



October 25, 2013

Mr. Kome Ajise
Deputy Director for Planning and Modal Programs
California Department of Transportation (Caltrans)
1120 N Street, MS-49
Sacramento, CA 95814

Re: Comments on the Draft National Freight Policy Recommendations

Dear Mr. Ajise:

Thank you for the opportunity to review and comment on the California Department of Transportation’s draft Freight Policy Recommendations for Congress to consider in reauthorizing MAP-21, the Moving Ahead for Progress in the 21st Century Act (P.L. 112-141). We also appreciate the opportunity to provide input on any clarifications that may be needed in the freight title of the next reauthorization. Given the short comment period on the initial draft, we are submitting these initial comments now in anticipation of further discussion at the November 6th California Freight Advisory Committee (CFAC) meeting, and final comments following that meeting. Signatories to this letter comprising a number of California’s regional transportation agencies and partners are coordinating comments.

We commend Caltrans’ recent efforts to develop the California Freight Mobility Plan, establish the CFAC, and proactively engage with the U.S. Department of Transportation (U.S. DOT) in advancing national freight policies. We are hopeful that the plan will be completed on schedule to help frame the National Freight Strategic Plan. Given California’s key role in the nation’s freight network, it is critical that the State’s policy priorities are reflected in federal freight policies.

Our comments provided below are focused on (1) the general structure of the draft Freight Policy Recommendations; (2) items specifically based on MAP-21 requirements; and (3) future federal planning and program development (“MAP-22” for short).

Draft Freight Policy Recommendations – Structure

The proposed freight policy recommendations could be more concise and clearly articulated than currently structured in the draft document. The preamble should set the framework for the policy recommendations by referencing key elements of the California Freight Mobility Plan, such as the goals and objectives recently discussed with the CFAC. Further, the introduction should emphasize California’s role as the unparalleled trade gateway to the nation, evidenced by the highest concentration of goods movement dependent industries and associated employment in the country (e.g., transportation and warehousing, retail trade, manufacturing, construction and



wholesale trade). This type of information would help provide a better framework for the recommendations.

We strongly suggest reorganizing the body of the policy recommendations by concisely stating broader principles and then separating out three primary issues, addressed sequentially, as follows:

1. Provide comments on current MAP-21 freight provisions requiring immediate attention with pending Notice of Proposed Rulemaking (NPRM, i.e. the pending U.S. DOT designation of the Primary Freight Network and freight performance measures);
2. Offer timely input into the development of the National Freight Strategic Plan to help underscore and frame key issues of significance for California; and
3. Give additional freight policy suggestions for developing the next transportation reauthorization bill (MAP-22).

MAP-21 Actions

The NPRM for the Primary Freight Network is overdue and anticipated to be released shortly. We expect that the primary freight factors and data to be utilized for designation will not likely result in an extensive network for California, particularly with a constrained 27,000 mile Primary Freight Network as per the provisions of MAP-21. We should be prepared to comment on the freight factors used and other factors of national interest that should be included before the release of the final rule.

We are very concerned that the Primary Freight Network designation process will not adequately consider intermodal movements and parallel facilities, failing to capture the complexity of freight flowing through our metropolitan gateway regions. This is likely to place California at a competitive disadvantage nationally. We should start now to seek these clarifications in MAP-22. Although the proposed policy recommendations make reference to expanding the network, these points should be moved up and highlighted as they impact pending U.S. DOT efforts and have immediate implications for California’s Freight Mobility Plan. MAP-21 language provides that the Primary Freight Network be updated and submitted to Congress every 10 years. With the clarifications suggested above, we should consider seeking renewal of the network every 5 years to appropriately support an expanded multi-modal freight network.

Additionally, U.S. DOT’s rulemaking process for the development of performance measures under MAP-21 is scheduled to commence later this year. As the CFAC develops recommendations for freight performance measures in the California Freight Mobility Plan, freight policy recommendations to U.S. DOT should include suggestions for key measures. These measures should align with recently discussed goals and objectives for our statewide plan.



National Strategic Freight Plan

The final National Strategic Freight Plan is due to Congress by October 1, 2015 with a draft anticipated by late 2014. We strongly suggest early and continuing involvement in the plan development process, which requires the timely completion of the California Freight Mobility Plan. The U.S. DOT has already established the National Freight Advisory Committee and subcommittees to address key issues ranging from freight conditions and performance to project delivery, safety, and environmental issues. We urge coordination with our five California representatives serving on the National Freight Advisory Committee to ensure that our issues are at the forefront of the national agenda. It is imperative that we work with our representatives to build a bottom-up process to address national freight issues as California's major freight gateways and corridors experience the daily impacts and understand the issues that arise from goods movement.

“MAP-22” Principles

The final component of the policy recommendations should focus on principles to inform the development of MAP-22. As indicated in your correspondence dated October 17, 2013, discussions are already underway in Washington D.C. regarding the next federal program. It is imperative for California to speak with a coordinated and consistent voice as the legislative process gets underway. These suggestions should be simplified with a few key principles for reauthorization as follows:

- Establish a multi-modal National Freight Network;
- Balance the Highway Trust Fund; and
- Restore the \$2 billion annual freight funding allocation removed from MAP-21.

Given the extensive discussions regarding potential funding sources and project eligibility that will occur over the next 24-months, we recommend keeping the State's initial policy recommendations focused on those high-level principles. By focusing on those key principles, the State can carry a consistent message to federal policymakers.

California has a strong history of successful freight investment programs from Proposition 1B, including projects that improve the efficiency and effectiveness of the freight network as well as projects and programs that reduce the impacts on local communities. The principles that the State used to advance those successful programs should be incorporated into the recommendations for the future federal program. The Trade Corridor Improvement Fund and the California Air Resources Board's (ARB) Goods Movement Emissions programs were built upon the goals of simultaneous improvements in the transportation network and air quality, leveraging additional funding to the greatest extent possible, and focusing on key gateways and corridors. The State should seek a national freight program that leverages and recognizes the significant local, regional, state and private investments being made in California. In addition, past state efforts, as well as the CFAC work to date, have focused on major freight gateways and corridors and those concepts should be reflected in the draft recommendations.



Once again, thank you for the opportunity to review Caltrans' draft Freight Policy Recommendations. Our respective agencies are further reviewing the draft recommendations and will provide additional specific suggestions for revisions at the November 6th CFAC meeting in San Diego.

Sincerely,

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