

Metro Board Approved Policy

Goods Movement Partnership Agreement

Adopted: June 28, 2007

Historical Perspective

In June 2003, Metro's Board directed the Chief Executive Officer to prepare a proposal to evaluate the financial, economic and environmental impacts of expansion of the Ports of Los Angeles and Long Beach on the Los Angeles County region; to determine various corridors for goods movement; and to apply a "systems approach" to solving the goods movement problem.

In September 2003, Metro's Board further directed the Chief Executive Officer to provide leadership in the area of countywide freight movement planning; consult with key public and private stakeholders; and coordinate with transportation agency partners to develop a comprehensive and cohesive freight and passenger movement policy and plan for Los Angeles County.

At the January 2004 Metro's Planning and Programming Committee meeting, staff presented a study work scope to address the Board motions related to goods movement. Planning Committee members expressed concerns regarding the cost and length of time required to conduct the recommended study.

Additionally, the Committee members asked staff to focus on short-term goods movement strategies with particular emphasis on increasing the utilization of Alameda Corridor and requested staff to explore conducting much of the work inhouse to reduce cost.

In response to the Board's concerns regarding the cost of the effort, Metro, along with the other regional transportation commissions and SCAG, was successful in securing a Caltrans Partnership Grant to defray a portion of the cost associated with a Multi-County Goods Movement Action Plan.

In May 2004, officials from the county transportation commissions and SCAG requested that LACMTA take the lead in developing an action plan to address the multi-county challenges in freight/goods movement and to seek solutions. In lieu of redefining and broadening the scope of work

for the East/West Corridor Improvement Study, an earlier study led by SCAG and Caltrans, all parties agreed to work in partnership on developing an action plan. To that end, the county transportation commissions, SCAG and Caltrans (Districts 7, 8, 11 & 12) have pooled their resources (budget and personnel) and formed a Multi-County Goods Movement Action Plan Steering Committee (MCGMAP) to develop the action plan.

At its December 2004 meeting, Metro's Board authorized the Chief Executive Officer to execute Funding Agreements with Orange County Transportation Authority (OCTA), Riverside County Transportation Commission (RCTC), Ventura County Transportation Commission (VCTC), San Bernardino Associated Governments (SANBAG), Southern California Association Governments (SCAG) and Caltrans Districts 7, 8, 11 and 12 to develop the Multi-County Goods Movement Action Plan (see funding commitment letters in Attachment A). The Board also directed the Chief Executive Officer to utilize the Transportation Planning Bench to advertise, and procure, a contract(s) for specialized consultant expertise for the Multi-County Goods Movement Action Plan based on the draft task outline (described in Attachment B) for a not-to-exceed amount of \$1.275 million, with the understanding that a combination of LACMTA, OCTA, SANBAG, RCTC, VCTC SCAG and Caltrans staff resources will be used in addition to the consultant effort.

The Board also approved the initial list of Los Angeles County Goods Movement projects (Attachment C) from LACMTA's TEA-21 reauthorization list to be included in a multi-county goods movement effort to seek new funding sources.

In May 2005, Metro's Board authorized staff to award a firm fixed price contract to Wilbur Smith Associates to develop a Multi-County Goods Movement Action Plan. The Action Plan will include an assessment of community and environmental



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impacts associated with increased goods movement activity, policy recommendations and a multi-county list of major regional projects, programs and strategies for potential inclusion in the Regional Transportation Plan and County Long Range Transportation Plans. The Action Plan will also identify institutional arrangements, funding scenarios and the necessary mitigation measures associated with capital project recommendations.

In August 2006, Metro's Planning & Programming Committee received and filed the Memorandum of Agreement among County Transportation Commissions to develop the Southern California Goods Movement Strategy. Metro, OCTA, RCTC, SANBAG and Ventura Counties have drafted the Memorandum of Agreement (Attachment D) to outline their intent to coordinate with each other to develop the Southern California Goods Movement Strategy. The region's transportation commissions are taking proactive steps to assure that the region demonstrates a concerted effort and speaks with a strong voice when providing input to state and federal plans and legislative efforts. The Multi-County Goods Movement Action Plan will continue to serve as the blueprint for the development of specific strategies and projects.

In January 2007, Metro's Board of Directors held a Goods Movement Workshop. The purpose of the workshop was to provide a status update on programs currently underway in the region as well as at the State and Federal levels, to clarify the relationship among these efforts and to further develop Metro's role in the goods movement arena. At the Workshop, Metro staff unveiled specific policies designed to help guide the agency's goods movement efforts and activities.

At its February 2007 meeting, the Board formally adopted these policies and requested recommendation of additional goods movement policies based upon the Board Goods Movement Workshop and the SAFETEA-LU Commission hearings.

