the nonstate  
12 moneys necessary to purchase the right-of-way through the sale  
13 of easements to the Central Contra Costa Sanitary District and  
14 the Contra Costa County Flood Control District. The Contra Costa  
15 County Redevelopment Agency (RDA) also acquired portions of  
16 the right-of-way in the redevelopment area. The RDA used a  
17 portion of that right-of-way to construct bicycle and pedestrian  
18 access improvements, including a bridge exclusively for bicycles  
19 and pedestrians crossing over a major arterial that serves the  
20 Pleasant Hill/Contra Costa Centre Bay Area Rapid Transit (BART)  
21 station.

22 (f) In 1986 the County of Contra Costa entered into a license  
23 agreement with East Bay Regional Park District to operate a  
24 10-foot wide paved multiuse trail within the right-of-way called  
25 the "Iron Horse Regional Trail." On July 5, 2017, the East Bay  
26 Regional Park District's Board of Directors authorized an electric  
27 bicycle pilot program, for Class 1 and 2 E-bikes, on the Iron Horse  
28 Regional Trail. On October 18, 2017, the Contra Costa  
29 Transportation Authority appropriated \$350,000 in funds from  
30 Measure J, the local transportation sales tax initiative approved  
31 by the voters in November 2004, to conduct the Iron Horse Active  
32 Transportation Corridor Study.

33 (g) Due to a combination of an acute shortage of automobile  
34 parking at the Pleasant Hill/Contra Costa Centre BART station  
35 and the immediate proximity of the Iron Horse Regional Trail, a  
36 significant expansion of bicycle accommodation in the station area  
37 has taken place to improve BART station access. New  
38 accommodations include the installation of a 215-space secure  
39 bike station, the placement of a fleet of docked and dockless bikes,  
40 and improvements to the surrounding infrastructure to

1 accommodate bikes. These investments concurrently rely on, and  
2 increase the usage of, the Iron Horse Regional Trail.

3 (h) When the County of Contra Costa purchased the  
4 right-of-way, water lines and a high pressure gas line were already  
5 in place in the right-of-way. The county has expanded access to  
6 utilities by authorizing the installation of a reclaimed waterline,  
7 a fiber optic line, sewer lines, and additional water lines.

8 (i) Consistent with requirements in the grants described in  
9 subdivision (c), the County of Contra Costa has identified, and  
10 restricted the use of, a 34-foot wide transit area throughout the  
11 right-of-way for a busway or exclusive mass transit guideway while  
12 continuing to use and manage the right-of-way, emphasizing active  
13 transportation projects and the general benefit to the public. The  
14 Board of Supervisors of the County of Contra Costa is advised on  
15 this use and management by the multijurisdictional Iron Horse  
16 Corridor Management Program Advisory Committee that is  
17 comprised of representatives from the community of Alamo, the  
18 City of Concord, the City of San Ramon, the Town of Danville, the  
19 City of Walnut Creek, and the City of Pleasant Hill, the board of  
20 supervisors, and the East Bay Regional Park District.

21 (j) The Iron Horse Regional Trail is one of the largest and oldest  
22 multiuse trails in the San Francisco Bay area, is the East Bay  
23 Regional Park District's most used trail, and has evolved into a  
24 cherished community element. The County of Contra Costa,  
25 through grant funding and project sponsors, constructed alternate  
26 trails in several sections of the right-of-way allowing walkers and  
27 joggers to use the right-of-way separately from faster moving  
28 cyclists and other wheeled modes of transportation.

29 (k) The County of Contra Costa receives requests from adjacent  
30 cities and companies to make improvements to the right-of-way.  
31 Approving the requests continues to be a challenge while  
32 maintaining the 34-foot wide clear area to accommodate the  
33 busway or exclusive mass transit guideway.

