



COMMITTEE TRANSMITTAL

December 9, 2013

To: Members of the Board of Directors
WK
From: Wendy Knowles, Clerk of the Board
Subject: Update on the Interstate 405 Improvement Project

Regional Planning and Highways Committee Meeting of December 2, 2013

Present: Directors Bates, Donchak, Harper, Lalloway, Miller, Murray, Nelson, and Spitzer
Absent: None

Committee Vote

This item was passed by the Members present.

Directors Miller and Harper voted in opposition.

Committee Recommendations (Reflects a change from staff recommendations)

- A. Reaffirm the Board of Directors' October 22, 2012, decision selecting Alternative 1 as the locally preferred alternative and recommend that the California Department of Transportation select Alternative 1 in the Measure M Project K final environmental impact report/environmental impact statement.
- B. Build Alternative 1 in a manner that does not preclude additional freeway capacity in the future.
- C. To maintain the public trust in delivering Measure M, implement Project K and all projects included in the Renewed Measure M Transportation Investment Plan as expeditiously as possible to avoid delay and financial risk.



Committee Recommendations (continued)

- D. On a regional basis, continue to monitor and work collaboratively with the California Department of Transportation on solutions or actions proposed in the California High-Occupancy Vehicle Lane Degradation Action Plan that was prepared as required by the federal Moving Ahead for Progress in the 21st Century Act.

- E. Continue working with federal, state, and regional partners to explore managed lane concepts countywide as part of the Orange County Transportation Authority Long Range Transportation Plan. Direct staff to include a countywide study that incorporates technical and outreach elements in the Long Range Transportation Plan Action Plan.



ORANGE COUNTY TRANSPORTATION AUTHORITY

Update on the Interstate 405 Improvement Project

Staff Report



December 2, 2013

To: Regional Planning and Highways Committee
From: Darrell Johnson, Chief Executive Officer
Subject: Update on the Interstate 405 Improvement Project

Overview

On November 8, 2013, the Orange County Transportation Authority Board of Directors directed staff to continue development of Measure M Project K, which adds one general purpose lane in each direction on Interstate 405 between Euclid Street and Interstate 605, while simultaneously working with federal, state, regional, and local partners on managed lanes issues. Progress related to these actions is included with this report along with recommendations to expedite delivery of Measure M Project K. In order to accomplish this, as well as respond to community input and recognize varying perspectives, Orange County Transportation Authority staff proposes moving forward, adding one general purpose lane in each direction between Euclid Street and Interstate 605.

Recommendations

- A. Reaffirm the Board of Directors' October 22, 2012, decision selecting Alternative 1 as the locally preferred alternative and recommend that the California Department of Transportation select Alternative 1 in the Measure M Project K final environmental impact report/environmental impact statement.
- B. Build Alternative 1 in a manner that does not preclude additional freeway capacity in the future, and defer any decision to build beyond the Measure M Project K commitment until after one lane in each direction is constructed, the West County Connectors Project is complete and inter-county studies of Interstate 405 in Los Angeles County are completed.

- C. To maintain the public trust in delivering Measure M, implement Project K and all projects included in the Renewed Measure M Transportation Investment Plan as expeditiously as possible to avoid delay and financial risk.
- D. Continue to monitor and work collaboratively with the California Department of Transportation on solutions or actions proposed in the California High-Occupancy Vehicle Lane Degradation Action Plan that was prepared as required by the federal Moving Ahead for Progress in the 21st Century Act.
- E. Continue working with federal, state, and regional partners to explore managed lane concepts countywide as part of the Orange County Transportation Authority Long Range Transportation Plan. Direct staff to include a countywide study that incorporates technical and outreach elements in the Long Range Transportation Plan Action Plan.

Background

The environmental clearance phase of project development for the Interstate 405 (I-405) Improvement Project between State Route 73 (SR-73) and Interstate 605 (I-605) began in March 2009. The draft environmental impact report/impact statement (DEIR/EIS) was released on May 18, 2012.

The build alternatives included in the environmental document include:

Alternative 1: Add one general purpose (GP) lane in each direction on I-405 from Euclid Street to I-605. Alternative 1 is Measure M Project K.

Alternative 2: Add two GP lanes in each direction, including the single Measure M Project K lane from Euclid Street to I-605, as well as a second GP lane in the northbound direction from Brookhurst Street to the State Route 22 (SR-22) 17th Street interchange, and in the southbound direction from the Seal Beach Boulevard on-ramp to Brookhurst Street.

Alternative 3: Add one GP lane in each direction (Measure M Project K), and add one high-occupancy toll (HOT)/express lane in each direction between the SR-73 and the SR-22. The HOT/express lane would be combined with the existing high-occupancy vehicle (HOV) lanes providing two HOT/express lanes in each direction on I-405 between SR-73 and I-605.

On October 22, 2012, the Orange County Transportation Authority (OCTA) Board of Directors (Board) selected Alternative 1 as the recommended

alternative to forward to the California Department of Transportation (Caltrans) for the I-405 Improvement Project. Alternative 1 delivers the Measure M Project K scope and responds to public input related to right-of-way impacts in Fountain Valley, parking impacts in Westminster, and bridge re-construction concerns in Costa Mesa. In addition, Alternative 1 does not necessitate the relocation of the soundwall along Almond Avenue in the City of Seal Beach.

High-Occupancy Vehicle Degradation

On April 8, 2013, Caltrans presented the OCTA Board with information about the degraded status of HOV lanes in Orange County, and on September 23, 2013, Caltrans presented the 2011 California HOV Degradation Determination Report and Action Plan Summary. Caltrans reported the I-405 HOV lanes are degraded during peak travel times. Potential ways to address degraded HOV conditions include increased enforcement, prohibiting inherently low-emission vehicles in HOV lanes, changing the minimum HOV lane vehicle occupancy requirements from two or more persons per vehicle (HOV2+) to three or more persons per vehicle (HOV3+), adding a second HOV lane, and/or converting the HOV lanes to HOT/express lanes.

