

Date of Hearing: June 26, 2023

ASSEMBLY COMMITTEE ON TRANSPORTATION  
Laura Friedman, Chair  
SB 677 (Blakespear) – As Amended April 17, 2023

**SENATE VOTE:** 39-0

**SUBJECT:** Intercity rail: LOSSAN Rail Corridor

**SUMMARY:** Requires the Los Angeles – San Diego – San Luis Obispo Rail (LOSSAN) Rail Corridor Agency to include in its annual business plan a description of the effects of climate change, including sea level rise and weather-related events, on the corridor. Specifically, **this bill:**

- 1) Requires the business plan to include the following:
  - a) A description of how to adapt to climate changes impacts on the LOSSAN Corridor;
  - b) Identification of projects planned, as part of the capital improvement programs, to increase climate resiliency on the corridor; and,
  - c) Possible funding options for the projects identified, including but not limited to federal and state funding.
- 2) Provides for the above considerations to be made in the business plan due on April 1, 2024 and every plan annually thereafter.

**EXISTING LAW:**

- 1) Authorizes the California Department of Transportation (Caltrans) to contract with the National Railroad Passenger Corporation (Amtrak) for intercity rail passenger services. (Government Code Section (GOV) 14035)
- 2) Provides funding for intercity passenger rail service from a portion of the sales tax on diesel fuel through the Public Transportation Account. (Public Utilities Code Section (PUC) 99312.3)
- 3) Authorizes the LOSSAN Rail Corridor Agency to oversee state-supported intercity passenger rail service. (GOV 14072.2)
- 4) Authorizes Caltrans, subject to approval of the Secretary of Transportation (CalSTA), to enter into an interagency transfer agreement under which a joint powers authority (JPA) assumes responsibility for administering the state-supported intercity passenger rail service, and associated feeder bus service, in a particular corridor. (GOV 14031.8)
- 5) Defines the boundaries of the three intercity rail corridors. (GOV 14072)
- 6) Requires the preparation of an annual business plan, due to CalSTA by April 1 every year, for the corridor by each participating JPA board of directors. (GOV 14070.4)

- 7) Requires the annual business plan to include:
- a) A report on the recent as well as historical performance of the corridor service;
  - b) An overall operating plan including proposed service enhancements to increase ridership and provide for increased traveler demands in the corridor for the upcoming year;
  - c) Short-term and long-term capital improvement programs;
  - d) Funding requirements for the upcoming fiscal year; and,
  - e) An action plan with specific performance goals and objectives. (GOV 14070.4)

**FISCAL EFFECT:** According to the Senate Appropriations Committee, pursuant to Senate Rule 28.8, negligible state costs.

**COMMENTS:** The Los Angeles–San Diego–San Luis Obispo (LOSSAN) Rail Corridor Agency is a JPA formed in 1989 that works to increase ridership, revenue, capacity, reliability, coordination, and safety on the rail corridor between San Diego, Los Angeles, and San Luis Obispo. On September 29, 2012, Governor Jerry Brown signed SB 1225, (Padilla), Chapter 802, Statutes of 2012, which authorized the LOSSAN Agency to oversee the state-supported Pacific Surfliner intercity passenger rail service operating on the LOSSAN rail corridor, subject to approval of an interagency transfer agreement with the State of California. The Orange County Transportation Authority (OCTA) serves as the managing agency for the LOSSAN Agency and provides management and administrative support as outlined in the Administrative Support Agreement between the LOSSAN Agency and OCTA. In addition to the Pacific Surfliner the corridor also serves Metrolink and COASTER commuter trains, as well as BNSF Railway and Union Pacific Railroad freight trains. In 2019 the corridor served 8.33 million passengers

The Pacific Surfliner service travels along a 351-mile coastal rail corridor through six counties in Southern California: San Diego, Orange, Los Angeles, Ventura, Santa Barbara, and San Luis Obispo. It is currently the second busiest intercity passenger rail corridor in the United States, and the busiest state-supported Amtrak route. The LOSSAN Agency is governed by a Board of Directors composed of 11 voting members representing rail owners, operators, and planning agencies along the LOSSAN rail corridor, as well as four non-voting, ex-officio members.

