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An act to add Section 14111 to, and to add Chapter 4 (commencing with Section 93030) to Title 12 of, the Government Code, to add Chapter 14 (commencing with Section 5880) to Division 5 of, and to repeal Section 5883 of, the Public Resources Code, and to amend Sections 105001, 105003, 105012, and 105095 of, to add Section 105088 to, and to repeal Sections 105104, 105105, and 105180 of, the Public Utilities Code, relating to transportation.



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## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

## SECTION 1. It is the intent of the Legislature to do all of the following:

(a) Create a systemwide hiking, biking, and riding trail within, or adjacent to, the North Coast Railroad Authority's right-of-way on the north coast, running from mile post 0.0 to mile post 300.5, including any associated branch or spur line.

(b) Settle all liabilities, debts, contractual obligations, leasehold interests held by the Northwest Pacific Railroad, and other legal obligations of the North Coast Railroad Authority, transfer its assets and the right-of-way as provided for in this bill, and abolish the North Coast Railroad Authority, which was established by statute in 1989.

(c) Transfer the North Coast Railroad Authority's rail assets and the southern portion of its right-of-way, from mile post 0.0 to mile post 142.5, to the Sonoma-Marín Area Rail Transit District for the purposes of creating and maintaining a trail system and continuing to run freight along the active rail line.

(d) Secure funding for the construction of the systemwide trail and to maintain the active portion of the freight rail line.

(e) Create the Great Redwood Trail Agency, which will be responsible for constructing and maintaining a hiking, biking, and riding trail in place of the northern portion of the right-of-way, from mile post 142.5 to mile post 300.5.

(f) Transfer the northern portion of the North Coast Railroad Authority's right-of-way, from mile post 142.5 to mile post 300.5, to the Department of Transportation for a period of not more than two years, and then have it transferred to the Great Redwood Trail Agency.

## SEC. 2. Section 14111 is added to the Government Code, to read:

14111. (a) Within two years of receiving the North Coast Railroad Authority's rights, privileges, and responsibilities relating to the authority's right-of-way north of mile post 142.5 in the City of Willits pursuant to Section 93031, the department shall do both of the following:

(1) Inventory any parcel or contract related to the right-of-way.

(2) Complete an environmental assessment of the right-of-way.

(b) Before January 1, 2021, and after receiving notice from the Great Redwood Trail Agency pursuant to Section 5884 of the Public Resources Code, the department shall transfer those rights, privileges, and responsibilities described in subdivision (a) to the Great Redwood Trail Agency.

SEC. 3. Chapter 4 (commencing with Section 93030) is added to Title 12 of the Government Code, to read:

## CHAPTER 4. ABOLISHMENT

93030. Before April 1, 2019, the authority shall transfer its rights, privileges, and responsibilities, excluding any preexisting liability related to debt, litigation, or contractual obligations, relating to both its right-of-way south of mile post 142.5 in the City of Willits, including any associated branch or spur lines, and the railroad assets the authority owns to the Sonoma-Marín Area Rail Transit District created pursuant to Section 105010 of the Public Utilities Code.



93031. Before April 1, 2019, the authority shall transfer its rights, privileges, and responsibilities relating to its right-of-way north of mile post 142.5 in the City of Willits, including any associated branch or spur lines, to the Department of Transportation.

93032. In making the transfers pursuant to Sections 93030 and 93031, the authority shall transfer all of its rights, privileges, and responsibilities relating to any right-of-way.

93033. Upon making all of the transfers described in this chapter, the authority shall be abolished.

SEC. 4. Chapter 14 (commencing with Section 5880) is added to Division 5 of the Public Resources Code, to read:

#### CHAPTER 14. GREAT REDWOOD TRAIL AGENCY

5880. The Great Redwood Trail Agency is hereby created.

5881. For purposes of this chapter, the following definitions shall apply:

- (a) "Agency" means the Great Redwood Trail Agency.
- (b) "Board" means the agency's board of directors described in Section 5882.
- (c) "Department" means the Department of Transportation.
- (d) "Right-of-way" means the entire length of the right-of-way transferred to the department pursuant to Section 93031 of the Government Code.

5882. The agency shall be governed by a board of directors, composed as follows:

- (a) The Governor shall appoint two board members who are knowledgeable about trails, parks, railroads, or rivers.
- (b) The Senate Committee on Rules shall appoint one board member who is knowledgeable about trails, parks, railroads, or rivers.
- (c) The Speaker of the Assembly shall appoint one board member who is knowledgeable about trails, parks, railroads, or rivers.
- (d) The Board of Supervisors of the County of Mendocino may appoint one board member.
- (e) The Board of Supervisors of the County of Humboldt may appoint one board member.
- (f) \_\_\_\_\_ may appoint one board member.

5883. (a) Upon four board members joining the agency's initial board of directors, the agency shall advise the department on issues relating to the creation and maintenance of a trail in place of, or next to, the right-of-way.

(b) This section shall remain in effect only until January 1, 2022, and as of that date is repealed.

5884. (a) Before January 1, 2021, the board of directors shall notify the department that the agency is ready to assume ownership of the right-of-way.

(b) Upon the department making the transfer described in Section 14111 of the Government Code, the agency shall assume ownership of the right-of-way.

5885. The agency shall do both of the following:

- (a) For the portion of the right-of-way between mile post 142.5 and mile post 284, including any associated branch or spur lines, the agency shall complete the railbanking process on, and create and maintain a trail in place of, or next to, that



portion of the right-of-way. The agency may contract with a trail manager or organization to meet the requirements of this subdivision.

(b) For the portion of the right-of-way between mile post 284 and mile post 300.5, including any associated branch or spur lines, the agency shall create and maintain a trail in place of, or next to, that portion of the right-of-way, and may contract with a trail manager or organization to meet these requirements. The agency may contract with an operator to operate freight or excursion rail service on this portion of the right-of-way, except that the service shall not interfere with or harm the agency's trail.