New Concepts

On April 22, 2013, the OCTA Board directed staff to screen two new concepts for improvements to I-405. Concept A builds Measure M Project K, converts the existing single HOV lane to a single HOV/express lane in each direction, and adds a second GP lane in each direction. Concept B builds Measure M Project K and adds a second GP lane in each direction as in Alternative 2, but truncates the second northbound GP lane at Valley View Street.

OCTA staff presented the findings of Concept A and B screening, as well as a review of public input received on the supplemental DEIR/EIS at the September 23, 2013 OCTA Board meeting. The OCTA Board recommended at that time that Concept B be precluded from further study.

Current Status

On November 8, 2013, the OCTA Board directed staff to:

- Continue developing Measure M Project K (Alternative 1)
- Further explore HOT/managed lane policy issues with partners and stakeholders
- Initiate countywide public outreach on all I-405 alternatives
- Continue to look at HOV lane concepts
- Provide information related to the costs of project delay
- Develop and present toll policy options

In order to be responsive to the Board, staff has begun to implement the actions approved by the Board on November 8, 2013. However, if the Board approves the staff recommendations in this report, all I-405 Improvement Project Alternative 3 specific activities would cease. Staff would continue to explore policy issues associated with the development of HOT/managed lanes with Caltrans and our regional partners as part of a comprehensive system-wide discussion, but not specifically in relation to the I-405 Improvement Project.

A status report on the November 8, 2013 requested actions is included as Attachments A–E.

Discussion

Since the release of the DEIR/DEIS, there has been significant input received from community members, business leaders, elected officials, and community stakeholders. In addition, there are multiple perspectives regarding mobility solutions for the I-405 corridor. To date, a consensus has yet to be reached on the best technical and long-term solution to address growing traffic congestion in the I-405 corridor.

The differing perspectives, along with recent conversations about the Moving Ahead for Progress in the 21st Century (MAP-21) regulations and HOV lane degradation, are delaying the ability to deliver the mobility benefits promised to the voters of Orange County in Measure M.

Given the varying perspectives and the fact that consensus has not yet been reached, it appears the project could continue to be delayed. This will result in inflationary cost increases, as well as delay to the project's mobility benefits envisioned as part of the Renewed Measure M Transportation Investment Plan. The I-405 is the most heavily traveled freeway in Orange County, carrying

more than 300,000 vehicle trips in some sections each day. Traffic volumes on the I-405 are expected to increase significantly, and Orange County's population is expected to grow approximately 11 percent by 2040.

Project delay costs could ultimately reach more than \$3 million per month, assuming annual increases to support and capital costs of four percent and three percent respectively. For example, as noted on Attachment E, delaying a decision on Alternative 3 to May 2014 is expected to cause a one-year project delivery delay, with an added cost of \$41.5 million. Introducing new alternatives not currently in the EIR/EIS could further delay the project and increase costs.

Measure M Scope

While some community members advocate for Alternative 2, there are multiple reasons why this alternative is not being recommended. First and foremost, Alternative 2 goes beyond the scope of Measure M without funding to cover the additional cost. The overall Measure M freeway program relies on significant external funding and has a minimal margin for variance. This is even more critical given a 36 percent reduction in revenues as a result of the recession. Additionally, because OCTA is only in the third year of a 30-year sales tax measure, it is very early to add scope to the Measure M program. It is important to deliver on the promises made to Orange County voters as part of the original Measure M Investment Plan to ensure continued trust by the public.

The Renewed M Transportation Investment Plan includes \$6.6 billion in freeway construction projects, and the \$1.3 billion I-405 project represents nearly 20 percent of the entire M2 freeway program. Given the size of the I-405 Improvement Project, any significant change in schedule or scope will have notable impacts.

In addition, while OCTA has benefitted from competitive bids and one-time external revenue opportunities, the ability to deliver the Measure M freeway program still requires an infusion of \$720 million of external funding by 2041. While achievable, any significant schedule change or scope increase could put the entire M2 freeway program at risk.

Finally, Caltrans has shared concerns that Alternative 2 would preclude future opportunities to address HOV lane degradation. Alternative 2 would leave no room to add more HOV lanes within the widened freeway footprint. Additional capacity beyond Alternative 2 could require additional right-of-way, potentially impacting homes and businesses along the corridor.

In addition, Alternative 2 is not included in the 2012 Southern California Association of Governments (SCAG) – Regional Transportation Plan (RTP). A selected alternative must be included in the RTP. There is a process to amend the RTP to modify the listed projects; however, given the emphasis of the 2012 RTP on improving air quality as required by SB-375 by managing the growth of vehicle miles travelled, a proposal to amend the RTP to add more GP freeway capacity would be highly scrutinized.

Deferring Additional Capacity

Staff is proposing a phased approach to delivering improvements on I-405 where Measure M Project K is delivered first and longer term solutions for added lane capacity are deferred. Deferring longer term solutions to resolve congestion on I-405 beyond the Measure M Project K completion offers OCTA time to complete the West County Connectors Project and consider inter-county studies related to the I-405 in Los Angeles County. This also provides OCTA with the opportunity to have a more comprehensive, countywide discussion of managed lanes, and it is recommended these discussions take place within the context of the OCTA Long Range Transportation Plan (LRTP) and follow-up actions. A draft LRTP is scheduled to be completed in spring 2014, and it is recommended that a study for analyzing managed lanes be included in the LRTP follow-up actions. This study should include a technical analysis as well as a countywide outreach program.

High-Occupancy Vehicle Lane Degradation

Orange County has made an extensive investment in its HOV lane system with carpool lanes on almost every freeway segment, direct connector ramps, and HOV drop ramps to arterials in some locations. These lanes were intended to offer travel time savings to higher occupancy vehicles and cannot operate effectively when demand exceeds capacity. It is recommended that OCTA work collaboratively with Caltrans on any solutions or actions proposed as a result of the California High-Occupancy Vehicle Lane Degradation Action Plan that was prepared by Caltrans as a requirement under state law and MAP-21. This will require further discussions between Caltrans, OCTA, SCAG, and the Federal Highway Administration (FHWA). Recent discussions with FHWA officials indicate that FHWA is only beginning to understand the full impact of MAP-21 requirements, degradation reports, and possible remedial actions in response to these reports. These discussions will need to include monitoring proposed solutions, benefits, and potential delivery schedule impacts to all Measure M freeway projects including Measure M Project K.

