

Date of Hearing: April 26, 2017

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Cecilia Aguiar-Curry, Chair

AB 1121 (Chiu) – As Amended March 28, 2017

SUBJECT: San Francisco Bay Area Water Emergency Transportation Authority.

SUMMARY: Expands the San Francisco Bay Area Water Emergency Transportation Authority (WETA) board of directors from five members to nine members. Specifically, **this bill:**

- 1) Increases the board of directors of WETA from five to nine members, as follows:
 - a) Increases appointees of the Governor from three to five members;
 - b) Increases appointees of the Senate Committee on Rules from one to two members;
 - c) Increases appointees of the Speaker of the Assembly from one to two members.
- 2) Deletes staggered terms of membership for the appointment of the board of directors.

EXISTING LAW:

- 1) Repealed the San Francisco Bay Area Water Transit Authority (BAWTA) and established WETA.
- 2) Authorizes WETA to plan, manage, operate, and coordinate the emergency activities of all water transportation and related facilities within the bay area region, except those otherwise specified.
- 3) Allows WETA to coordinate the emergency activities for all water transportation services in the Bay Area region during a state of emergency and work in cooperation with the Office of Emergency Services, the United States Coast Guard, the Federal Management Agency, and the Metropolitan Transportation Commission.
- 4) Authorizes WETA to study, plan, and implement any improvements, expansion, or enhancement of existing or future public transportation ferries and related facilities and services.
- 5) Provides that the WETA board be comprised of five members who serve six-year terms, as follows:
 - a) Three members appointed by the Governor and confirmed by the Senate;
 - b) One member appointed by the Senate Committee on Rules; and,
 - c) One member appointed by the Speaker of the Assembly.
- 6) Staggers the six-year terms of membership of the five-member board of directors following the expiration of the terms of the initial appointments, as follows:

- a) Two years for two of the members appointed by the Governor;
 - b) Six years for one of the members appointed by the Governor;
 - c) Four years for the member appointed by the Senate Rules Committee; and,
 - d) Four years for the member appointed by the Speaker of the Assembly.
- 7) Requires each member of the board to be a resident of a county in the Bay Area region.
 - 8) Requires the Governor to designate the chairperson and vice chairperson of the board.

FISCAL EFFECT: This bill is keyed fiscal.

COMMENTS:

- 1) **WETA.** In 1999, the Legislature authorized the creation of BAWTA with SB 428 (Perata), Chapter 1011, Statutes of 1999. SB 428 required BAWTA to prepare and adopt a San Francisco Bay Area water transit implementation and operations plan, which would allow them to operate a comprehensive regional public water transport system that would consist of ferries, terminals, feeder buses, and other supportive transport and facilities.

In 2006, a Bay Area Council-sponsored study found that a comprehensive water transportation system is essential to being prepared for emergencies and responding to emergencies in the Bay Area. Following this study, the Legislature repealed BAWTA and replaced it with WETA [SB 976 (Torlakson), Chapter 734, Statutes of 2007]. In addition to operating a comprehensive regional public water transport system, WETA is also responsible for planning, managing, operating, and coordinating the emergency activities of water transportation in the event of an emergency in the Bay Area.

Currently, WETA operates a fleet of 12 vessels. WETA's 2016 Strategic Plan details an expansion and enhancement plan that would increase ferry services and capacity. According to the Strategic Plan, WETA anticipates an increase to ferry service capacity by more than 80% and an expansion of service in the Bay Area that would grow their fleet to 44 vessels in the next 20 years.

WETA is governed by a five-member board of directors, appointed by the following: three members by the Governor and confirmed by the Senate, one by the Senate Committee on Rules, and one appointed by the Speaker of the Assembly. Members of the board must be a resident of a county of the Bay Area region. AB 2433 (Hill), Chapter 305, Statutes of 2012, staggered the board of director's appointments and the expiration of their terms. Board members are restricted to six-year terms.

- 2) **Bill Summary.** This bill expands the membership of the WETA Board from five to nine members by increasing the number of appointees as follows: Governor appointees from three to five members, Senate Committee on Rules appointees from one to two members, and appointees from Speaker of the Assembly from one to two members. Additionally, this bill deletes a provision of existing law that staggers the terms of the board of directors' appointments. This bill is author-sponsored.

- 3) **Author's Statement.** According to the author, “The bill is intended to make the governing authority for ferry transit operations in the Bay Area, WETA, more efficient and effective. As congestion worsens, demand for alternate transportation grows rapidly. For example, ferry service in the region surged by 5 million passenger-trips in the last year. To accommodate the most recent growth and anticipated development, WETA plans to double the number of ferry terminals they operate from nine to 18 within the next 20 years. Despite this dramatic growth, they are unable to obtain meaningful stakeholder engagement, input, or support. To that end, we plan on working not only with WETA, but with other stakeholders such as the Bay Area Council, Bay Ferry Crossings, and private water transit carriers to provide and maintain effective and comprehensive ferry service in the Bay.”
- 4) **Prior Legislation.** In addition to the legislation discussed above, previous legislation also includes:
 - a) AB 935 (Frazier), Chapter 644, Statutes of 2014, would have increased the membership of the WETA board from five to seven and sought to establish requirements for appointments based on county residency. The bill was heard in the Local Government Committee and its contents were later replaced to address a different subject matter.
- 5) **Arguments in Support.** None on file.
- 6) **Arguments in Opposition.** None on file.
- 7) **Double-Referral.** This bill was heard by the Transportation Committee on April 18, 2017, where it passed with a 13-0 vote.

REGISTERED SUPPORT / OPPOSITION:**Support**

None on file

Opposition

None on file

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