

An act to add Section 14111 to, and to add Chapter 4 (commencing with Section 93030) to Title 12 of, the Government Code, and to add Chapter 14 (commencing with Section 5880) to Division 5 of, and to repeal Section 5883 of, the Public Resources 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 an unspecified successor agency 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 \_\_\_\_\_.

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



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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. 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, \_\_\_\_\_ shall conduct a freight rail study incorporating the entire length of the right-of-way.

SEC. 6. 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.



## LEGISLATIVE COUNSEL'S DIGEST

Bill No.  
as introduced, \_\_\_\_\_.  
General Subject: North Coast Railroad Authority: right-of-way: Great Redwood Trail Agency.

(1) Existing law creates the North Coast Railroad Authority with various powers and duties relating to rail service in the north coast area of the state, including the authority to acquire, own, operate, and lease real and personal property reasonably related to the operation and maintenance of railroads.

This bill would require the authority, before April 1, 2019, to 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 a point in the City of Willits and the railroad assets the authority owns to an unspecified successor agency, and to transfer its rights, privileges, and responsibilities relating to its right-of-way north of that point in the City of Willits to the Department of Transportation. The bill would abolish the authority after those transfers are made. The bill would require the unspecified successor agency to conduct a freight rail study incorporating the entire length of the southern right-of-way.

(2) Existing law establishes the Active Transportation Program, within the Department of Transportation, to fund projects that promote active modes of transportation, such as biking and walking.

This bill would require the department, within 2 years of being transferred the rights, privileges, and responsibilities relating to the northern right-of-way described in paragraph (1), to inventory any parcel or contract related to the right-of-way and complete an environmental assessment of the right-of-way. The bill would require the department, before January 1, 2021, to transfer those rights, privileges, and responsibilities to the Great Redwood Trail Agency.

This bill would create the Great Redwood Trail Agency, and provides for the appointment of its board of directors. The bill would require the agency, upon 4 board members joining the agency's initial board of directors, to advise the department on issues relating to the creation and maintenance of a trail in place of, or next to, the northern right-of-way. The bill would require the agency to create and maintain a trail in place of, or next to, the northern right-of-way. The bill would require the agency to complete the railbanking process on, or next to, a portion of the northern right-of-way,



and would authorize the agency to contract with an operator to operate freight or excursion rail service on the remaining portion of the northern right-of-way, as specified.

(3) Because this bill would impose new requirements on local entities, it would impose a state-mandated local program.

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 the statutory provisions noted above.

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



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