If the Board approves the recommended actions, the estimated timeframe for delivery of Measure M Project K would be:

- March 2014 Issue Request for Qualifications
- August 2014 Issue Draft Request for Proposals
- January 2015 Issue Request for Proposals
- August 2015 Issue design-build notice to proceed
- 2015 – 2020 Design/construct the project

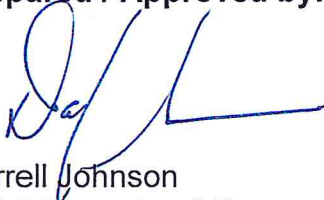
Summary

Staff is recommending OCTA reaffirm the Board decision on October 22, 2012 to select Alternative 1 and take actions to expedite delivery of Measure M Project K, while taking a more incremental approach to delivering lane capacity beyond what is defined in Measure M. This will deliver mobility benefits more quickly and minimize risks associated with delays and the resulting inflationary cost increases. In addition, it is recommended OCTA work collaboratively with Caltrans on solutions or actions proposed as a result of the California High-Occupancy Vehicle Lane Degradation Action Plan, as well as work with federal, state, and regional partners to explore managed lanes concepts for the longer-term within the context of the OCTA LRTP.

Attachments

- A. Interstate 405 Improvement Project OCTA Board of Directors Recommendations November 8, 2013
- B. Timeline for Implementation of Tolling Policies for Alternative 3
- C. Interstate 405 Improvement Project Communications Plan
- D. Alternative High-Occupancy Vehicle Lane Concepts to Address Degradation
- E. Interstate 405 Improvement Project Costs of Delaying Decisions to May 2014

Prepared / Approved by:

A handwritten signature in blue ink, appearing to read 'Darrell Johnson', is written over the printed name.

Darrell Johnson
Chief Executive Officer
(714) 560-5343



ORANGE COUNTY TRANSPORTATION AUTHORITY

Update on the Interstate 405 Improvement Project

Attachment A

**Interstate 405 Improvement Project
Orange County Transportation Authority Board of Directors
Recommendations
November 8, 2013**

No.	Recommendation	Status
1	Continue forward on the current track to develop Alternative 1	The Interstate 405 Program Management Consultant contract with Parsons Transportation Group is being finalized, and the notice-to-proceed will be issued once the required California Department of Transportation pre-award audit is completed in January 2014.
2. 2a.	Direct the OCTA Chief Executive Officer to coordinate: A meeting with Malcolm Dougherty and all Southern California counties and their elected designees to discuss toll road policy by March or April 2014	OCTA's Chief Executive Officer (CEO) has met with Caltrans Director Malcolm Dougherty twice in the past month. OCTA's CEO also has contacted all Southern California county transportation commission CEOs to schedule a summit with elected officials to discuss statewide managed lanes issues. The date of the summit has not been set, but it is anticipated to take place in January 2014.
2b.	A meeting with Washington, D.C. equivalents to discuss the same	Staff has discussed the issue of the 180-day timeframe to respond to federal high-occupancy vehicle lane degradation findings with Federal Highway Administration (FHWA) officials and continue to pursue flexibility in application of the requirements and any implementation actions. FHWA officials in Washington, D.C. are also aware that the OCTA Board of Directors has directed staff to amend OCTA's Federal Legislative Platform for 2014 to address the degradation compliance issue provided in Moving Ahead for Progress in the 21 st Century Act (MAP-21). OCTA will be addressing this issue with the Congressional transportation committees as they look to reauthorize the upcoming transportation bill.

**Interstate 405 Improvement Project
Orange County Transportation Authority Board of Directors
Recommendations
November 8, 2013**

No.	Recommendation	Status
2c.	Specifically identify the corridor city projects that will need to be funded in the next decade and beyond, and the dollar amounts associated with such an initiative	A letter was sent to the corridor cities on November 15, 2013 with the current list of capital improvement program projects that OCTA has on file. Cities were requested to submit any additional unfunded projects to OCTA by November 21, 2013. A response declining this offer was received on November 21, 2013, along with a request to meet collectively with corridor cities. They also expressed support for Alternative 2.
2d.	Meet and confer with the corridor cities to initiate its list of projects needed and the funding necessary from excess toll revenues from the project	OCTA's CEO called all corridor city managers regarding the above-referenced letter and the request for additional projects. A meeting with each corridor city is anticipated to be scheduled in the coming weeks.
2e.	Set out a timeline of no more than four months to secure an understanding of the issues in order to properly sequence and build support for a policy discussion that is too critical to continue to handle as presently sequenced	See Attachment B
3.	Initiate public outreach for all the Interstate 405 alternatives.	See Attachment C
4.	Continue to look at high-occupancy vehicle lane concepts.	See Attachment D
5.	Provide the opportunity costs to stay with Alternative 1 versus Alternative 3	See Attachment E
B1	<p>From November 4, 2013 Regional Planning and Highways Committee:</p> <p>Within 120 days develop and present to the Board of Directors high-occupancy toll/express toll policy options for Interstate 405, including options for free or discounted travel for high-occupancy vehicles.</p>	In progress



ORANGE COUNTY TRANSPORTATION AUTHORITY

Update on the Interstate 405 Improvement Project

Attachment B

**Timeline for Implementation of Tolling Policies
for Alternative 3**

On November 8, 2013, the Orange County Transportation Authority Board of Directors directed staff to continue development of Measure M Project K, which adds one general purpose lane in each direction on Interstate 405 between Euclid Street and Interstate 605, while simultaneously working with federal, state, regional, and local partners on managed lanes issues. Recommendation 2e related to the development of tolling aspects of Alternative 3. It stated:

Set out a timeline of no more than four months to secure an understanding of the issues in order to properly sequence and build support for a policy discussion that is too critical to continue to handle as presently sequenced

Below is the anticipated timeline for such activities.

