



AFFILIATED AGENCIES

*Orange County
Transit District*

*Local Transportation
Authority*

*Service Authority for
Freeway Emergencies*

*Consolidated Transportation
Service Agency*

*Congestion Management
Agency*

*Service Authority for
Abandoned Vehicles*

August 21, 2012

The Honorable Eric. R. Bever
Mayor
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92628

The Honorable Devin Dwyer
Mayor Pro Tem
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

The Honorable Michael Levitt
Mayor
City of Seal Beach
211 8th Street
Seal Beach, CA 90740

The Honorable John Collins
Mayor
City of Fountain Valley
10200 Slater Avenue
Fountain Valley, CA 92708

The Honorable Troy D. Edgar
Mayor
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, CA 90720

The Honorable Margie L. Rice
Mayor
City of Westminster
8200 Westminster Boulevard
Westminster, CA 92683

Subject: Interstate 405 Improvement Project

Dear Mayors and Mayor Pro Tem,

Thank you for your letter regarding the San Diego Freeway (I-405) Improvement Project. Your comments have been forwarded to the Orange County Transportation Authority (OCTA) Board of Directors (Board) for their consideration. In addition, comments related to suggestions for improvements to Alternative (Alt) 2 have been forwarded to the project development team as input for the Final Environmental Impact Report and Final Environmental Impact Statement.

OCTA and its project partner, the State of California Department of Transportation (Caltrans), have repeatedly demonstrated a willingness to work with the I-405 freeway corridor cities to minimize local impacts. For example, during the development of the project, the extensive collaboration between OCTA, Caltrans, and the local community yielded project alternatives that eliminated the need for full residential right-of-way acquisitions. We will continue working with the community as we progress through the project development process. However, I would like to address some of the points you shared in your comments to OCTA.

Your letter indicates you view Alt 2 as having fewer right-of-way impacts than Alt 3. In reality, the right-of-way footprint for Alt 2 and 3 is very similar. For example, the Draft Project Report identified the need for 15 partial residential acquisitions under Alt 2 and 14 partial residential acquisitions under Alt 3. In addition, while the typical freeway

cross section under Alts 2 and 3 is similar throughout most of the corridor, there is somewhat of a difference in the area between Valley View Street and Seal Beach Boulevard. In this area, Alt 2 is wider than Alt 3. This is because Alt 2 adds two general purpose (GP) lanes in each direction. Alt 3 adds one GP lane and incorporates the High Occupancy Vehicle (HOV) lanes being built with the West County Connectors project. The wider freeway footprint needed for Alt 2 requires the soundwall along Almond Avenue be relocated. Soundwall relocation may not be necessary with Alt 3 as OCTA is proposing slight, non-standard design modifications in this area in order to leave the wall in place. Caltrans also is committed to working with OCTA and other project sponsors to explore all alternatives and design features to minimize the impact on the community including seeking alternatives that do not require the relocation of the soundwall if possible.

Policy Discussions

OCTA understands that there is an ongoing policy discussion about user fees/tolls to manage and fund congestion relief and infrastructure. The OCTA Board will consider the full range of public perspectives on this as it deliberates on the I-405 project in the coming weeks. Please rest assured that your comments related to tolling will be properly captured and acknowledged when the staff presents the final recommendation to the Board. You may also choose to comment publicly at upcoming committee and Board meetings on this subject.

Costs and Funding

Your letter indicated that the Measure M2 (M2) program approved by Orange County voters did not include the express lanes solution for the I-405 freeway and did not authorize the use of M2 funds to facilitate the implementation of express lanes.

Under all alternatives, the promise to voters will be delivered. That promise is captured by the improvements contained in Alt 1 which serves as the baseline for all of the build alternatives. Alt 1 adds one GP lane in each direction between Euclid Street and the San Gabriel River Freeway (I-605) and is estimated to cost \$1.3 billion which will be funded by M2 revenues.

Alt 2 adds one GP lane in each direction between Euclid Street and the I-605, and a second GP lane from Brookhurst Street to the I-605. The estimated cost for Alt 2 is \$1.4 billion. Funding for the difference in cost between Alt 1 and Alt 2 has not been identified, but, should Alt 2 be selected, OCTA would likely pursue funding for the cost differential from state and federal sources should they become available.

Alt 3 adds the baseline M2 project - one GP lane between Euclid Street and I-605 - plus another lane, a tolled express lane, in each direction between State Route 73 and State Route 22. The express lane would be combined with the existing carpool lane

system, including the existing freeway-to-freeway carpool lane connectors. They would be managed jointly as a two-lane facility in each direction, similar to the 91 Express Lanes. The cost estimate for Alt 3 is \$1.7 billion. The difference in funding over the \$1.3 billion baseline M2 project would be generated by user fees/tolls from those who choose to use the express lanes.

