



City of Westminster

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November 5, 2013

Chairman Gregory T. Winterbottom
OCTA Board of Directors
550 Main Street
P.O. Box 14184
Orange, CA 92863-1584

Dear Chairman Winterbottom and Honorable Directors;

Attached you will find the Corridor Cities comments and questions in response to the Staff Report given to the Regional Highways and Planning Committee on November 4, 2013.

Although, we are committed to seeking improvements to the I-405 corridor, we will not support the express/toll lane option. We reject the staff's recommendation, that the Board direct Caltrans to select Alternative 3 as the preferred project alternative. This action removes County transportation planning from local control. It violates the premise of the "locally preferred option" as stipulated in M2 legislation, and is in violation of the California Department of Transportation, Deputy Directive DD-43R which states:

"Managed lanes should be designed and operated in a manner that does not increase congestion on the general purpose lanes of the freeway or degrade the overall performance of the freeway. Impacts to and consistency with operations on intersecting and adjacent freeways and at jurisdictional boundaries must also be considered."

We ask that you stand with the people of the Corridor Cities and reject Alternative 3, as we have done repeatedly since its introduction in 2009. This alternative will have an adverse effect on air quality by creating additional congestion at the County line, increase arterial traffic, severely limit access to our business communities, and increase the travel time for drivers in the General Purpose lanes.

Thank you for consideration of this matter.

Sincerely,

Diana Lee Carey, Councilwoman, Westminster

Corridor Cities Representative: Costa Mesa, Huntington Beach, Fountain Valley, Los Alamitos, Seal Beach, and Westminster

TRI TA
Mayor

ANDY QUACH
Mayor Pro Tem

DIANA LEE CAREY
Council Member

SERGIO CONTRERAS
Council Member

MARGIE L. RICE
Council Member

EDDIE MANFRO
City Manager

Attachment: Comments on 405 Staff Report to Regional Highways and Planning Committee

Issues: Recommendations for the Interstate 405 Improvement Project Report

Staff Report: November 4, 2013

(Page 1, Recommendation A)

It is proposed...*the Board recommend that **Caltrans** select Alternative 3 as the "Project Preferred Alternative."*

- Henceforth, are all projects in Orange County to be selected by Caltrans?
- When did Caltrans take over the project selection process in Orange County?(Please identify)
- M2 "Locally Preferred Alternative" language has been replaced by "Project Preferred Alternative," which constitutes a major change to M2. Why has this not been submitted to the voters?
- The project could not be built without M2 tax infrastructure support.

Statement by Ryan Chamberlain: "There has **never** been an instance in California where Caltrans has stepped in and built toll lanes in an area where the local transportation authority was opposed to toll lanes and refused to invest local transportation funds."

(Page 1, Recommendation B. 2)

Develop recommendations for an I-405 Implementation Plan which addresses programming excess toll revenues, **SHOULD THEY BECOME AVAILABLE...**

- One rationale for the implementation of a "toll/managed lane/express lane facility" **IS** to generate additional revenues for other projects ... after expenses: i.e. *debt coverage and financing costs, operations, maintenance, capital rehabilitation, and improvements to the HOT lane facility.*
- There is no reference defining the "corridor zone," which is essential for determining additional projects. (One proposal defined the corridor South to the San Diego County line, and North to include Santa Ana.)

(Page 2, Recommendation B.4)

..Discuss the *need to negotiate* a "comprehensive lease agreement" with Caltrans...

- Choosing to go forward with a toll facility is premature because no agreement has been reached to determine the State's share of the toll revenue.

(Page 2, Recommendation B. 5)

Need to "*facilitate system connectivity*" with the TCA SR-73.

- **There is NO REFERENCE** or **CONCERN** about the same issue at the Los Angeles County line.
- There are no immediate plans by the MTA or Long Beach to widen or convert the HOV lane to a HOT lane between the I-605 and LAX.

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Public Outreach

- There have been meetings, throughout the corridor, excluding Los Alamitos and Huntington Beach. At each of those meetings the Corridor Cities were unequivocal in their objection to the toll lane option, Alternative 3.
- The Policy Working Group set forth a resolution rejecting toll lanes that was never given to the OCTA Directors.
- The Cities have written numerous letters, signed petitions, and passed resolutions condemning Alt. 3.
- Engineering Staff Meetings, while once productive, ceased when the cities united against Alt. 3. When staff was directed by the Board to resume meeting with the corridor engineers, this meeting was informational and directive in nature.
- In 2005, a toll lane proposal was one of the 13 alternatives for the I-405, and it was rejected.
- Cities would never have signed on to support M2, and the people would never have voted for it, if tolling was included.

