



DATE: November 17, 2009
TO: STA Board
FROM: Jayne Bauer, Marketing and Legislative Program Manager
RE: STA's Final Draft 2010 Legislative Priorities and Platform - **REVISED**

Background:

Each year, STA staff monitors state and federal legislation that pertains directly to transportation and related issues. On January 14, 2009, the STA Board adopted its 2009 Legislative Priorities and Platform to provide policy guidance on transportation legislation and the STA's legislative activities during 2009.

To help ensure the STA's transportation policies and priorities are consensus-based, the STA's Legislative Platform and Priorities is first developed in draft form by staff with input from the STA's state and federal legislative consultants. The draft is distributed to STA member agencies, partner agencies, members of our federal and state legislative delegations, and the public for review and comment prior to adoption by the STA Board. The STA Technical Advisory Committee (TAC) and SolanoExpress Intercity Transit Consortium reviewed the Draft 2010 Legislative Platform and Priorities at their meetings in September, and the STA Board authorized the distribution of the draft document for a 30-day review and comment period on October 14, 2009.

Discussion:

At the Board meeting of October 14, 2009, the Board requested changes in language related to SB 375/sales tax measures and climate change, which staff has drafted. Board Member Patterson requested the inclusion of the "Green Corridor Program" with regard to the movement of goods along corridors. Board Chair Sperring requested staff research the issue first and provide some analysis the board could consider before acting on the proposal.

The "California Green Trade Corridor at the Ports of Oakland, Stockton and West Sacramento, California" project is an application by the Ports of Oakland, Stockton and West Sacramento, made under the Transportation Investment Generating Economic Recovery (TIGER) section of the American Reinvestment and Recover Act. The application is to provide for shore-based power to ships in port, since ship-based auxiliary generators are typically high-pollutant engines; and, to move containers by barge between the three ports, thereby taking traffic off of I-80 and I-680/580. The port-to-port shipment of containers is expected to take more than one thousand truck trips a week off of the freeway system. Barge traffic on the Sacramento River is only expected to result in two additional operations of the Rio Vista Bridge per week. Since the "California Green Trade Corridor" is a grant application and not a proposed bill or policy, staff recommends not adding it to the STA's Legislative Priorities and Platform.

The deadline for comments was November 13, 2009, two days after the distribution of the draft platform to the Board as part of the Board agenda. As of the date of the drafting of this staff report, no additional comments had been received. The Final Draft 2010 Legislative Platform and Priorities (Attachment A) includes consideration of those comments which had been received by the writing of this report. The TAC is also scheduled to review the Final Draft document at their meeting on the same day, November 18th.

Comments were received after the writing of this initial staff report, and further proposed amendments are included as follows:

The Metropolitan Transportation Commission (MTC) had a concern about the express lanes demo project potentially being in opposition or conflict with the MTC proposed express lane legislation. Staff is recommending amendments to items Priority #7 and Platform #I.7.

Solano County requested inclusion of planning and funding for modes of transportation for movement of goods to include maritime, rail and aviation. Platform #XIV has been added to address this issue.

Recommendation:

Approve the STA **Revised** Final Draft 2010 Legislative Priorities and Platform, as specified in Attachment A.

Attachment:

- A. STA's **Revised** Final Draft 2010 Legislative Priorities and Platform
(Dated November 17, 2009)



Solano Transportation Authority

REVISED FINAL DRAFT 2010 Legislative Priorities and Platform

(Dated November 17, 2009 For Consideration by STA Board on 11/18/09)