High Occupancy Vehicle Lanes

You stated that Alt 3 results in the loss of a free HOV lane that is replaced by tolled express lanes. While the occupancy requirement for HOVs using the proposed express lanes has not been finalized, it has been assumed that vehicles with HOV3+ occupancy would travel free. OCTA also is analyzing the traffic and revenue projections related to reduced fees and/or part-time use for HOV2+ occupancy.

Regardless of these considerations, recent federal legislation suggests the HOV occupancy requirement for the I-405 and other congested facilities may soon be revisited. On June 29, 2012, both the House and the Senate passed the Moving Ahead for Progress in the 21st Century Act (MAP-21) and on July 6, 2012 President Obama signed the legislation. MAP-21 includes language related to HOV lanes.

Because the HOV lanes on I-405 are often congested, they are classified as operationally deficient during peak hours. MAP-21 requires Caltrans to take actions to correct HOV operational deficiencies which include increasing the occupancy requirement. In the section related to HOV facilities, the legislation states:

“Not later than 180 days after the date on which a facility is degraded pursuant to the standard specified in paragraph (2), the State agency with jurisdiction over the facility shall bring the facility into compliance with the minimum average operating speed performance standard through changes to operation of the facility, including (i) increasing the occupancy requirement for HOV lanes; (ii) varying the toll charged to vehicles allowed under subsection (b) to reduce demand; (iii) discontinuing allowing non-HOV vehicles to use HOV lanes under subsection (b); or (iv) increasing the available capacity of the HOV facility.”

In 2007, Caltrans found the segment of the I-405 within the project limits degraded per state and federal standards. Caltrans is currently updating its analysis for the I-405 which will likely trigger a review of the HOV2+ occupancy requirement in the near term.

Congestion Management Pricing and Toll Lanes

The underlying concept behind Alt 3 is to use congestion management pricing to keep the lanes operating at reliable, free-flow speeds for both single-occupant drivers and higher-occupancy vehicles. Available capacity in the express lanes is sold to users seeking a reliable travel time, thereby reducing congestion in the GP lanes. The goal is to move as many vehicles through the lanes as possible during peak commute hours.

It also reduces the number of trips by encouraging people to try alternatives to single occupancy vehicle travel by offering reliable travel time savings to higher occupancy vehicles such as buses, vanpools, and carpools.

Your letter states that Alt 3 burdens a large segment of the population to obtain transponders. While it is true a transponder would be required to use the express lanes, this is common practice in Orange County where more than 950,000 units have already been issued by the 91 Express Lanes and the Transportation Corridor Agencies. Also, the 91 Express Lanes offers multiple account options and all include a free transponder if a credit card is on file. Express lanes are becoming more and more prevalent as a means to manage congestion in busy corridors.

For example, Los Angeles Metro also is implementing an electronic toll collection system that requires transponders for use on high occupancy toll lanes on Interstate 110. That project is scheduled to open later in 2012. Another express lane project, scheduled to open in 2013, is being built along the Interstate 10 corridor in Los Angeles.

Project Refinements

As noted previously, OCTA and Caltrans are committed to working with the corridor cities to address their concerns regarding project impacts. We will continue to pursue design refinements in an effort to mitigate impacts in all three build alternatives. The following proposals were shared with the OCTA Board on August 13, 2012:

- Truncate the express lanes under Alt 3 north of Fairview Avenue to avoid reconstruction of the Fairview bridge
- Reconfigure the Magnolia Avenue/Warner Avenue interchange to avoid the need to relocate up to four full businesses in Fountain Valley
- Reduce impacts to parking in Westminster by altering project designs
- Avoid the wall relocation on Almond Avenue in the College Park East neighborhood of Seal Beach through design variations (available for Alt 3, unavoidable for Alt 2)
- Conduct soundwall surveys to gather feedback on proposed soundwalls and using local funds to meet community needs to optimize soundwall heights and location

Again, OCTA wants to assure you we are doing our best to respond to public feedback. Most, if not all, of your suggested revisions to the I-405 Improvement Project will be addressed in the final environmental document. This includes your requests for close coordination on ramp closures and construction-related impacts and mitigation of noise, air quality, and visual impacts.

Over the next several weeks, our staff will provide additional information to the OCTA Board related to traffic, funding, and project delivery options. In addition, in response to a Board request, staff is preparing a list of options for the use of net toll revenues

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should Alt 3 be selected. These options could include additional transit service, local streets and roads improvements and other highway upgrades in the corridor. These issues will be considered by the Board between now and September 24, 2012, when the Board is scheduled to select a locally preferred alternative. The project development team will recommend a preferred alternative to the Caltrans District 12 Director later this fall.

OCTA appreciates your feedback regarding the I-405 Improvement Project and we look forward to continuing to work with you as the project progresses.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul G. Glaab", with a long horizontal flourish extending to the right.

Paul G. Glaab
Chairman

PGG:eb

c: OCTA Board of Directors
Will Kempton, Chief Executive Officer