(Page 6, fourth paragraph) **OMNIOUS THREAT ALERT!!**

Caltrans has threatened to build the toll lane and keep the money....."if the OCTA does not select an option that addresses HOV lane degradation, they would commence work on a **PROJECT STUDY REPORT to study degradation remedies.**" (i.e. Their OWN project study – not to immediately and unilaterally act to implement their own degradation solution)

Policy Working Group: Ryan Chamberlain's response when asked..."Will Caltrans force the MTA to change the HOV lane to a HOT lane from the 605 to LAX?" ...answer: "No, because Caltrans and the MTA do not have the money."

- Clearly, this catastrophically belligerent threat by Caltrans is backed by the OCTA. It was never presented to the Board as a "study," only an imminent reality.
- We believe that the toll option is made possible only because we are a self-help County.
- The toll lanes could not be constructed without M2 Tax infrastructure.
- MAP 21 and the FHWA are NOT prescriptive and do NOT require a toll lane solution on any highway to address degradation caused by vehicle speed requirements for 1.5% of users of low emission vehicles.

(Attachment C, Page 3 of 3)

Inconsistencies in analysis of the HOV Lane Degradation remedies:

- Two HOV2 lanes address degradation per FHWA. In listing the "pros" and "cons" of the alternatives, the OCTA staff dismisses that same remedy as only short-term, with future connectivity issues at the County line, but does not list it as a "con" for Alternative 3. Why?
- Also listed as a "con" is the simple upgrade of HOV2 to HOV3 because it will increase congestion in the GP lanes....**How is that an issue here, but NOT an issue for Alternative3, which dumps the same HOV2 users into the GP lanes?**
- Note: Alt. 3 does not add any free lanes. We now have 5 free lanes (HOV2 + 4 GP) and after spending \$1.47 billion will still have 5 free GP lanes with the 2+ drivers spread throughout.

(Page 7-9)

HOT/Express Lanes and Tolling Options; Financing

Huge variables to determine financing...

1. What is the operational configuration?
2. How much will the public be **willing** to pay at various times of day?
3. How much financing, and at what rate, will tolls be generated to fund the project? If revenues are over estimated, as they were with the TCA San Joaquin Hills Corridor, the project will continue to incur debt.
4. These tolls are permanent; they will stay forever to “**enhance the user experience,**” but only for those who can afford to pay.
5. As toll prices increase, especially if connected to other toll lanes, more cars will be forced into the GP lanes and on to surface arterials.
6. Reminder: when the price point on gasoline reaches \$4, toll use declines relative to price increases. (per 91 revenue)

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Excess Revenues:

- There is no definition of the project boundaries or corridors for the purpose of application of excess toll revenue.
- There can be no commitment of a revenue sharing plan to fund local projects without a geographic description of the area, to determine the number of eligible entities.
- Measure M guidelines call for local intersection and arterial improvements, thus there is no guarantee that there will be excess revenues after operational expenses. (pg.1, B. 2)

(Page 11, first paragraph, TCA Coordination)

..directly linking HOT/express lanes on the I-405 with the SR-73 would result in a net benefit to the SR-73 San Joaquin Hills Transportation Corridor Toll Road.

- This section raises the possibility that the I-405 toll fees will be manipulated to reduce the toll charges on the TCA SR 73. Project K was never intended to be used to address the financial difficulties of the TCA.
- M2 is specifically NOT intended for toll use.
- ***It is offensive to infer financially helping the TCA when our Chambers of Commerce have been ignored regarding the negative effect Alt. 3 will have on our local business communities.***

A word on pricing:

- If you live in Irvine and work in Long Beach, and use the toll lane 5 days a week, to and from work during rush hour, you will pay over \$4000 per year in toll costs. (2012 dollars)
- The idea that we are building a \$1.47 billion system for the “occasional user” is a misuse of funds.
- The current delineated configuration, including two ingress and egress points, will further slow the GP lanes. *Remember no free lanes are being added over the current number (5).*
- Drivers unable to afford the toll will be forced into the GP lanes; or be forced to pay the high toll fee during rush hour.

Who benefits? High income households, and large corporate entities that can write off transportation expenses.