



Board Report

File #: 2020-0235, File Type: Federal Legislation / State Legislation (Position)

Agenda Number: 32.

EXECUTIVE MANAGEMENT COMMITTEE
APRIL 16, 2020

SUBJECT: STATE LEGISLATION

ACTION: ADOPT STAFF RECOMMENDED POSITION

RECOMMENDATION

ADOPT staff recommended positions:

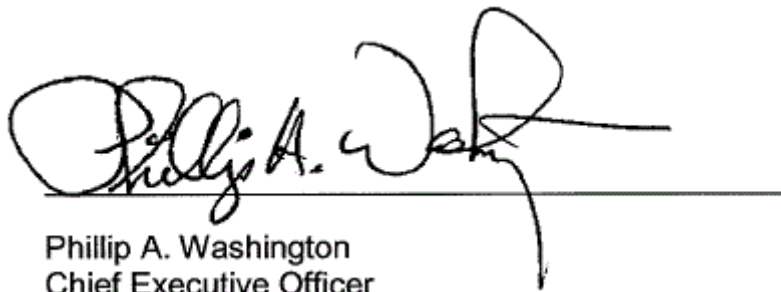
- Senate Bill 1366 (Archuleta) - Los Angeles County Metropolitan Transportation Authority: light rail: West Santa Ana Branch Transit Corridor. **WORK WITH AUTHOR**

ATTACHMENT

Attachment A - SB 1366 (Archuleta) Legislative Analysis

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Chief Executive Officer

ATTACHMENT A

BILL: SENATE BILL 1366
AS INTRODUCED FEBRUARY 21, 2020

AUTHOR: SENATOR BOB ARCHULETA (D-PICO RIVERA)

SUBJECT: LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION
AUTHORITY: LIGHT RAIL: WEST SANTA ANA BRANCH
TRANSIT CORRIDOR.

STATUS: SENATE TRANSPORTATION COMMITTEE
HEARING SCHEDULED: 4/28/2020

ACTION: WORK WITH AUTHOR

RECOMMENDATION

Staff recommends that the Board of Directors adopt a WORK WITH AUTHOR position on Senate Bill 1366 (Archuleta) as introduced.

ISSUE

This bill was introduced on February 21, 2020 to section 130265 to the Public Utilities Code.

Specifically the bill would:

- Require the authority, or another entity, if it constructs a light rail project within the right-of-way for the West Santa Ana Branch Transit Corridor, to include or construct, as applicable, 11 specified stations as part of an initial operating segment.

DISCUSSION

SB 1366 (Archuleta), as introduced, would require Metro or another entity that constructs a light rail project in the West Santa Ana Branch Transit Corridor to include eleven stations in the initial operating segment. The bill is co-authored by Assembly Speaker Anthony Rendon (D-Lakewood) and Senator Lena Gonzalez (D-Long Beach). Included in the provisions of the bill are the following eleven stations:

- (1) Union Station
- (2) Slauson Station
- (3) Pacific/Randolph Station
- (4) Florence/Salt Lake Station
- (5) Firestone Station
- (6) Rio Hondo Confluence Station, if determined to be feasible by the authority or entity, as applicable
- (7) Gardendale Station
- (8) I-105/Green Line Station
- (9) Paramount/Rosecrans Station
- (10) Bellflower Station

(11) Pioneer Station

The West Santa Ana Branch (WSAB) project is a proposed light rail transit line included in Measure M that would connect southeast Los Angeles County to Downtown Los Angeles. Measure M and Metro's Long Range Transportation Plan (as amended) allocates \$4 billion to fund the project's construction in two decades. The WSAB has also been identified as one of the Board's "Four Pillar Projects" which aims to prioritize funding and planning efforts around key transportation improvement projects throughout the County.

In September 2019 – the Board approved staff's recommendation to evaluate the entire project alignment and two Initial Operating Segments (IOSs) as part of the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for CEQA/NEPA clearance.

The Environmental document will evaluate the following alternatives:

- **Alternative 1: Los Angeles Union Station to Pioneer** (previously Alternative E Alameda Underground)
- **Alternative 2: 7th St/Metro Center to Pioneer** (previously Alternative G Downtown Transit Core Underground)
- **Alternative 3: Slauson/A Line to Pioneer** (previously IOS 2)
- **Alternative 4: I-105/Green Line to Pioneer** (previously IOS 1)

The consideration of Initial Operating Segments is typical when projects are considered for federal funding. The WSAB project is currently in both the state and federal environmental review processes which will enable the project to compete for federal funds. The Draft EIS/EIR is set to be released for public comment in Winter 2021. Staff is planning to make a recommendation to the Board to select the Locally Preferred Alternative in Mid-2021. At this point in the process the Board has not selected any locally preferred alternative.