34 (l) While there is potential for emerging transportation  
35 technologies to be implemented in the corridor, a busway or  
36 exclusive mass transit guideway is no longer a best practice or  
37 appropriate use of the right-of-way. The right-of-way is used  
38 annually by over one million recreational users, commuters, and  
39 students for access to 11 schools, three BART stations that face  
40 severe parking shortages, numerous commercial and recreational

1 activity centers, as well as other regional trails which together  
2 with the Iron Horse Trail form a sophisticated countywide active  
3 transportation network comprised of the Contra Costa Canal Trail  
4 and two other trails to which connections are planned, the  
5 Lafayette-Moraga Regional Trail and the Delta de Anza Regional  
6 Trail.

7 (m) With the evolution of new mobility technologies, including  
8 ride hailing, transportation network companies, autonomous  
9 vehicles, miscellaneous wheeled devices, and other “last mile”  
10 options, an investment in a busway or exclusive mass transit  
11 guideway in a corridor bounded by the BART commuter rail line  
12 in both the north, the Pittsburgh-Bay Point-SFO Line, and in the  
13 south, the Dublin-Pleasanton-Daly City Line, is unlikely to meet  
14 cost-benefit expectations.

15 (n) The construction of a busway or exclusive mass transit  
16 guideway is no longer operationally or financially viable due to  
17 the cost of developing these modes of transportation in compact,  
18 established communities with substantial density immediately  
19 adjacent to urban and suburban uses, and the corresponding  
20 density of road and trail crossings, the overwhelming presence of  
21 active mode users, and the status in the community of the corridor  
22 and trail as a linear park, recreational, and multiuse facility.

23 (o) Above and beyond the requirements to study and construct  
24 the busway or exclusive mass transit guideway, the Contra Costa  
25 Transportation Authority has conducted comprehensive analyses  
26 in the broader travel corridor, the “I-680 Investment Options  
27 Analysis” (2003) and the “I-680 Transit Investment/Congestion  
28 Relief Options Study” (2015). Neither effort recommended the use  
29 of the Iron Horse right-of-way as a viable option to address  
30 congestion on I-680. With the rapid emergence of new mobility  
31 options, an update to these prior studies is warranted.

32 (p) The County of Contra Costa remains committed to  
33 continuing its good faith effort in working with corridor-adjacent  
34 cities and the Contra Costa Transportation Authority, to  
35 collaboratively invest, study, and develop the corridor for the  
36 public benefit, including the examination of new transportation  
37 modes and technologies as they evolve. This commitment is  
38 evidenced by the Iron Horse Active Transportation Corridor Study  
39 currently underway. The study includes an examination of the  
40 accommodation of shared autonomous vehicles. Study oversight

1 includes representatives from the Contra Costa Transportation  
2 Authority, corridor cities, and the East Bay Regional Park District.

3 SEC. 2. (a) The County of Contra Costa shall do both of the  
4 following:

5 (1) Revise the bylaws of the Iron Horse Corridor Management  
6 Program Advisory Committee to include a seat for a Contra Costa  
7 Transportation Authority representative and expand the  
8 management program elements to include a new, seventh element  
9 that considers proposals to study new and emerging mobility modes  
10 and technologies in the corridor.

11 (2) Include a new task in the committee's work program to  
12 recommend a framework for acting on the proposals.

13 (b) The state hereby relinquishes the rights to reimbursement  
14 established pursuant to the following California Transportation  
15 Commission resolutions relating to the San Ramon Branch  
16 Corridor: Resolution MT-83-16 (December 17, 1982), TP&D  
17 Abandoned Railroad Right-of-Way Program, Resolution MT-86-1  
18 (September 1985), TP&D Transit Capital Improvement Funding,  
19 Resolution MT-87-2 (July 1986), and TP&D Abandoned Railroad  
20 Right-of-Way Program.

21 SEC. 3. If the Commission on State Mandates determines that  
22 this act contains costs mandated by the state, reimbursement to  
23 local agencies and school districts for those costs shall be made  
24 pursuant to Part 7 (commencing with Section 17500) of Division  
25 4 of Title 2 of the Government Code.