Regional Coordination

- Meeting with Southern California elected officials January 2014
- Development of regional perspective
- Communicate regional perspective to Caltrans

Guiding Principles for Excess Toll Revenue June 2014

- Gather lists of eligible projects
- Clarify definitions: “within and near project boundaries”
- Develop Interstate 405 Implementation Plan

Toll Policy / Traffic and Revenue Study

- Develop toll policy options March 2014
- Adopt a toll policy June 2014
- Complete an investment grade traffic and revenue study January 2015

Development Agreement with California Department of Transportation

- Negotiate Letter of Intent Spring 2014
- Negotiate a comprehensive development agreement December 2014
(With design-build and toll franchise elements)



ORANGE COUNTY TRANSPORTATION AUTHORITY

Update on the Interstate 405 Improvement Project

Attachment C



**Interstate 405 Improvement Project
Communications Plan**

SITUATION ANALYSIS

The California Department of Transportation (Caltrans), in cooperation with the Orange County Transportation Authority (OCTA), is proposing to widen the Interstate (I-405) between State Route 73 (SR-73) and Interstate 605 (I-605). The purpose of the proposed improvement is to improve travel conditions for work, recreation, school, and commerce by increasing freeway capacity, improving traffic and interchange operations, and enhancing road safety to meet state and federal standards.

On November 8, 2013, the OCTA Board of Directors requested staff to continue community outreach on the no-build and three build alternatives included in the draft environmental impact report/environmental impact statement currently under consideration.

GOAL

Continue to share with project stakeholders the benefits of improving mobility on the I-405 corridor between the SR-73 and I-605 freeways. Outline the pros and cons of all alternatives under consideration. If a tolling alternative were to be selected, collaborate with the corridor cities to develop a list of projects that may be funded by excess toll revenue, if available.

OBJECTIVES

- Increase awareness of the I-405 Improvement Project and alternatives under consideration countywide
- Increase collaboration between OCTA, Caltrans, and the project corridor cities
- Increase awareness of Moving Ahead for Progress in the 21st Century Act (MAP-21), which requires that carpool lanes operate at 45 mph or more 90 percent of the time. Carpool lanes on the I-405 – as well as freeways throughout Orange County and statewide – are failing to meet this standard.

STRATEGY

Execute a comprehensive communications plan, in coordination with Caltrans, in an effort to educate the community and motorists about the importance of improving mobility on the I-405 corridor between the SR-73 and the I-605 freeways.

STAKEHOLDERS

- Motorists
- Residents
- Corridor Cities
- Merchants and Businesses
- Civic and Community Organizations
- Media (print, cable, online)

TACTICS

- Draft and mail a letter to the corridor cities regarding possible projects that could be funded by excess toll revenue, if available
- Coordinate a meeting with corridor city representatives to discuss the governance of excess toll revenue and possible future projects
- Create and mail a countywide collateral piece which includes information about:
 - All alternatives under consideration
 - MAP-21 and degradation
 - Project contact information including website and social media
- Distribute extra copies of the collateral piece to chambers of commerce, city halls, senior centers, and other public places
- Print and online advertisements directing interested stakeholders to seek more information on the project website
- Update project website and include information about recent board action and project next steps
- Update project fact sheet for distribution and post online
- Develop and execute a Social Media campaign
- Schedule civic and community presentations
- Develop and distribute cable advertisements
- Develop and distribute inserts in chamber of commerce and civic organization newsletters
- Distribute an e-newsletter to the project database
- Translate materials in Spanish, Vietnamese, and other languages as necessary

RESOURCES

Some costs could be absorbed by the Simon Wong Engineering pre-construction and construction outreach contract (C-2-2053). A countywide mailing would require a contract amendment.



I-405 90-Day Schedule Community Outreach Tasks

	NOV	NOV	NOV	DEC	DEC	DEC	DEC	DEC	JAN	JAN
Tasks	11	18	25	2	9	16	23	30	6	13
County Wide Mailer										
Design County Wide Mailer										
Translation (Spanish, Vietnamese)										
Print										
Mail										
Print and Online Ads										
Design										
Translation (Spanish, Vietnamese)										
Media Buys and Placement										
Corridor Cities Letter Regarding Possible Projects Funded by Excess Toll Revenue										
Draft and Mail Letter to Corridor Cities										
Cities Submit List of Unfunded Projects										
Webpage Updates										
Update with Recent Board Action and Project Next Steps										
Project Collateral										
Update Project Fact Sheet										
Design/Distribute Inserts for Chamber/Civic Organizations Newsletters										
Translation (Spanish and Vietnamese)										
Social Media Campaign										
Draft Social Media Campaign										
Create Pre-Approved Posts										
Post to Social Media Sites										
Civic and Community Presentations										
Develop List of Interested Parties										
Schedule Presentations										
Deliver Presentations										
Cable Advertisements										
Develop										
Distribute										
Project E-Newsletter										
Design Newsletter Template										
Provide Creative, Informative Content and Photos for Newsletter										
Distribute Newsletter to Project Database										



90-Day Countywide Community Outreach Budget

Mailer		Estimated
Postcard Printing		\$22,786
Printing of the addresses on the postcards		\$10,780
Postage		\$152,486
Mail House List (All registered voters in the OC)		\$7,260
Total		\$193,312

Translation		Estimated
Postcard and Newspaper Ads (Vietnamese)		\$87
Postcard and Newspaper Ad (Spanish)		\$76
Inserts for Chamber/Civic Organizations (Vietnamese)		\$173
Inserts for Chamber/Civic Organizations (Spanish)		\$152
Total		\$488

Facebook		Estimated
Facebook Ads (30 Day Campaign)		\$1,500
Total		\$1,500

Cable Ads		Estimated
Time Warner Cable		\$1,500
AT&T		\$1,500
Verizon		\$1,500
Total		\$4,500

Project Collateral		Estimated
Design of Inserts for Chamber/Civic Organizations		\$180
Newspaper Ads		\$120
Postcard		\$120
Total		\$420