Local funding availability is included in two phases for the project according to the Measure M expenditure plan – FY 2028 includes \$1 billion in funding, with \$3 billion available in FY 2041. The updated project cost estimates (based on 5 percent project design) is \$6.5-\$6.6 billion (2018\$). This figure does not include additional costs related to Right of Way acquisitions, agreements with Union Pacific Railroad and does not include funding for First/Last mile project planning and construction. The project was awarded \$300 million in Senate Bill 1 State transportation funding in 2018.

Staff is evaluating methods to accelerate construction of the project, including the option of entering into a Public Private Partnership (P3) to accelerate the second funding cycle and complete the project in advance of the Measure M timeline. Alternatively, the Board has adopted an aggressive Twenty-Eight by 2028 project delivery timeline which would seek to accelerate the project construction to meet the transportation demands of the upcoming 2028 Olympic and Paralympic Games in Los Angeles.

The exact light rail project description, terminus, alignment and stations are not included in the Measure M Expenditure plan and are instead defined through the environmental review process. SB 1366 (Archuleta) could predetermine the outcome of the environmental review and locally preferred alternative alignment evaluation process by including a specified list of stations that are to be constructed in the IOS. The bill's provisions include Union Station in the construction of the IOS. According to previous staff reports on the WSAB project twelve stations are currently being environmentally cleared for the entire project.

Staff recommends that the Board adopt a WORK WITH AUTHOR position on SB 1366 (Archuleta) to give staff the authorization to work with the author to determine how to find alternatives of the bill that will have the least impact to the funding and construction of the WSAB and other Measure M projects. Staff would also like to work with the author to evaluate strategies that will actually accelerate the delivery of the WSAB and the projects included in Measure M and the LRTP.

Staff has evaluated two potential outcomes if the legislation passes as drafted. One outcome would require Metro (or a JPA) to build a project connecting Union Station to the Pioneer Station in one Initial Operating Segment (IOS). This could potentially add significant project delays due to the timing of available local, state and federal funding for the project. If Metro is required by state law to construct the project in one segment, other projects included in the Measure M expenditure plan may be delayed to make funding available for WSAB. The alternate option is that the Board would be required to make a determination that the project would need to be delayed until the project funding becomes available.

By identifying specific stations the bill does appear to prejudge the outcome of the environmental process. For example, the identification of Union Station has not been determined as the final alignment. The environmental process is evaluating alignment options for the northern segment which includes extensive outreach to stakeholders along that section of the alignment. The planning, design and construction of the \$6 billion+ WSAB project is reliant on significant local funding. The state's funding commitment to the WSAB at this time is currently \$300 million.

Additionally – the bill references a joint powers authority that may construct the light rail project. Staff would recommend seeking an amendment to eliminate the reference to the joint-powers authority as an entity that would build the WSAB.

For these reasons, staff recommends that the Board adopt a WORK WITH AUTHOR position on Senate Bill 1366 (Archuleta).

DETERMINATION OF SAFETY IMPACT

Passage of the legislation would not have an immediate impact on safety.

FINANCIAL IMPACT

The estimated financial impact of this action is still being evaluated. Potentially, the funding determinations for Measure M projects will need to be re-evaluated if the legislation passes.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Staff recommendation supports strategic plan goal # 4.2: Metro will help drive mobility agendas, discussions and policies at the state, regional and national levels.

ALTERNATIVES CONSIDERED

Staff has considered adopting either a support or oppose position on the bill. A support position would be inconsistent with Metro's Board approved 2020 State Legislative Program Goal #3: work to ensure implementation of Metro's Board-adopted Long Range Transportation Plan (LRTP). An oppose position would preclude staff's ability to work with the author on potential amendments and alternative solutions to address the issue.

NEXT STEPS

Should the Board approve the adoption of a WORK WITH AUTHOR position on the legislation; staff will communicate the Board's position to the author and work to ensure inclusion of the Board's priorities in the final version of the bill. Staff will continue to keep the Board informed as this issue is addressed throughout the legislative session.