26 SECTION 1. ~~Section 75221 of the Public Resources Code is~~  
27 ~~amended to read:~~

28 ~~75221. (a) Projects eligible for funding under the program~~  
29 ~~include, but are not limited to, all of the following:~~

30 ~~(1) Rail capital projects, including acquisition of rail cars and~~  
31 ~~locomotives, that expand, enhance, and improve existing rail~~  
32 ~~systems and connectivity to existing and future transit systems,~~  
33 ~~including the high-speed rail system.~~

34 ~~(2) Intercity, commuter, and urban rail projects that increase~~  
35 ~~service levels, improve reliability, or decrease travel times,~~  
36 ~~including infrastructure access payments to host railroads in lieu~~  
37 ~~of capital investments.~~

38 ~~(3) Rail, bus, and ferry integration implementation, including,~~  
39 ~~but not limited to, integrated ticketing and scheduling systems,~~

1 ~~shared-use corridors, related planning efforts, and other service~~  
2 ~~integration initiatives.~~

3 ~~(4) Bus rapid transit and other bus and ferry transit investments~~  
4 ~~to increase ridership and reduce greenhouse gas emissions.~~

5 ~~(b) In order to be eligible for funding under the program, a~~  
6 ~~project shall demonstrate that it will achieve a reduction in~~  
7 ~~emissions of greenhouse gases. In selecting projects for funding,~~  
8 ~~the Transportation Agency shall consider the extent to which a~~  
9 ~~project reduces emissions of greenhouse gases.~~

10 ~~(c) The program shall have a programmatic goal of providing~~  
11 ~~at least 25 percent of available funding to projects benefiting~~  
12 ~~disadvantaged communities, consistent with the objectives of~~  
13 ~~Chapter 830 of the Statutes of 2012.~~

14 ~~(d) In evaluating grant applications for funding, the~~  
15 ~~Transportation Agency shall consider all of the following:~~

16 ~~(1) The cobenefits of projects that support the implementation~~  
17 ~~of sustainable communities strategies through one or more of the~~  
18 ~~following:~~

19 ~~(A) Reducing vehicle miles traveled from automobiles and the~~  
20 ~~number of automobile trips through growth in transit ridership.~~

21 ~~(B) Promoting housing development in the vicinity of rail~~  
22 ~~stations and major transit centers.~~

23 ~~(C) Expanding existing rail and public transit systems.~~

24 ~~(D) Enhancing the connectivity, integration, and coordination~~  
25 ~~of the state's various transit systems, including, but not limited to,~~  
26 ~~regional and local transit systems and the high-speed rail system.~~

27 ~~(E) Implementing clean vehicle technology.~~

28 ~~(F) Promoting active transportation.~~

29 ~~(G) Improving public health.~~

30 ~~(2) The project priorities developed through the collaboration~~  
31 ~~of two or more rail operators and any memoranda of understanding~~  
32 ~~between state agencies and local or regional rail operators.~~

33 ~~(3) Geographic equity.~~

34 ~~(4) Consistency with an adopted sustainable communities~~  
35 ~~strategy or, if a sustainable strategy is not required for a region by~~  
36 ~~law, a regional plan that includes policies and programs to reduce~~  
37 ~~emissions of greenhouse gases.~~

38 ~~(5) The extent to which a project has supplemental funding~~  
39 ~~committed to it from other nonstate sources.~~

40 ~~(6) The extent to which the project will increase transit ridership.~~

- 1     ~~(e) Eligible applicants under the program shall be public~~
- 2     ~~agencies, including joint powers agencies, that operate or have~~
- 3     ~~planning responsibility for existing or planned regularly scheduled~~
- 4     ~~intercity or commuter passenger rail service, urban rail transit~~
- 5     ~~service, or bus or ferry transit service.~~
- 6     ~~(f) A recipient of moneys under the program may combine~~
- 7     ~~funding from the program with other state funding, including, but~~
- 8     ~~not limited to, the State Transportation Improvement Program, the~~
- 9     ~~Low Carbon Transit Operations Program, the State Air Resources~~
- 10    ~~Board clean vehicle program, and state transportation bond funds.~~