Newspaper Ads		Estimated
Orange County Register (2 Print and Online Ads)		\$10,000
LA Times (1 Print Ad)		\$3,300
Daily Pilot (2 Print Ads)		\$1,000
Westminster Herald (2 Print Ads)		\$840
Nguoi View News (2 Print Ads)		\$700
Excelsior (2 Print Ads)		\$1,300
Huntington Beach Independent (2 Print Ads)		\$800
Total		\$17,940

Total Expenses		Estimated
		\$218,160



ORANGE COUNTY TRANSPORTATION AUTHORITY

Update on the Interstate 405 Improvement Project

Attachment D

Alternative High-Occupancy Vehicle Lane Concepts To Address Degradation

Assumption	Potential Impact to Environmental Process	Anticipated Schedule Impact	Estimated Cost Increase (detail below)
Build Alternative 1 or 2, and modify carpool lane occupancy requirements. Change from two or more persons per carpool (HOV2+) to three or more persons per carpool (HOV3+). HOV3+ could either be on a full or part-time basis.	May require additional traffic and technical studies and re-circulation of the DEIR/EIS*	10 months	\$38.3 - \$41.1 Million
New alternative - Add one general purpose lane in each direction (M2 Project K) and add an HOV2+ lane to form dual HOV2+ lanes	Requires additional traffic and technical studies and recirculation of the DEIR/DEIS*	15 months	\$105.2 Million

*DEIR/EIS = Draft Environmental Impact Report/Environmental Impact Statement

Estimated Cost Increase Breakdown

Assumption	Phase	Estimated Cost Increase
Alternative 1 with HOV3+ occupancy (either full or part-time)	Construction	\$28,342,000
	Right of Way	\$1,401,000
	Environmental	\$500,000
	Project Support	\$8,042,000
	Total	\$38,285,000
Alternative 2 with HOV3 occupancy (either full or part-time)	Construction	\$30,561,000
	Right of Way	\$1,457,000
	Environmental	\$500,000
	Project Support	\$8,625,000
	Total	\$41,143,000
New Alternative - Add one general purpose lane in each direction plus add one HOV2+ carpool lane in each direction to form dual HOV2+ lanes	Construction	\$80,600,000
	Right of Way	\$2,956,000
	Environmental	\$700,000
	Project Support	\$20,928,000
	Total	\$105,184,000

Note: Cost increase estimates include additional DEIR/EIS effort, capital cost escalation of 3% and support cost escalation 4%



ORANGE COUNTY TRANSPORTATION AUTHORITY

Update on the Interstate 405 Improvement Project

Attachment E

**Interstate 405 Improvement Project
Costs of Delaying Decisions to May 2014**

The estimated cost of moving forward with a decision to recommend the Department of Transportation (Caltrans) select Alternative 1 and then modifying that decision to Alternative 3 later is \$41.5 million due to an approximate one year schedule delay and resulting cost increases in:

Construction	\$33.3 million
Right-of-way	\$1.5 million
Environmental	\$0.5 million
Project Support	<u>\$6.2 million</u>
	\$41.5 million

Capital cost increases include 3% escalation. Project support cost increases include 4% escalation. The chart above does not include scope changes and related cost increases that would affect the program management or public outreach contracts to address Alternative 3 as well as the additional project scope of Alternative 3 beyond the Measure M2 Project K scope.

The approximate one-year delay is based on comparing the Design-Build Notice to Proceed (NTP) date assuming there is a Preferred Alternative selection in December 2013 (current schedule) versus a Preferred Alternative selection in May 2014. Should Alternative 3 be selected in May 2014, the environmental document would need to be revised and finalized for the Notice of Determination and the Record of Decision. Either deferring the preferred alternative selection to May 2014 or changing the preferred alternative selection in May 2014 will impact the work and contract of the Program Management consultant and their development of the request for qualifications, the request for proposals, and the investment grade Traffic and Revenue Study. The delay to these activities delays the financing plan and the Design-Build NTP by approximately one year, resulting in a potential cost of delay of \$41.5 million or more. We should also be aware of other risks of delay such as the changes we are seeing in the bidding climate. Whereas several years ago, during the recession, we received construction bids 30-40 percent below the engineer's estimates, today, as the economy improves, we are seeing a slow but steady increase in costs, with bids much closer to the engineer's estimates.



ORANGE COUNTY TRANSPORTATION AUTHORITY

Update on the Interstate 405 Improvement Project

Supplemental info

Wendy Knowles

Subject:

FW: Constituent Comments on the 405

Rec'd 11/11

From: reubenb1 [mailto:reubenb1@yahoo.com]

Sent: Sunday, November 10, 2013 11:09 AM

To: Christina Byrne

Subject: I-405 Improvement Project

Hello Christina:

I've been following the news regarding 405 Improvement Project and it appears many are concern that Alternative 3 will create a choke point once the toll lanes ends in Seal Beach, the 91 Express Lanes is a good example because the lanes ends at Riverside County line; however, OCTA and RCTC finally will extend the 91 Express Lanes into Riverside County, something I have wish for since 1998. To address people concerns regarding Alternative 3, why can't the I-405 toll lanes extend into Los Angeles County and end at I-405/I-5 in SFV? OCTA, LA Metro, Caltrans Districts 12 and 7 all should work together to make this happen.

In conclusion, I believe Alternative 3 gives drivers an additional option to avoid congestion on I-405, adding 1 or more general purpose lanes is a temporary solution to 405 traffic problem, we need congestion pricing lanes to solve our current and future transportation problems.

Reuben
Los Angeles, CA

Wendy Knowles

From: Gerard J Stukkie <gjstukkie@sbcglobal.net>
Sent: Tuesday, November 12, 2013 2:08 PM
To: Wendy Knowles
Subject: 405 Fwy Toll Lanes

Dear Ms. Knowles and the Board of OCTA,

I want to let you know that I am opposed to toll roads being placed on the 405 Fwy. The cost is too much to gain so little. The payback will most likely never take place. The toll monies will be diverted elsewhere eventually. I do not believe that you have the best interest of commuters in mind, especially when you are trying to meet some travel standard based on time. The toll lanes will end up virtually empty, just like the other toll roads/lanes in OC. Since I live in Costa Mesa, the toll lanes will most likely be next to unusable for me. Not that I would use them anyways. I pay plenty of taxes to cover roads, new and old. I have never used the toll lanes on the 91 Fwy. I have only used the 241 toll three times and the 73 toll twice. If you want to improve the 405, add open lanes for all to use at no fee. That's what we pay taxes for. If you want a toll road, put it on a ballot and see who will vote for it.

