

Senate Bill 100

Introduced by Senators Lockyer, Boatwright, Keene, Kopp, Marks, McCorquodale, Morgan, Nielsen, and Petris. (Coauthors: Assembly Members Agnos, Baker, Bates, Willie Brown, Campbell, Cortese, Duplissea, Eastin, Filante, Hannigan, Hansen, Harris, Isenberg, Klehs, Quackenbush, Speier, and Vasconcellos.)

The people of the State of California do enact as follows:

SECTION 1. Chapter 11 (commencing with Section 5850) is added to Division 5 of the Public Resources Code, to read:

Chapter 11. SAN FRANCISCO BAY AREA BIKEWAY SYSTEM

5850. The Association of Bay Area Governments shall develop and adopt a plan and implementation program, including a financing plan, for a continuous recreational corridor which will extend around the perimeter of San Francisco and San Pablo Bays. The plan shall include a specific route of a bicycling and hiking trail, the relationship of the route to existing park and recreational facilities, and links to existing and proposed public transportation facilities.

The plan shall do all of the following:

- (a) Provide that designated environmentally sensitive areas, including wildlife habitats and wetlands, shall not be adversely affected by the trail;
- (b) Provide for appropriate buffer zones along those portions of the bikeway system adjacent to designated environmentally sensitive areas.
- (c) Provide that the land and funds used for trail construction and planning are not considered mitigation for wetlands losses.
- (d) Provide alternative routes to avoid impingement on environmentally sensitive areas.
- (e) Provide that no motorized vehicles, except to the extent necessary for emergency services, be allowed on the trail.

The Association shall submit the plan to the Legislature not later than January 1, 1989.

5851. The Association of Bay Area Governments shall establish a policy committee, which includes members of appropriate environmental organizations, to oversee development and implementation of the trail.

A cooperative working relationship shall be established with the San Francisco Bay Conservation and Development Commission, the Metropolitan Transportation Commission, state and federal agencies, and all other cities, counties, and districts, including school districts, which are affected by the proposed trail.

The Association shall establish an advisory committee representing groups concerned with environmental and ecological protection of the bay and groups representing bicycling and other relevant recreational activities.

SECTION 2. Section 99234 of the Public Utilities Code is amended to read:

99234: (a) Claims for facilities provided for the exclusive use of pedestrians and bicycles or for bicycle safety education programs shall be filed according to the rules and regulations adopted by the transportation planning agency.

(b) The money shall be allocated for the construction, including related engineering expenses, of those facilities pursuant to procedures or criteria established by the transportation planning agency for the area within its jurisdiction, or for bicycle safety education programs.

(c) The money may be allocated for the maintenance of bicycling trails which are closed to motorized traffic pursuant to procedures or criteria established by the transportation planning agency for the area within its jurisdiction.

(d) The money may be allocated without respect to Section 99231 and shall not be included in determining the apportionments to a city or county for purposes of Sections 99233.7 to 99233.9, inclusive.

(e) Facilities provided for the use of bicycles may include projects that serve the needs of commuting bicyclists, including, but not limited to, new trails serving major transportation corridors, secure bicycle parking at employment centers, park and ride lots, and transit terminals where other funds are unavailable.

(f) Notwithstanding any other provision of this section, a planning agency established in Title 7.1 (commencing with Section 665000) of the Government Code may allocate the money to the Association of Bay Area governments for activities required by Chapter 11 (commencing with Section 5850) of Division 5 of the Public Resources Code.

(g) Within 30 days after receiving a request for a review from any city or county, the transportation planning shall review its allocations made pursuant to Section 99233.3.

SECTION 3. No reimbursement is required by the act pursuant to Section 6 of Article XIII B of the California Constitution because this act is in accordance with the request of a local agency or school district which desired legislative authority to carry out the program specified in this act.

SECTION 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to permit the development of a continuous recreational corridor around the perimeter of San Francisco and San Pablo Bays and to thereby provide urgently needed recreational facilities at the earliest possible time, it is necessary that this act take effect immediately.