

Introduced by Senator Kehoe

February 17, 2011

An act to add Section 103 to the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 468, as introduced, Kehoe. Department of Transportation: capacity-increasing state highway projects: coastal zone.

Existing law provides that the Department of Transportation has full possession and control of the state highway system. Existing law imposes various requirements for the development and implementation of transportation projects.

This bill would impose additional requirements on the department with respect to proposed capacity-increasing state highway projects in the coastal zone. The bill would also make legislative findings and declarations.

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

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 California coastal zone is an unique natural resource,
- 4 the protection of which is recognized as a shared responsibility of
- 5 the state, local governments, and regional entities. State, local, and
- 6 regional agencies desiring to make investments in transportation
- 7 infrastructure within the coastal zone have an affirmative obligation
- 8 to ensure that investments do not compromise or diminish existing

1 natural resources, including the coastal zone flora and fauna, water
2 quality, and unique views.

3 (b) The coastal zone is also a unique economic resource with
4 both its natural and built environment being a destination for
5 individuals, families, and groups to enjoy the diversity of
6 recreational opportunities.

7 (c) Transportation investments to be made in the coastal zone
8 should not erode the very qualities that make it an attractive setting
9 in which to live, work, and recreate.

10 SEC. 2. Section 103 is added to the Streets and Highways Code,
11 to read:

12 103. For proposed capacity-increasing projects on the state
13 highway system that are located, all or in part, in the coastal zone,
14 as defined by Section 30103 of the Public Resources Code, the
15 department shall comply with all of the following requirements:

16 (a) Collaborate with local agencies through which the proposed
17 project traverses and the countywide or regional transportation
18 planning agency to develop traffic congestion reduction goals.
19 After identifying the goals, identify how the proposed project will
20 achieve the goals without compromising the unique features of
21 the coastal zone.

22 (b) Other proposed state highway projects or proposed local
23 street and road projects that are parallel to the proposed project
24 shall be included in the environmental analysis for the proposed
25 project.

26 (c) If there is a public transportation service in the corridor
27 affected by the proposed project, including a commuter rail service,
28 for which there is a program of service and facility investments as
29 part of a corridor plan, the proposed project shall not proceed to
30 construction until the transit investment program is complete.

31 (d) If the proposed project will generate additional traffic on
32 city and county streets and roads within the coastal zone, a program
33 of improvements to mitigate the effects of additional traffic on the
34 local facilities shall be identified, the cost of the necessary
35 improvements shall be determined, and funding shall be made
36 available to fund the improvements. The proposed project shall
37 not proceed to construction until this mitigation program is
38 implemented.

39 (e) To the extent that there are multiple proposed projects in a
40 corridor that are part of a program of projects, construction shall

1 be implemented sequentially, with construction on a subsequent
2 project beginning only after the previous project has been
3 completed. This requirement does not apply to the initial project
4 in the program of projects.

5 (f) Environmental consequences of each proposed project
6 sequentially constructed pursuant to subdivision (e) shall be
7 monitored to ensure that the benefits from mitigation, as described
8 in the project's environmental documents, are being achieved. If
9 the environmental benefits can only be achieved with the
10 completion of a sequence of projects, the proportion of the benefits
11 attributable to a specific project shall be identified.

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