Sincerely,

Gerry Stukkie
Costa Mesa resident

Wendy Knowles

From: Laurena Weinert
Sent: Wednesday, November 13, 2013 10:26 AM
To: Wendy Knowles
Subject: FW: 405 comment: Reuben

I-405 public comment.

From: Christina Byrne
Sent: Wednesday, November 13, 2013 10:20 AM
To: Laurena Weinert
Subject: 405 comment: Reuben

Christina L. Byrne
Community Relations Officer
Orange County Transportation Authority
550 South Main Street, Orange, CA
714-560-5717 direct line
cbyrne@octa.net

From: reubenb1 [<mailto:reubenb1@yahoo.com>]
Sent: Sunday, November 10, 2013 11:09 AM
To: Christina Byrne
Subject: I-405 Improvement Project

Hello Christina:

I've been following the news regarding 405 Improvement Project and it appears many are concern that Alternative 3 will create a choke point once the toll lanes ends in Seal Beach, the 91 Express Lanes is a good example because the lanes ends at Riverside County line; however, OCTA and RCTC finally will extend the 91 Express Lanes into Riverside County, something I have wish for since 1998. To address people concerns regarding Alternative 3, why can't the I-405 toll lanes extend into Los Angeles County and end at I-405/I-5 in SFV? OCTA, LA Metro, Caltrans Districts 12 and 7 all should work together to make this happen.

In conclusion, I believe Alternative 3 gives drivers an additional option to avoid congestion on I-405, adding 1 or more general purpose lanes is a temporary solution to 405 traffic problem, we need congestion pricing lanes to solve our current and future transportation problems.

Reuben
Los Angeles, CA

Wendy Knowles

Subject: FW: 405 comment - John O'Donnell

From: Christina Byrne
Sent: Wednesday, November 13, 2013 10:19 AM
To: Laurena Weinert
Subject: 405 comment - John O'Donnell

Christina L. Byrne
Community Relations Officer
Orange County Transportation Authority
550 South Main Street, Orange, CA
714-560-5717 direct line
cbyrne@octa.net

From: O'Donnell, John [<mailto:JODonnell@Semprautilities.com>]
Sent: Wednesday, November 13, 2013 9:53 AM
To: Christina Byrne
Subject: I-405 Improvement Project

Hi Christina,

I have heard via the media that OCTA has a desire to include a toll lane on the I-405 improvement project. I believe that the cities with access to the I405 are all opposed to toll lanes/roads. I want to add my voice about this subject. I have been a county resident since 1965 and I am OVERWHELMINGLY opposed to ANY toll lanes or toll roads. I can't express my frustration with the 91 fwy toll lanes much less the other toll roads such as the 73. These toll roads only create congestion for the majority of folks and does not solve it. We pay enough taxes via gasoline taxes and via other sources that there should NEVER be any be an implementation of a toll on any public road. I am not a political person but this subject will motivate me to vote against anyone who supports such a measure and I would donate money (which I have never done before) to anyone who would oppose a person who supports toll roads for any reason.

Now that my little tirade is done, can you please advise me if there is any project that in the county that where a toll lane/road is being considered?

Regards, John O'Donnell

John O'Donnell

Cell: 714-889-8625

Email: JODonnell@SempraUtilities.com

Wendy Knowles

From: Christina Byrne
Sent: Wednesday, November 13, 2013 11:20 AM
To: Wendy Knowles; Laurna Weinert
Subject: 405 comment: Deborah Randolph

Christina L. Byrne

Community Relations Officer
Orange County Transportation Authority
550 South Main Street, Orange, CA
714-560-5717 direct line
cbyrne@octa.net

From: Deborah [<mailto:Deborah@social.rr.com>]
Sent: Thursday, November 07, 2013 9:43 PM
To: Christina Byrne
Subject: Braided Ramp & Ex[ansion

Hello Christina,

I am a resident in Fountain Valley. I live right along the 405 freeway. My neighbors & I have been going through so much aggravation over Caltrans & their projects to expand the 405 freeway. First, we were sick when told that we could lose our homes. Then I heard that no homes would be taken.

Then we heard that toll lanes would be built, during a 5 year period. I don't know how we are supposed to get any sleep at night, when the 405 is in our backyard & the evening is when they would be doing the building? Is this what they are planning? Tell me it isn't so!

Now we hear that they are building a braided ramp, in our backyard. Once again, we are completely upset & aggravated! But this week, we had a city worker come on our street & do a sound wall noise check. We spoke with him & he said that they are not building the braided ramp behind our homes. This was wonderful news, but I do not know if this is correct? Can you update me as to what the heck Caltrans & the OCTA are planning?

We have big concerns about these projects, such as:
Property value depreciation
Health problems from car fumes on a raised ramp
No privacy in our own back yards

Your help would be very much appreciated!

Sincerely,
Deborah Randolph

Wendy Knowles

From: Christina Byrne
Sent: Thursday, November 14, 2013 7:15 AM
To: Wendy Knowles; Lauren Weinert
Subject: 405 Comment - Randolph

Christina L. Byrne
Community Relations Officer
Orange County Transportation Authority
550 South Main Street, Orange, CA
714-560-5717 direct line
cbyrne@octa.net

From: Deborah [<mailto:DeborahR@socal.rr.com>]
Sent: Wednesday, November 13, 2013 11:27 PM
To: Christina Byrne
Subject: 405 Ramp Typos Corrected!

Hi Christina,

...I am resending this email, as my original email a few minutes earlier had many typos!
Please forward this corrected email to the board for me.

Thank You,
Deborah Randolph

Hi Christina,

Thank you again for attending the meeting tonight. I thought about even more concerns, after I arrived home.

Would you please pass these important concerns along to the board for me?

