

AMENDED IN SENATE APRIL 7, 2016

SENATE BILL

No. 1018

Introduced by Senator Liu

February 11, 2016

An act to add Section 54237.9 to the Government Code, relating to ~~environmental quality~~, *transportation*, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1018, as amended, Liu. ~~California Environmental Quality Act: State Route 710 North Study~~. *Interstate 710 North Gap Closure project: cost-benefit analysis.*

(1) Existing law creates the Los Angeles County Metropolitan Transportation Authority with specified powers and duties relative to transportation planning, programming, and operations in Los Angeles County.

This bill would require the Board of Directors of the Los Angeles County Metropolitan Transportation Authority, before making a final decision on the Interstate 710 North Gap Closure project, to take specified actions on a specified cost-benefit analysis for the project.

(2) This bill would make legislative findings and declarations as to the necessity of a special statute for the Interstate 710 North Gap Closure project.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

(4) This bill would declare that it is to take effect immediately as an urgency statute.

~~The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a public review period for a draft EIR of a project and requires the lead agency to consider the comments submitted during the review period and to respond to the comments.~~

~~This bill would deem a certain cost-benefit analysis prepared for the State Route 710 North Study to be a technical study to be included in the comprehensive analysis of the alternatives described in the draft EIR for the State Route 710 North Study and would require the lead agency to consider and respond, in writing, to any comments regarding the analysis submitted during the public review period.~~

~~This bill would make legislative findings and declarations as to the necessity of a special statute for State Route 710 North Study.~~

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 54237.9 is added to the Government~~
- 2 ~~Code, to read:~~
- 3 ~~54237.9. Notwithstanding any other law, for purposes of the~~
- 4 ~~California Environmental Quality Act (Division 13 (commencing~~
- 5 ~~with Section 21000) of the Public Resources Code), the cost-benefit~~
- 6 ~~analysis prepared for the State Route 710 North Study in response~~
- 7 ~~to a motion approved by the Board of Directors of the Los Angeles~~
- 8 ~~County Metropolitan Transportation Authority at the June 2010~~

1 meeting is deemed to be a technical study to be included in the
2 comprehensive analysis of the alternatives described in the draft
3 environmental impact report/environmental impact statement for
4 the project, issued in March, 2015. The lead agency, pursuant to
5 Section 21091 of the Public Resources Code, shall consider and
6 respond, in writing, to comments regarding the cost-benefits
7 analysis submitted during the public comment period for the draft
8 environmental impact report/environmental impact statement. The
9 comments on the analysis and the lead agency's responses are
10 deemed to be a part of the record of proceedings for purposes of
11 the California Environmental Quality Act.

12 *SECTION 1. Before making a final decision on the Interstate*
13 *710 North Gap Closure project, the Board of Directors of the Los*
14 *Angeles County Metropolitan Transportation Authority shall do*
15 *all of the following:*

16 *(a) Hold three public hearings consistent with the requirements*
17 *of the Ralph M. Brown Act (Chapter 9 (commencing with Section*
18 *54950) of Part 1 of Division 2 of Title 5 of the Government Code)*
19 *on the cost-benefit analysis prepared for the project in response*
20 *to a motion approved by the board of directors at the June 2010*
21 *meeting.*

22 *(b) Provide a 90-day, noticed public comment period on the*
23 *cost-benefit analysis.*

24 *(c) Respond to any comments received pursuant to subdivision*
25 *(a) or (b) in a standalone document.*

26 *(d) Post on its Internet Web site the standalone document*
27 *prepared pursuant to subdivision (c).*

28 *(e) Consider the standalone document at a noticed public*
29 *hearing consistent with the requirements of the Ralph M. Brown*
30 *Act (Chapter 9 (commencing with Section 54950) of Part 1 of*
31 *Division 2 of Title 5 of the Government Code).*

32 *SEC. 2. The Legislature finds and declares that a special law*
33 *is necessary and that a general law cannot be made applicable*
34 *within the meaning of Section 16 of Article IV of the California*
35 *Constitution because of the unique circumstances regarding the*
36 *State Route 710 North Study. Interstate 710 North Gap Closure*
37 *project.*

38 *SEC. 3. If the Commission on State Mandates determines that*
39 *this act contains costs mandated by the state, reimbursement to*
40 *local agencies and school districts for those costs shall be made*

1 *pursuant to Part 7 (commencing with Section 17500) of Division*
2 *4 of Title 2 of the Government Code.*

3 ~~SEC. 3.~~

4 *SEC. 4.* This act is an urgency statute necessary for the
5 immediate preservation of the public peace, health, or safety within
6 the meaning of Article IV of the Constitution and shall go into
7 immediate effect. The facts constituting the necessity are:

8 To ensure that comments on the cost-benefit analysis prepared
9 for the ~~State Route 710 North Study~~ *Interstate 710 North Gap*
10 *Closure project* in response to a motion approved by the Board of
11 Directors of the Los Angeles County Metropolitan Transportation
12 Authority at the June 2010 meeting are adequately considered and
13 responded to during the environmental review process required
14 pursuant to the California Environmental Quality Act, *to*, it is
15 necessary for this measure to take effect immediately.