LEGISLATIVE PRIORITIES

1. Pursue federal funding for the following priority projects and transit services:
 - A. New Authorization as submitted for Federal Fiscal Year (FFY) 2010
 1. I-80/I-680/SR 12 Interchange
 2. Travis AFB North Gate Access Improvements/Jepson Parkway Project
 3. Alternative Fuel SolanoExpress Bus Replacement
 4. Vacaville Intermodal Station (Phase 2)
 - B. Appropriations as submitted for Federal Fiscal Year (FFY) 2010
 1. Travis AFB North Gate Access Improvements/Jepson Parkway Project
 2. Fairfield Transportation Center
 3. Alternative Fuel SolanoExpress Bus Replacement
 4. Vacaville Intermodal Station (Phase 2)
 5. SR 12 Major Investment Study
 - C. New Authorization as proposed for Federal Fiscal Year (FFY) 2016
 1. I-80/I-680/SR 12 Interchange (Phase 2)
 2. Travis AFB North Gate Access Improvements
 3. Jepson Parkway Project
 4. North Connector West End at SR 12
 5. Fairfield Transportation Center
 - D. Appropriations as proposed for Federal Fiscal Year (FFY) 2011
 1. Travis AFB North Gate Access Improvements/Jepson Parkway Project
 2. Fairfield Transportation Center
 3. Alternative Fuel SolanoExpress Bus Replacement
 4. Safe Routes to School
 5. Dixon Intermodal/Parkway Blvd. Rail Crossing
 6. I-80 Corridor Vallejo Economic Development Plan
 7. Vallejo Ferry Station (Future phase)
 8. Curtola Transit Center (Phase 1)
2. Monitor and support, as appropriate, legislative proposals to increase funding for transportation infrastructure, operations and maintenance in Solano County.
3. Seek/sponsor legislation in support of initiatives that increase the overall funding levels for transportation priorities in Solano County.
4. Oppose efforts to reduce or divert funding from transportation projects.
5. Support initiatives to pursue the 55% voter threshold for county transportation infrastructure measures.
6. Support establishment of regional Express Lanes network (High Occupancy Toll) with assurance that revenues collected for the use of HOT Lanes are spent to improve operations and mobility for the corridor in which they originate.

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- ~~7. Support or sponsor Express Lanes (High Occupancy Toll) on the I-80 Corridor in coordination with the regional express lane network, or as a demo project if the regional express lane network legislation is unsuccessful or does not provide the flexibility of the I-80 corridor working group to determine the expenditure plans for the corridor.~~
- ~~7. Sponsor Express Lanes (High Occupancy Toll) demo project on the I-80 corridor.~~
8. Monitor the implementation of the California Global Warming Solutions Act of 2006, including the development and issuance of implementing rules by the California Air Resources Board and the State Office of Planning and Research.
- ~~9. Monitor implementation of SB 375 (Steinberg), including establishment of regional emission reduction targets. Ensure that local Sustainable Communities Strategies (SCS) are included as part of the development of regional SCS. Pursue and support opportunities to exempt projects funded by local sales tax measures from the provisions of SB 375 (Steinberg).~~
- ~~9-10. Monitor proposals and, where appropriate, support efforts to exempt projects funded by local sales tax measures from the provisions of SB 375 (Steinberg).~~
- ~~10-11. Support legislation to finance cost effective conversion of public transit fleets to alternative fuels.~~
- ~~11-12. Support efforts to protect and preserve funding in Public Transportation Account (PTA) base, Prop. 42 and secure spillover funds to transportation.~~
- ~~12-13. Monitor any new bridge toll proposals, support the implementation of projects funded by Regional Measure 2 (RM 2) and AB 1171.~~
- ~~13-14. Support federal and state legislation framed by California Consensus Principles (Item XIV) that provides funding for movement of goods along corridors (i.e. I-80, SR 12, Capitol Corridor) and facilities (i.e., Cordelia Truck Scales).~~

LEGISLATIVE PLATFORM

I. Alternative Modes (Bicycles, HOV, Livable Communities, Ridesharing)

1. Support legislation promoting bicycling and bicycle facilities as a commute option.
2. Support legislation providing land use incentives in connection with rail and multimodal transit stations – Transit Oriented Development.
3. Support legislation ~~and regional policy confirming in the California Vehicle Code~~ that provide qualified Commuter Carpools and Vanpools with reduced ~~receive free~~ tolls on toll facilities ~~passage across toll bridges 24 hours a day as stated in Caltrans Bridge Toll Policy~~ an incentive to encourage and promote ridesharing.
4. Support legislation that increases employers' opportunities to offer commute incentives.

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5. Support legislative and regulatory efforts to ensure that projects from Solano County cities are eligible for state and regional funding of Transportation Oriented Development (Transit Oriented Development) projects, including Proposition 1C funds. Ensure that development and transit standards for TOD projects can be reasonably met by developing suburban communities.
6. Support establishment of regional Express Lanes network (High Occupancy Toll) with assurance that revenues collected for the use of HOT Lanes are spent to improve operations and mobility for the corridor in which they originate. (Priority #6)
- ~~7. Support or sponsor Express Lanes (High Occupancy Toll) on the I-80 Corridor in coordination with the regional express lane network, or as a demo project if the regional express lane network legislation is unsuccessful or does not provide the flexibility of the I-80 corridor working group to determine the expenditure plans for the corridor. (Priority #7)~~
- ~~7. Sponsor Express Lanes (High Occupancy Toll) demo project on the I-80 corridor. (Priority #7)~~