The Board also adopted two motions in connection with Metro's goods movement efforts. One motion requested that the CEO return in 60 days with recommendations on:

- 1) how the State Goods Movement Action Plan can be enhanced to further meet the needs of Los Angeles County and
- 2) any additional goods movement policy statements

to be incorporated into Metro's goods movement policies. This motion also requested that 90 days after completion of the Multi County Goods Movement Action Plan scheduled for July 2007, the CEO return with a proposed schedule and recommended resources necessary to conduct a Goods Movement Strategic Plan for Los Angeles County. The second motion, requested that the CEO conduct analysis to determine the feasibility of placing an inland port in Los Angeles County.

In April 2007, Metro's Board approved staff's recommendations to enhance the State's Goods Movement Action Plan, continuing to strongly advocate for the L.A. County projects included in the Plan; advocating for increased levels of funding for Los Angeles County through additional allocation of Trade Corridor funding; and utilizing future recommendations from the Multi-County Goods Movement Action Plan to potentially advocate for additional projects. The Board also approved the addition of the following two policy statements to Metro's adopted Goods Movement Policies:

- Support the Los Angeles County project recommendations of the State Goods Movement Action Plan with emphasis on further maximizing Los Angeles County's share of the Proposition IB Trade Corridor funding; and,
- Work closely with regional Councils of Governments and subregional study recommendations in identifying goods movement projects.

The addition of these two policy statements further refine Metro's Goods Movement Policy to better shape the agency's priorities and principles relative to goods movement efforts.

In addition, the Board also approved staff's recommendation to incorporate the evaluation of the feasibility of a Los Angeles County Inland Port into the Goods Movement Strategic Plan for Los Angeles County to be initiated in FY 2008. The inclusion of the inland port feasibility as a component of the larger Los Angeles County Strategic Plan will yield a more holistic, comprehensive and cost-effective study. This will also ensure a more comprehensive and balanced approach to identifying goods movement solutions.

Also, in April 2007, the Board directed staff to monitor the final report of the 1909 Commission and developing recommendations for Board Advocacy for Federal funding

in support of priority projects and process improvements to streamline environmental clearance of projects with federal funding.

In June 2007, Metro Board received and filed the Southern California National Freight Gateway Partnership Agreement among County Transportation Commissions, SCAG, Ports of Los Angeles, Long Beach and Hueneme, and appropriate state and federal agencies to develop the Southern California National Freight Gateway Strategy. The intent of the agreement is threefold:

- To highlight the region's integral role as the gateway for goods that enter the nation and the disproportionate burden that this role places on the region's communities and infrastructure;
- To assure proactive involvement from the appropriate state and federal agencies in streamlining the often fragmented and laborious environmental review and approval; and,
- To establish a formal working relationship and obtain tangible commitments from appropriate entities toward the development of a strategic framework designed to address environmental as well as goods movement issues.

SOUTHERN CALIFORNIA NATIONAL FREIGHT GATEWAY
PARTNERSHIP AGREEMENT
AMONG FEDERAL, STATE, REGIONAL AND LOCAL AGENCIES

Preamble

We the undersigned support a cooperative partnership for the Southern California National Freight Gateway that concurrently addresses growing freight throughput capacity balanced with environmental and community concerns in the Southern California National Freight Gateway Area (the Area). The USDOT has promulgated a *National Strategy to Reduce Congestion on America's Transportation Network*. The strategy incorporates a focus on major freight bottlenecks, including the Area, and expanding public outreach in the Area with various involved agencies and other public and private interests. This *National Strategy* incorporates the ideals of the USDOT *Framework for a National Freight Policy*. The *Framework* offers a vision and objectives to help public and private transportation stakeholders cooperatively pursue freight transportation improvements that support economic growth while also improving environmental quality.

The Challenge

Over 40 percent of all goods imported into the U.S. flow through Southern California, the largest port complex in the U.S., with the vast majority of these goods distributed throughout the country. The combination of increasing freight flows, the projected 25 percent population increase by 2030 and inadequate transportation infrastructure funding will intensify the congestion in the region's already overcrowded transportation system and increase hazards to the environment. Without major actions and assistance from all government levels to protect and enhance the environment, freight movements through the region will increase the already significant impacts on the quality of life in Southern California's communities and the environment overall. Air quality is of particular concern.

Pursuing sustainable and efficient regional freight transportation operations offers significant economic opportunities to the region in the form of additional business, more and better quality jobs, and enhanced local, State and federal tax revenues. Successful transportation improvement efforts in Southern California will require extensive collaboration by a large and diverse group of interested parties including Federal, State and numerous local entities; private industry; unions and the public. Important steps have already been taken at the Federal, state and local levels. Going forward, the outcome to be achieved is the priority connection of freight growth with protection and enhancement of the natural and human environment, to resolve the freight transportation issues facing Southern California.

Purpose

The purpose of this partnership agreement is to promote cooperation, coordination and collaboration among the signatories in the spirit of Section 101(a) of the National Environmental Policy Act (NEPA) and to advance projects for sustainable and efficient freight transportation operations while all signatories pursue their normal responsibilities under the law. This agreement is not intended to limit, increase or affect the authority of any agency under the law. The undersigned agree to a mutual, overarching goal of working with all stakeholders in the Area to improve freight throughput capacity while protecting and enhancing the natural and human environment.