*Sincerely,
Deborah Randolph*

1. Will we be compensated for our electric bills, because we will absolutely have to keep our window closed, throughout all 4 summer seasons of the rebuild (4 year estimated)?

2. *We only have a room air unit upstairs. Will we be compensated to get an air conditioning unit downstairs as well?*

Air conditioning will be a must in the summer months with our windows closed.

3. *My mom uses an inhaler every day to assist her breathing. The dust during the 4 years of construction will have*

a devastating effect on her health & lawsuits will be filed by family members if her health is worsened from the

airborne dust in & around our home.

4. *If we want to skinny dip in our pool, we could be arrested for public nudity, because we are now visible to*

everyone driving by! It sounds funny, until you really think about it. You cannot even go nude on your own

property, in your own backyard, because your privacy is gone forever. We might as well fill our pools in with

dirt because we will never use them again. For sure, we would not use our pool for 4 years, during all of the

construction! Is privacy a fair thing to ask a homeowner to give-up?

5. *Bottom line is the WE funded the 405 project through M2 & WE should have the final say as to what we approve*

in our backyards...not the Feds, not the OCTA & not Caltrans. We should not be the "collateral damage" from this project.

16842 Mt. Whitney St.
Fountain Valley, CA 92708
November 13, 2013

Mr. Gregory Winterbottom, Chairman
Orange County Transportation Authority
P.O. Box 14184
Orange, CA 92863-1584

Subject: I-405 Improvement Project Alternative

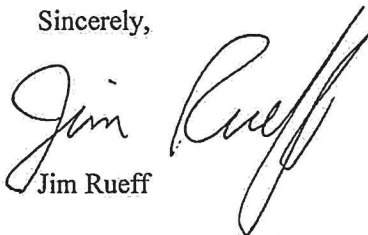
Dear Mr. Winterbottom,

I am dismayed that the OCTA board is seriously considering adding toll lanes as part of the proposed improvement of I-405 between I-605 and SR-73.

While I whole-heartedly agree that additional lanes need to be added to this stretch of the freeway, I oppose toll roads and lanes in general and, specifically, in this case. I-405 is the San Diego FREEway; not TOLLway, FREEway. It needs to remain so. In spite of tremendous local opposition, OCTA seems inclined to include toll lanes as part of this improvement project.

I have read with dismay that OCTA is considering the toll lane alternative in response to federal law MAP-21. Once again, the bureaucrats on the East Coast are trying to tell the West Coast what's best for us. This is, in itself, insulting and demeaning. In any event, the reason cited by OCTA for converting the HOV lane to toll lanes is that MAP-21 allegedly requires HOV lanes to run at 45 mph 90% of the time. Instead of saddling us with unwanted toll lanes to placate Washington bureaucrats, I suggest that we simply eliminate the HOV lanes, add two general purpose lanes in each direction, and everyone is happy.

Sincerely,



Jim Rueff

cc: Ryan Chamberlain
Janet Nguyen

RECEIVED
CEO OFFICE

NOV 15 2013
D Johnson Khipps
L. Weinert
R. Casey N Barrett C Byrne

Wendy Knowles

From: Brad Brenner <bradbrenner15@yahoo.com>
Sent: Sunday, November 17, 2013 5:44 PM
To: Wendy Knowles
Subject: 405 Toll Lanes Proposal

To the Board of Directors,

As a resident of the city of Costa Mesa, CA I'm opposed to any addition of toll lanes to the freeway. I don't see the benefit to justify any toll lanes being added. The freeway does get a bit congested but I think there are better solutions to the problems. Orange county voters never approved measures that mentioned toll lanes. I encourage the board to listen to voters and follow what was proposed in the approved measures.

Thank You,

Brad Brenner
bradbrenner15@yahoo.com

Wendy Knowles

From: Christina Byrne
Sent: Monday, November 18, 2013 8:04 AM
To: Laarena Weinert; Wendy Knowles
Subject: 405 comment- Barragan

Christina L. Byrne
Community Relations Officer
Orange County Transportation Authority
550 South Main Street, Orange, CA
714-560-5717 direct line
cbyrne@octa.net

From: jeanne nrae [<mailto:jeannenrae@msn.com>]
Sent: Friday, November 15, 2013 1:03 PM
To: Christina Byrne
Cc: j9parker@socal.rr.com
Subject: 405 fwy Warner/Magnolia Braided Ramp Project

Hello...

I attended the Fountain Valley community meeting the other night just couldn't believe all the information I had missed the prior year regarding the 405 fwy Warner/Magnolia Braided Ramp Project. I am so grateful for our neighbor Janine Parker that made us all aware in the Westmont Neighborhood division how this project could affect not only our lifestyle it would be our property values, pollution, noise, and loss of privacy.

The only questions for all that are involved with this project: Would you let this happen to your neighborhood? Invade our good neighbor's livelihood with all this proposed mess?

Please, please have the OCTA board reconsider our taxpayer's money to be spent! We are the taxpayers in this neighborhood too!

Thank you for your consideration.

Jeanne Barragan FV Mulberry Circle Resident

Wendy Knowles

From: Christina Byrne
Sent: Monday, November 18, 2013 9:14 AM
To: Wendy Knowles; Laarena Weinert
Subject: 405 Comment- Wiles

Christina L. Byrne
Community Relations Officer
Orange County Transportation Authority
550 South Main Street, Orange, CA
714-560-5717 direct line
cbyrne@octa.net

From: Brian Wiles [<mailto:wiles73@hotmail.com>]
Sent: Thursday, November 14, 2013 9:37 AM
To: Christina Byrne
Subject: Against 405 Toll Lanes

Hi Christina,

I read in my local paper that Orange County Transportation Authority Board will soon be making the decision on the 405 toll Lane.

Please forward this email or let me know the contact info for each board member. I live in Rossmoor and I'm strongly against the toll Lanes.