II. Climate Change/Air Quality

1. Monitor the implementation of the 2004 Ozone Attainment Plan by the Environmental Protection Agency (EPA).
- ~~2.~~ Monitor the implementation of the California Global Warming Solutions Act of 2006, including the development and issuance of implementing rules by the California Air Resources Board and the State Office of Planning and Research. (Priority #8)
- ~~2-3.~~ Monitor implementation of SB 375 (Steinberg), including establishment of regional emission reduction targets. Ensure that local Sustainable Communities Strategies (SCS) are included as part of the development of regional SCS. (Priority #9)
- ~~3-4.~~ Monitor proposals and, where appropriate, Pursue and support opportunities/efforts to exempt projects funded by local sales tax measures from the provisions of SB 375 (Steinberg). (Priority #9/10)
- ~~4-5.~~ Support legislation, which ensures that any fees imposed to reduce vehicle miles traveled, or to control mobile source emissions, are used to support transportation programs that provide congestion relief or benefit air quality.
- ~~5-6.~~ Support legislation providing infrastructure for low, ultra-low and zero emission vehicles.
- ~~6-7.~~ Monitor and comment on regulations regarding diesel fuel exhaust particulates and alternative fuels.
- ~~7-8.~~ Support policies that improve the environmental review process to minimize conflicts between transportation and air quality requirements.

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- ~~8.9.~~ Monitor energy policies and alternative fuel legislation or regulation that may affect fleet vehicle requirements for mandated use of alternative fuels.
- ~~9.10.~~ Support legislation to provide funding for innovative, intelligent/advanced transportation and air quality programs, which relieve congestion, improve air quality and enhance economic development.
- ~~10.11.~~ Support legislation to finance cost effective conversion of public transit fleets to alternative fuels. (*Priority #~~1011~~*)
- ~~11.12.~~ Support income tax benefits or incentives that encourage use of alternative fuel vehicles, vanpools and public transit without reducing existing transportation or air quality funding levels.
- ~~12.13.~~ Support federal climate change legislation that provides funding from cap and trade programs to local transportation agencies for public transportation.

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III. Congestion Management

1. Monitor administrative or legislative action to ensure consistency among the Federal congestion management and the State's Congestion Management Program requirements.

IV. Employee Relations

1. Monitor legislation and regulations affecting labor relations, employee rights, benefits, and working conditions. Preserve a balance between the needs of the employees and the resources of public employers that have a legal fiduciary responsibility to taxpayers.
2. Monitor any legislation affecting workers compensation that impacts employee benefits, control of costs, and, in particular, changes that affect self-insured employers.

V. Environmental

1. Monitor recently passed and anticipated follow-up legislation~~ve~~ and regulatory proposals related to management of the Sacramento-San Joaquin River Delta, including those that would impact existing and proposed transportation facilities such as State Route 12 and State Route 113.
2. Monitor proposals to designate new species as threatened or endangered under either the federal or state Endangered Species Acts. Monitor proposals to designate new "critical habitat" in areas that will impact existing and proposed transportation facilities.
3. Monitor the establishment of environmental impact mitigation banks to ensure that they do not restrict reasonably-foreseeable transportation improvements.

VI. Ferry

1. Protect the existing source of operating and capital support for Vallejo Baylink ferry service, most specifically the Bridge Tolls-Northern Bridge Group "1st and 2nd dollar" revenues which do not jeopardize transit operating funds for Vallejo Transit bus operations.
2. Monitor implementation of SB 1093 (Vallejo Baylink Ferry transition to the San Francisco Bay Area Water Emergency Transportation Authority, or WETA) and support efforts to ensure current level of service directly between Vallejo and San Francisco.