Over the years the Pacific Surfliner has significantly increased its service. In 1971, the Pacific Surfliner started with six daily trips. By 2019, service increased to 27 daily trips. Ridership had increased significantly and peaked in 2017 at nearly 3 million riders with farebox recovery exceeding 50%. Due to COVID-19, service was reduced to 12 daily trips the second half of 2020. Service has since increased to 18 daily trips, with 12 of the trips operating between San Diego and Los Angeles, four trips between San Diego and Goleta, and two of the trips between San Diego and San Luis Obispo. Despite the service cuts, the Pacific Surfliner service remains the busiest state-supported route in the entire Amtrak National system.

According to the author, “The LOSSAN Corridor is the second busiest rail corridor in the nation serving as the primary intercity, commuter, freight, and military rail corridor throughout a six-county mega region where 20 million people reside. Unfortunately, impacts from sea-level rise, erosion, and weather-related events have jeopardized the long-term resiliency of the corridor and, in some instances, ceased operations for up to months at a time. Late last year, rail tracks in San Clemente, CA shifted as much as 28” into the Pacific Ocean due to landslides and coastal

erosion. In Del Mar, CA, crumbling bluffs have jeopardized the longevity of the most southern portion of the corridor.

The LOSSAN Agency is the governing board of the LOSSAN Corridor and is composed of 11 voting members representing rail owners, operators, and planning agencies along the corridor. A primary responsibility of the LOSSAN Agency, per SB 1225 and terms of an agreement with the State of California, is to develop an annual business plan which outlines the agency's major goals and objectives. This bill would require that the LOSSAN agency include climate resiliency considerations as a chapter in the business plan to describe the effects of climate change on the corridor, identify projects to increase climate resiliency in the corridor, and discuss funding options for these projects.”

The system has suffered serious setbacks as a result of climate change. In September of 2021, eroding of the private-property slope caused track movement forcing Metrolink to suspend passenger rail service in south Orange County. Service was restored the following month. In December of 2021, geotechnical monitoring showed cumulative track movement, requiring 3,000 tons of rock for stabilization. In September of 2022, passenger service was suspended after high tides and storm surge eroded some of the previously placed rock. OCTA immediately embarked on emergency repairs in October 2022, to stabilize the rail line and incrementally restart rail service. The project placed ground anchors into bedrock through the slide planes, designed to hold back a larger slide and stabilize movement on the corridor. That same month, the California Transportation Commission met in special session to approve \$6 million in funding for the emergency repairs. The total cost of the emergency work is approximately \$13.7 million. Limited passenger rail service resumed in 2023. On June 5<sup>th</sup> debris falling from a slope north of San Clemente Pier tracks were again between Irvine and Oceanside.

Coastal resiliency challenges exist across the corridor. In San Diego the Del Mar Bluffs where the trains are located are retreating an average of 6 inches a year. Bluff collapses have impacted service seven times since 2018. More recently, SANDAG was awarded \$300 million from the state to re-align tracks away from vulnerable coastal bluffs and construct double track through Del Mar and Los Panasquitos Lagoon. The project is expected to be completed by 2035.

More recently, the California State Senate created a subcommittee within the Senate Transportation Committee on LOSSAN Rail Corridor Resiliency and it had its first hearing on May 16, 2023.

While the existing business plan contains a Capital Improvement Program, it currently does not discuss the effects of climate change on the corridor or identify projects in the capital improvement program that are climate resiliency related, as this bill would require.

*Previous Legislation:*

SB 1225 (Padilla) Chapter 802, Statutes of 2012, authorized an interagency transfer agreement to be entered into with a local JPA to provide intercity rail service in the LOSSAN Corridor if specific conditions are met.

AB 111 (Boerner of 2021) would have allocated \$5 million to SANDAG for the LOSSAN corridor realignment study. That bill was amended into a different bill and died in this Committee.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

Streets for All

**Opposition**

None on file

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