



November 21, 2024

To: Legislative and Communications Committee
From: Darrell E. Johnson, Chief Executive Officer
Subject: Final 2025-26 State and Federal Legislative Platforms

A handwritten signature in blue ink, appearing to read "Darrell Johnson", is written over the "From:" line of the header.

Overview

At the beginning of each legislative session, staff conducts a comprehensive review of the Orange County Transportation Authority's State and Federal Legislative Platforms to ensure updates are provided on relevant issues that are anticipated to be of discussion for the upcoming year. The final drafts of the revised 2025-26 Orange County Transportation Authority State and Federal Legislative Platforms are submitted for consideration and adoption by the Orange County Transportation Authority Board of Directors.

Recommendations

- A. Adopt the revised 2025-26 State and Federal Legislative Platforms.
- B. Direct staff to distribute the adopted platforms to elected officials, advisory committees, local governments, affected agencies, the business community, and other interested parties.

Background

Each year, the Orange County Transportation Authority (OCTA) develops State and Federal Legislative Platforms as a resource for the OCTA Board of Directors (Board), Orange County legislative delegation members, and OCTA staff in communicating OCTA's legislative and regulatory priorities. Any policy positions not directly addressed by the State and Federal Platforms will be brought to the Board for separate action during the legislative sessions.

The first drafts of the 2025-26 State and Federal Legislative Platforms were reviewed and approved with recommendations for further circulation by the Legislative and Communications Committee (Committee) on October 17, 2024, and by the full Board on October 28, 2024. Since this initial review, staff has been working to further refine the documents based on additional feedback from

stakeholders. The initial drafts were discussed at several internal OCTA staff meetings as well as at OCTA's Citizens Advisory Committee (CAC) meeting and Technical Advisory Committee (TAC) meeting. These efforts are in addition to the initial comment solicitation of more than 500 stakeholders, including every member of OCTA's TAC, Technical Steering Committee, CAC, and Accessible Transit Advisory Committee. Staff has also participated in a series of legislative platform development meetings with other regional transportation agencies and stakeholders from across the State of California to ensure that the platforms address anticipated legislative priorities next session.

The State and Federal Legislative Platforms have been refined further and are included as Attachments A and B. The recommended revisions are designated by underline and strikethrough text.

Sponsor Legislation

For this upcoming legislative session, OCTA staff has identified two policy areas that may require OCTA to sponsor legislation. At the time of writing this staff report, staff does not have a specific recommendation related to these topics and instead proposes to include these issue areas as placeholders if the need to pursue sponsor legislation arises. In such a case, staff will return to the Board with further refined proposals for approval. Below is an explanation of why these policy areas may need to be addressed through sponsored legislation.

Subsection (a) of the Sponsored Legislation Section pertains to public transportation projects in the coastal zone. OCTA owns the seven-mile stretch of the coastal rail corridor through the cities of Dana Point and San Clemente. This area has experienced coastal bluff erosion, beach loss, revetment loss, and bluff failures that have threatened the rail line and, ultimately, caused service suspension. OCTA has undertaken a study to identify where there may be other vulnerabilities along the corridor and has since identified 11 areas that need to be addressed, four of which need to be addressed immediately. This requires OCTA to undertake construction work within the coastal zone. In addition to complying with the California Environmental Quality Act, regulatory permits are required from the California Coastal Commission and a lease from the California State Lands Commission may be required. All of these factors combined often lead to long lead times. With funding secured to begin construction in the highest risk areas, permitting and project delivery are where potential risks remains. As OCTA proceeds, legislation may become necessary to help expedite permitting and project delivery for critical public transportation projects, especially when high-risk vulnerabilities have been identified.

Subsection (b) of the Sponsored Legislation Section is related to the Innovative Clean Transit (ICT) Regulation, which requires transit agencies in California to transition their transit bus fleet to zero emission by 2040. Next year, the California Air Resources Board (CARB) will undergo a comprehensive review of the readiness to implement the next stages of the regulation, including the 2026 purchase mandate of 50 percent, inclusion of articulated buses and cutaways, and applicability of purchase mandate to small transit agencies.

OCTA has participated in providing information to CARB in their effort to conduct this review. OCTA staff anticipates that as part of this review and associated discussions, issues associated with supply chain and manufacturing, costs, reliability, and other factors are likely to be discussed. Therefore, it may be necessary to pursue legislation that requires further action or policy tools for transit agencies to meet the requirements in the ICT requirements.

2025-26 State Legislative Platform

Other final revisions to the 2025-26 State Legislative Platform, included as strikethrough text in Attachment A, are detailed as follows:

- With direction from Director Foley and Committee concurrence, subsection (i) of Section I, entitled “Implementation of Environmental Policies,” is recommended to be added. This principle pertains to supporting efforts for separate and distinct sand nourishment permits.
- Subsection (n) of Section II, entitled “Transportation Funding,” is proposed to be added. SB 375 (Chapter 728, Statutes of 2008) requires metropolitan planning organizations to develop a regional transportation plan that includes a sustainable communities plan (SCS) to meet a greenhouse gas (GHG) emission reduction target set by the CARB. An agency may adopt an Alternative Planning Strategy (APS) when achieving the state GHG target is not feasible under federal law. Currently, a region with an APS is not eligible for all SB 1 (Chapter 5, Statutes of 2017) funding programs. This principle is intended to support efforts to ensure that agencies complying with SB 375 are eligible for SB 1 funding, regardless of whether they have a SCS or APS.
- Subsection (g) of Section VI, entitled “Rail Programs” is proposed to be added. This principle pertains to SB 1098 (Chapter 777, Statutes of 2024), which will be implemented next year. Specifically, SB 1098 requires CalSTA to convene a large working group to make recommendations related to the Los Angeles – San Diego – San Luis Obispo Rail Corridor. OCTA will be included in this working group as a county transportation commission and right-of-way owner.

2025-26 Federal Legislative Platform

The final proposed revisions to the 2025-26 Federal Legislative Platform, included as strikethrough text in Attachment B, are detailed as follows:

- With direction from Director Foley and Committee concurrence, subsection (j) of Section IV, entitled "Fiscal Reforms & Issues," is proposed to be added related to supporting joint procurement processes. Such an ability could help reduce the costs of goods and services when pooling procurements together.

Summary

The 2025-26 State and Federal Legislative Platforms are presented for consideration and adoption.

Attachments

- A. Final Orange County Transportation Authority 2025-26 State Legislative Platform
- B. Final Orange County Transportation Authority 2025-26 Federal Legislative Platform

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