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VII. Funding

1. Protect Solano County's statutory portions of the state highway and transit funding programs.
2. Seek a fair share for Solano County of any federal and state discretionary funding made available for transportation grants, programs and projects.
3. Protect State Transportation Improvement Program (STIP) funds from use for purposes other than those covered in SB 45 of 1997 (Chapter 622) reforming transportation planning and programming, and support timely allocation of new STIP funds.
4. Support state budget and California Transportation Commission allocation to fully fund projects for Solano County included in the State Transportation Improvement Program and the Comprehensive Transportation Plans of the county.
5. Support efforts to protect and preserve funding in Public Transportation Account (PTA) base, Prop. 42 and secure spillover funds to transportation. (*Priority #~~11~~12*)
6. Seek/sponsor legislation in support of initiatives that increase the overall funding levels for transportation priorities in Solano County. (*Priority #3*)
7. Support measures to restore local government's property tax revenues used for general fund purposes, including road rehabilitation and maintenance.
8. Support legislation to secure adequate budget appropriations for highway, bus, rail, air quality and mobility programs in Solano County.
9. Support initiatives to pursue the 55% or lower voter threshold for county transportation infrastructure measures. (*Priority #5*)
10. Ensure that fees collected for the use of High Occupancy Toll (HOT) Lanes are spent to improve operations and mobility for the corridor in which they originate. (*Priority #6*)
11. Support federal and state legislation framed by California Consensus Principles (Item #XIV) that provides funding for movement of goods along corridors (i.e. I-80, SR 12, Capitol Corridor) and facilities (i.e., Cordelia Truck Scales). (*Priority #~~13~~14*)
12. Support ~~ongoing~~ efforts to ~~quickly enact legislation that protect and enhance federal funding as~~ reauthorize ~~sd by~~ the Safe, Accountable, Flexible, Efficient Transportation Equity Act – a Legacy for Users (SAFETEA-LU), and ~~to ensure that the federal government~~ provides a fair share return of funding to California.
13. ~~Participate in~~Support efforts to reauthorize federal transportation policy and funding as framed by California Consensus Principles (Item XIV), focusing efforts on securing funding for high priority regional transportation projects ~~in the next transportation reauthorization bill which is scheduled to go into effect on October 1, 2010.~~

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14. Support legislation or the development of administrative policies to allow a program credit for local funds spent on accelerating STIP projects through right-of-way purchases, or environmental and engineering consultant efforts.
15. Support or seek legislation to assure a dedicated source of funding, other than the State Highway Account for local streets and roads maintenance and repairs, and for transit operations.
16. Monitor the distribution of state transportation demand management funding.
17. Oppose any proposal that could reduce Solano County's opportunity to receive transportation funds, including diversion of state transportation revenues for other purposes. Fund sources include, but are not limited to, State Highway Account (SHA), Public Transportation Account (PTA), and Transportation Development Act (TDA) and any ballot initiative. (Priority #4)
18. Support legislative proposals that authorize Solano County or the Solano Transportation Authority to levy a vehicle registration fee to fund projects that reduce, prevent and remediate the adverse environmental impacts of motor vehicles and their associated infrastructure.

VIII. Liability

1. Monitor legislation affecting the liability of public entities, particularly in personal injury or other civil wrong legal actions.

IX. Paratransit

1. In partnership with other affected agencies and local governments seek additional funding for paratransit operations, including service for persons with disabilities and senior citizens.

X. Project Delivery

1. Monitor legislation to encourage the Federal Highway Administration, Federal Transit Administration, and the Environmental Protection Agency to reform administrative procedures to expedite federal review and reduce delays in payments to local agencies and their contractors for transportation project development, right-of-way and construction activities.
2. Support legislation and/or administrative reforms to enhance Caltrans project delivery, such as simultaneous Environmental Impact Report (EIR) and engineering studies, design-build authority, and a reasonable level of contracting out of appropriate activities to the private sector.
3. Support legislation and/or administrative reforms that result in cost and/or time savings to environmental clearance processes for transportation projects.

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4. Continue to streamline federal application/reporting/monitoring requirements to ensure efficiency and usefulness of data collected and eliminate unnecessary and/or duplicative requirements.

XI. Rail

1. In partnership with other affected agencies, sponsor making Capitol Corridor Joint Powers Authority an eligible operator for state transit assistance funds.
2. In partnership with other counties located along Capitol Corridor, seek expanded state commitment for funding passenger rail service, whether state or locally administered.
3. Support legislation and/or budgetary actions to assure a fair share of State revenues of intercity rail (provided by Capitol Corridor) funding for Northern California and Solano County.
4. Seek legislation to assure that dedicated state intercity rail funding is allocated to the regions administering each portion of the system and assure that funding is distributed on an equitable basis.
5. Seek funds for the expansion of intercity, and development of regional and commuter rail service connecting Solano County to the Bay Area and Sacramento regions.
6. Monitor the implementation of the High Speed Rail project.

XII. Safety

1. Monitor legislation or administrative procedures to streamline the process for local agencies to receive funds for road and levee repair and other flood protection.
2. Monitor implementation of the Safety Enhancement-Double Fine Zone designation on SR 12 from I-80 in Solano County to I-5 in San Joaquin County, as authorized by AB 112 (Wolk).
3. Support legislation to further fund replacement of at-grade railroad crossings with grade-separated crossings.
4. Support legislation to further fund Safe Routes to School and Safe Routes to Transit programs in Solano County.