SEC. 5. Section 105001 of the Public Utilities Code is amended to read:

105001. It is the intent of the Legislature in enacting this part to provide for a unified, comprehensive institutional structure for the ownership and governance of a passenger rail system within the Counties of Sonoma and Marin ~~that shall operate in harmony with existing freight service and a freight service~~ that operates upon the same rail line and serves the Counties of ~~Humboldt~~, Marin, Mendocino, Napa, and Sonoma. It is the further intent of the Legislature that the district established by this act may succeed to the powers, duties, obligations, liabilities, immunities, and exemptions of both the Sonoma-Marin Area Rail Transit Commission and the Northwestern Pacific Railroad Authority upon their dissolution. ~~Because there is no general law under which this district could be formed, the adoption of a special act and the formation of a special district is required.~~

SEC. 6. Section 105003 of the Public Utilities Code is amended to read:

105003. As used in this part, the following terms have the following meanings:

(a) "District" means the Sonoma-Marin Area Rail Transit District.

(b) "Rail transit" means the transportation of passengers and their incidental baggage by ~~rail~~ rail and provision of freight service by rail.

(c) "Rail transit works" or "rail transit facilities" means any or all real and personal property, equipment, rights or interests owned or to be acquired by the district for rail transit service purposes, including ancillary bicycle and pedestrian pathways that provide connections between and access to station sites.

(d) "Board of directors," "board," or "directors" means the board of directors of the district.

(e) "Public agency" includes the state, and any county, city and county, city, district, or other political subdivision or public entity of, or organized under the laws of, this state, or any department, instrumentality, or agency thereof.

SEC. 7. Section 105012 of the Public Utilities Code is amended to read:

105012. (a) Upon the dissolution of the Sonoma-Marin Area Rail Transit Commission and the Northwestern Pacific Railroad Authority, the district shall succeed to any or all of the powers, duties, rights, obligations, liabilities, indebtedness, bonded and otherwise, immunities, and exemptions of the commission and its board of commissioners and the authority and its board of directors.

(b) Upon the dissolution of the Sonoma-Marin Area Rail Transit Commission and the Northwestern Pacific Railroad Authority, the district shall assume the rights and obligations of the commission and the authority under any contract to which the commission or the authority is a party and which is to be performed, in whole or in part, on or after the date of dissolution of the Sonoma-Marin Area Rail Transit Commission and the Northwestern Pacific Railroad Authority, ~~including, without~~



~~limitation, any existing operating agreements with the North Coast Railroad Authority. The district shall thereafter negotiate in good faith a new operating agreement with the North Coast Railroad Authority. If the parties are unable to reach an agreement on the new operating agreement, the parties shall select a mutually agreed upon third party to mediate a resolution of the dispute.~~ Authority.

(c) All real and personal property owned by the Sonoma-Marín Area Rail Transit Commission and the Northwestern Pacific Railroad Authority may be transferred to the district. ~~Any real or personal property owned individually or jointly by the Golden Gate Bridge, Highway and Transportation District, the County of Marin, or the Marin County Transit District, or any other public agency, may be transferred to the district. The transfer of any right-of-way from the Northwestern Pacific Railroad Authority, the Golden Gate Bridge, Highway and Transportation District, the County of Marin, or the Marin County Transit District to the district shall be made subject to any existing easements for freight and passenger excursion service issued to the North Coast Railroad Authority prior to the time of the transfer.~~

(d) Upon the dissolution of the Sonoma-Marín Area Rail Transit Commission, the district shall assume, without any condition whatsoever, all responsibilities and obligations previously assumed by the commission with respect to its fund transfer agreement with ~~Caltrans~~ the Department of Transportation for the funding of the Sonoma-Marín Area Rail Transit Project.

(e) On and after the date of dissolution of the Sonoma-Marín Area Rail Transit Commission and the Northwestern Pacific Railroad Authority, any reference in any provision of law or regulation to the commission or the authority shall be deemed to refer to the district.

SEC. 8. Section 105088 is added to the Public Utilities Code, to read:

105088. Upon receiving the North Coast Railroad Authority's rights, privileges, and responsibilities relating to the authority's right-of-way south of mile post 142 in the City of Willits pursuant to Section 93030 of the Government Code, the district shall conduct a freight rail study incorporating the entire length of the right-of-way.

SEC. 9. Section 105095 of the Public Utilities Code is amended to read:

105095. The district may provide a rail transit system for the transportation of passengers and their incidental baggage ~~by rail.~~ and provision of freight service by rail.

SEC. 10. Section 105104 of the Public Utilities Code is repealed.

~~105104. The district shall work with the North Coast Railroad Authority, the Federal Railroad Administration, and any of its successor agencies, to achieve safe, efficient, and compatible operations of both passenger rail and freight service along the rail line in Sonoma and Marin Counties.~~

SEC. 11. Section 105105 of the Public Utilities Code is repealed.

~~105105. The district shall be responsible for any advance payment of any portion of the North Coast Railroad Authority's Q-Fund loan repayment obligation caused by the district's action. Any amount advanced by the district shall be reimbursed by the North Coast Railroad Authority at the time the North Coast Railroad Authority's obligation to repay that portion of the Q-Fund loan would otherwise become due.~~

SEC. 12. Section 105180 of the Public Utilities Code is repealed.

~~105180. The district shall obtain coverage for the district and its employees under Title II of the federal Social Security Act, as amended, (42 U.S.C. Sec. 401 et~~



~~seq.) and the related provisions of the Federal Contributions Act, as amended (26 U.S.C. Sec. 3101 et seq.).~~

SEC. 13. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

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