108TH CONGRESS
1ST SESSION **H. R. 2165**

To prohibit the use of Federal funds for double tracking of the Pacific Surfliner corridor through the Historic Mission District and downtown area of San Juan Capistrano and along the coastal beaches of Dana Point and San Clemente.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2003

Mr. COX (for himself and Mr. CALVERT) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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A BILL

To prohibit the use of Federal funds for double tracking of the Pacific Surfliner corridor through the Historic Mission District and downtown area of San Juan Capistrano and along the coastal beaches of Dana Point and San Clemente.

1 *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Coastal and Historic

5 Communities Protection Act of 2003".

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) Since 1888, Southern Californians have
2 been served by a railroad line that traverses scenic
3 beaches and historic resources in south Orange
4 County, California. Officials of the California High
5 Speed Rail Authority and the California Department
6 of Transportation have proposed plans that could fa-
7 cilitate construction of an additional set of tracks on
8 the coastal Pacific Surfliner corridor accommodating
9 future high-speed rail cars. With 1,700,000 rail pas-
10 sengers traveling in the corridor in 2002, double
11 tracking the line would increase train traffic to an
12 unacceptable level. It can threaten the environmental
13 and economic stability of the local communities, and
14 jeopardize the region's coastal and historic re-
15 sources.

16 (2) The proposed double tracking plans of the
17 California High Speed Rail Authority and the Cali-
18 fornia Department of Transportation are incon-
19 sistent with the spirit and intent of the National
20 Costal Zone Management Act of 1972 as amended
21 by The Coastal Zone Protection Act of 1996 (16
22 U.S.C. 1451 note).

23 (3) The cities of Dana Point, San Juan
24 Capistrano, and San Clemente, and the Orange
25 County Transportation Authority overwhelmingly op-

1 pose double tracking of the existing Pacific Surfliner

2 Corridor through the Historic Mission District and

3 downtown area of San Juan Capistrano and along

4 the coastal beaches of Dana Point and San

5 Clemente.

6 (4) Because our Nation's transportation prior-

7 ities should correspond to the wishes of the tax-

8 payers who fund these projects, the active participa-

9 tion of these cities in the decision making process is

10 imperative to strengthen the local, State, and Fed-

11 eral partnership that administers the route that is

12 eventually chosen.

13 **SEC. 3. PROHIBITION ON USE OF FEDERAL FUNDS FOR**

14 **DOUBLE TRACKING OF THE PACIFIC**

15 **SURFLINER CORRIDOR THROUGH THE HIS-**

16 **TORIC MISSION DISTRICT AND DOWNTOWN**

17 **AREA OF SAN JUAN CAPISTRANO AND ALONG**

18 **THE COASTAL BEACHES OF DANA POINT AND**

19 **SAN CLEMENTE.**

20 (a) IN GENERAL.—After the date of enactment of

21 this Act, the Secretary of Transportation may not provide

22 funds to study, design, engineer, or construct double

23 tracking of the Pacific Surfliner corridor through the Or-

24 ange County, California coastal and historic cities of Dana

25 Point, San Juan Capistrano, and San Clemente.

1   (b) FUNDS FOR PACIFIC SURFLINER.— No provision
2 contained herein shall prohibit the Secretary of Transpor-
3 tation from authorizing the expenditures of funds to sup-
4 port Pacific Surfliner service in the corridor consistent
5 with the provisions of the Rail Passenger Service Act of
6 1970.

7   **SEC. 4. DEFINITION.**

8   For purposes of this Act, the term ''double tracking''
9 means the establishment of a second set of rail tracks on,
10 under, or above an existing right-of-way, wherever coastal
11 or historic resources, in the cities of San Clemente, San
12 Juan Capistrano, or Dana Point, may be affected.

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