Commitments

In the spirit of Section 101(a) of NEPA and with the mutual understanding that this is a flexible working agreement among our respective agencies, we commit as follows:

- The Partners agree to use this agreement as the basis for a collegial and cooperative alliance to improve sustainable and efficient freight transportation operations in the Area, with a particular focus on air quality improvements;
- The Partners agree to use this forum as a means to promote better understanding among all stakeholders of underlying considerations and potential impacts and alternatives for proposed Southern California transportation projects.
- The Partners will develop a strategic framework for achieving sustainable and efficient freight transportation operations in the Area in harmony with California's Goods Movement Action Plan (<http://www.arb.ca.gov/gmp/docs/gmap-1-11-07.pdf>), including the assurance that all new freight projects meet environmental requirements, with an early focus on air quality issues;
- The Partners will consider improvements to the transportation decision-making and environmental review processes to expeditiously advance the objective of the Partnership;
- The Partners agree to build upon the existing environmental programs of ports and their tenants in order to work cooperatively to reduce air quality-related freight movement emissions consistent with the Area's air quality implementation plan;
- The parties will establish agreed procedures and protocols in order to carry out the intent of this agreement in an efficient manner;
- Within 60 days of the signing of this agreement, senior management representatives of the Partners will meet, and will continue to meet twice a year through the term of this agreement, to discuss emerging problems, issues and priorities for each organization, and to report on the status of the initiatives;
- In addition, each Partner will assign a contact person, within their respective organization, who will serve on a Steering Committee that will be responsible for setting the semi-annual meetings, tracking the status of the initiatives, and communicating results to internal and external stakeholders;
- The Partners agree to update this agreement periodically based upon accomplishments and new priorities.

Miscellaneous

The expenditure or advance of any money or the performance of any obligation of the United States under this agreement shall be contingent upon appropriation or allotment of funds in accordance with 31 USC 1341 (Anti-Deficiency Act).

Nothing in this Partnership Agreement shall have the effect of changing any existing provision of applicable Federal or State law, regulations, or other agreements between the signatory agencies. All provisions of this Partnership Agreement are intended and shall be interpreted to be consistent with all applicable provisions of Federal and State law. Nothing in this Partnership Agreement limits the discretion of the signatory agencies in carrying out their statutory and regulatory obligations.

The term of this agreement shall end on December 31, 2015 unless further extended by the signatories. Any signatory may withdraw from this agreement by giving 90 days prior written notice to the other signatories.

IN WITNESS WHEREOF, the parties have signed this partnership agreement on the dates set forth below their signatures.

[The following signature blocks should be revised and completed as necessary by the individual organizations]

FEDERAL AGENCIES

Signature _____
Printed Name & Title _____
Deputy Maritime Administrator
Maritime Administration
U.S. Department of Transportation
Date: _____

Signature _____
Printed Name & Title _____
Regional Administrator for the Pacific Southwest Region
U.S. Environmental Protection Agency
Date: _____

Signature _____
Printed Name & Title _____
Manager of California and Nevada operations
U.S. Fish and Wildlife Service
U.S. Department of the Interior
Date: _____

Signature _____
Printed Name & Title _____
Division Engineer representing the South Pacific Division
U.S. Army Corps of Engineers
Date: _____

Signature _____
Printed Name & Title _____
Regional Administrator for the Southwest Region
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
U.S. Department of Commerce
Date: _____

STATE OF CALIFORNIA

Signature _____
Printed Name & Title _____
Business, Transportation and Housing
Date: _____

Signature _____
Printed Name & Title _____
California Resources Agency
Date: _____

Signature _____
Printed Name & Title _____
Environmental Protection Agency
Date: _____

REGIONAL/LOCAL AGENCIES

Signature _____
Printed Name & Title _____
Southern California Association of Governments
Date: _____

CTCs

Signature _____
Printed Name & Title _____
Los Angeles County Metropolitan Transportation Authority
Date: _____

Signature _____
Printed Name & Title _____
San Bernardino Associated Governments
Date: _____

Signature _____
Printed Name & Title _____
Riverside County Transportation Commission
Date: _____

Signature _____
Printed Name & Title _____
Orange County Transportation Authority
Date: _____

Signature _____
Printed Name & Title _____
Ventura County Transportation Commission
Date: _____

Signature _____
Printed Name & Title _____
Imperial County
Date: _____

PORTS

Signature _____
Printed Name & Title _____
Long Beach Board of Harbor Commissioners
Date: _____

Signature _____
Printed Name & Title _____
Los Angeles Board of Harbor Commissioners
Date: _____

Signature _____
Printed Name & Title _____
Port of Hueneme, Oxnard Harbor District
Date: _____