XIII. Transit

1. Protect funding levels for transit by opposing state funding source reduction without substitution of comparable revenue.
2. Support an income tax credit to employers for subsidizing employee transit passes.

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3. Support tax benefits and/or incentives for programs to promote the use of public transit.
4. In partnership with other transit agencies, seek strategies to assure public transit receives a fair share of funding for welfare-to-work social services care, and other community-based programs.
5. Support efforts to eliminate or ease Federal requirements and regulations regarding the use of federal transit funds for transit operations in large Urbanized Areas (UZAs).
6. In addition to new bridge tolls, work with MTC to generate new regional transit revenues to support the ongoing operating and capital needs of transit services, including bus, ferry and rail. (Priority # 123)

XIV. Movement of Goods

1. Monitor and support initiatives that augment planning and funding for movement of goods via maritime-related transportation, including the dredging of channels, port locations and freight shipment.
2. Monitor and support initiatives that augment planning and funding for movement of goods via rail involvement.
3. Monitor and support initiatives that augment planning and funding for movement of goods via aviation.

XIVXV. Federal New Authorization Policy

The National Surface Transportation Policy and Revenue Study Commission presented a report outlining a new long-term strategic transportation vision to guide transportation policymaking at the national level. The Solano Transportation Authority supports the principles contained in the Commission's "Transportation for Tomorrow," released in January 2008, specifically as summarized below:

Recommended Objectives for Reform:

- Increased Public and Private Investment
- Federal Government a Full Partner
- A New Beginning

Major Changes Necessary to Accomplish Objectives:

1. The federal program should be performance-driven, outcome-based, generally mode-neutral, and refocused to pursue objective of genuine national interest. The 108 existing surface transportation programs in SAFETEA-LU and related laws should be replaced with the following 10 new federal programs:
 - Rebuilding America – state of good repair
 - Global Competitiveness – gateways and goods movement
 - Metropolitan Mobility – regions greater than 1 million population
 - Connecting America – connections to smaller cities and towns

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- Intercity Passenger Rail and Water Transit – new regional networks in high-growth corridors
- Highway Safety – incentives to save lives
- Environmental Stewardship – both human and natural environments
- Energy Security – development of alternative transportation fuels
- Federal Lands – providing public access on federal property
- Research and Development – a coherent national research program

National, state and regional officials and other stakeholders would establish performance standards, develop detailed plans for achievement, and develop detailed cost estimates to create a national surface transportation strategic plan. Only projects called for in the plan would be eligible for federal funding.

2. Congress should establish an independent National Surface Transportation Commission (NASTRAC), modeled after aspects of the Postal Regulatory Commission, the Base Closure and Realignment Commission, and state public utility commissions to perform two principal planning and financial functions:
 - a. Oversee various aspects of the development of the outcome-based performance standards.
 - b. Establish a federal share to finance the plan and recommend an increase in the federal fuel tax to fund that share.
3. Project delivery must be reformed by retaining all current environmental safeguards, but significantly shortening the time it takes to complete reviews and obtain permits.
4. Major revenue reform is necessary:
 - a. All levels of government and the private sector must contribute their appropriate shares.
 - b. User financing must be implemented.
 - c. Budgetary protections for the Highway Trust Fund must be put in place.
 - d. Legislation must be passed to keep the Highway Account of the Highway Trust Fund solvent and prevent highway investment from falling below the levels guaranteed in SAFETEA-LU.

Between 2010 and 2025:

- a. Federal fuel tax should be raised and indexed to the construction cost index.
- b. Federal user-based fees (such as freight fees for goods movement, dedication of a portion of existing customs duties, ticket taxes for passenger rail improvements) should be implemented to help address the funding shortfall.
- c. Congress needs to remove certain barriers to tolling and congestion pricing by modifying the current federal prohibition against tolling on the Interstate System to allow:
 - i. Tolling to fund new capacity, with pricing flexibility to manage its performance.
 - ii. Congestion pricing in metropolitan areas with populations greater than 1 million.
- d. Congress should encourage the use of public-private partnerships to attract additional private investment to the surface transportation system.

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- e. State and local governments need to raise motor fuel, motor vehicle, and other related user fees.

Post-2025:

- a. A vehicle miles traveled (VMT) fee should be implemented.