



Date: March 20, 2007

To: Honorable Mayor and Members of the City Council

From: Councilmember Tonia Reyes Uranga, Seventh District

Subject: **AGENDA ITEM #38: Proposed Amendments to Senate Bill 974 (Lowenthal)**

Senate Bill 974 (Lowenthal) would designate funds for Northern and Southern California Port Congestion Relief Trust Funds to be available for expenditure by the California Transportation Commission (CTC) exclusively for the purposes of funding projects that improve the flow and efficiency of container cargo. The legislation defines "Southern California port congestion relief project" as each project for public development facilities and economic development facilities for which the expenditure of funds has been approved by the CTC pursuant to Section 1750 of the Harbors and Navigation Code. While many of the CTC's candidate projects would bring needed infrastructure investment to the Long Beach/Long Angeles area, the expansion of an existing (Union Pacific ICTF) and construction of a new (BNSF SCIG) intermodal rail facility would incur significant impacts to our residents.

The legislation also establishes a Port Mitigation Relief Trust Fund to be available for expenditure by the State Air Resources Board (ARB) to develop a list of projects to mitigate environmental pollution caused by the movement of cargo to and from identified ports. Based on these concerns about limited local oversight on how mitigation funds will be allocated and the local impacts of candidate projects, I would like to request the authors of SB 974 amend the legislation to include the following:

1. Local involvement in determining appropriate mitigation expenditures.
2. Cost sharing for infrastructure projects funded from congestion relief fund
3. Construction projects utilizing clean air equipment
4. Sunset date for fee collection should be tied to implementation control measures of the AQMP
5. Important that any funded infrastructure projects not have any adverse environmental justice impacts.

Recommendation: **Request the City Attorney to draft a resolution in support of SB 974 (Lowenthal) with amendments.**