Thanks
Brian Wiles
Rossmoor CA

STUART BARON

26219 Maplewood Court San Juan Capistrano, California 92675

(949) 364-6445

RECEIVED
CEO OFFICE

Orange County Transportation Authority
Customer Engagement
550 South Main Street
PO Box 14184
Orange, CA 92863-1584

NOV 18 2013

DJohnson KPhipp
LWeinert
RCasey NBarrett
c Byrne
File

Dear Boardmembers:

The newspapers and the TV media are talking about the Orange Country Transportation Authority's intention to misuse billions of dollars of tax payer dollars originally designated for traffic congestion relief (to be read as originally designated for new freeway lanes, interchanges, and bridges) to build toll road and new toll lanes on the 405 freeway and in future other California freeways throughout California.

This idea being considered by a suggestion in the July/August issue of the AAA Westways Magazine. What I have read or heard does not say whether it was a member suggestion or whether it was promoted by the AAA. If the latter, they and you have arrogantly abandoned your fiduciary duty to their membership and your constituency by betraying your promise to always act in our best interests. Instead you will have become a part of the growing greedy political forces that destroy civil and personal rights in favor of a power elite in this state and country.

The funds in question were voter approved as Measure M and M2 tax dollars and NOT for private bond driven or other state use. It is an unconscionable grab at tax payer funds to be used to fund construction which will only benefit the powerful elite. There are already questions as to the efficiency of existing theory that toll or HOV lanes help move traffic faster. Physical and efficiency studies show that this is not really possible. The only way to increase flow of anything is to expand the total diameter of the conduit ...not a part of the conduit that will only speed up flow for those who can pay for it.

There is no mention of "toll roads" in measure M and M2. The only consistent reference is to "freeway(s)".

This grab at "public tax funds" to make it a more timely journey for the powerful elite is a disgrace and certainly illegal. If you do represent our best interests, you will take every means possible to discredit even the thought of this illegal run at our money. You will aggressively fight it at every instance even at its mere suggestion.

Other issues, which no one seems to be thinking about is the direct consequences to all other arteries, private homes, businesses, and private property rights. In order to accomplish this travesty, they would have to use eminent domain to get additional footage for expansions; thus disenfranchising public property, homes, and business rights; stealing lifetime value from private homeowners and businesses.

OCTA

-2-

Also affected would be street traffic in the adjacent areas, which would swell drastically due to commuters leaving the freeways to find shortcuts around the worsening traffic standstills that already exist throughout the day. Most street traffic assessments are already ten or more years old (or more succinctly stated: ten years or more behind the **actual** usage rates of today's traffic congestion.

If this was an editorial member's letter published by Westways, then you are supposed to use your combined experience to know that this cannot be done legally...and practically. As stated above the collateral consequences are unthinkable. Whoever suggested this and the fact that you would even entertain the thought leads to thoughts of "big brother" corruption. This board should be protecting the citizens from any proposals to use taxpayer funds for "special interest projects".

The problem at hand is a dire one and previous boards should have taken into consideration that the state of California was not going to shrink and that future needs would require that they NOT allow any adjacent construction as close to freeway design and construction as they did. They have boxed us in and the situation is complex, since we are an area that was built around the use of automobiles and not rapid transit. Toll roads cannot change the fact that our work and cultural demands in California were built around automobile commuting. It is too late for that. More creative and useful thinking will have to be used and that is what you are there to promote. This does not include quashing citizen rights and using lame excuses to steal money, real estate, and livelihoods because of your predecessors' ineptitude...and making the problem worse. You need to think about the future and a real solution to the problem. With the technology we have today, "outside the box" may be the only answer.

Maybe, if the "hands-free car is perfected in the 2-3 year near future (a lot sooner than you could complete any real functional proposals) you could think about taking back one of the HOV lanes and make it a high speed lane that runs for miles with minimal exits for transit from OC to LA. More cars moving at functional speeds into the outskirts of the city and even though the new lane would eventually back up, it would use all lanes to maximum capacity and allow faster access to exits for people to transit to their final exit. With present and near present technology this would seem to be a more reasonable and realistic solution. No more trying to convince us that HOV relieves congestion. Really!! A half empty lane while all of the 5 other lanes are stopped is reasonable and effective! The basic laws of physics and common sense seem to have been discarded.

How about this: Have a contest open to all students to find a solution. Prize: a prepaid toll road sticker. And/or an offer open to college students to propose a solution as a Master's Thesis with a monetary prize for something that can actually be implemented. There are many reasons why these suggestions are initially far superior to hiring at great cost consulting firms.

You need to go to work and find a REAL solution.

I will hope that sanity and thoughtfulness will prevail in this issue.

Sincerely,



Stuart Baron
and friends



CITY of LAGUNA NIGUEL

30111 Crown Valley Parkway • Laguna Niguel, California 92677
Phone/949•362•4300 Fax/949•362•4340

CITY COUNCIL

Laurie Davies
Linda Lindholm
Jerry McCloskey
Robert Ming
Jerry Slusiewicz

November 7, 2013

Board of Directors
Orange County Transportation Authority
550 S. Main Street
P.O. Box 14184
Orange, CA 92863-1584

Dear OCTA Board Members:

This Friday, November 8, 2013, you will be asked to vote on adding additional lanes to the 405 Freeway. You will need to decide whether those lanes will be General Purpose lanes, Carpool 2+ Lanes, Carpool 3+ Lanes or Toll Lanes. Because this vote will have long term consequences and could be precedent setting for both Orange County and the state, I wanted to share some points for you to consider before voting on the matter.

First, there are two competing objectives at work. The first is to respect the voters' intent when they passed Measure M2. When the people voted for measures M1 and M2, they did so because they recognized the state's unwillingness to provide the transportation improvements Orange County needs. Unsatisfied with the status quo, Orange County residents took matters into their own hands and voted in support of a half-cent sales tax for transportation improvements in Orange County. With the passage of Measure M2, the voters re-confirmed their commitment to responsible self-help for their transportation needs. They now expect the OCTA to continue to deliver the improvements that they were promised. There was no mention of adding toll lanes in any of the Measure M2 materials.

The second objective is that Caltrans requires OCTA to take steps to make the current Carpool 2+ lanes on the 405 freeway move faster in order to retain funding. People choose to carpool because they can spend less time in traffic by doing so. If the carpool lane does not provide enough incentive, people will stop carpooling, resulting in more cars on the road and reduced air quality. Encouraging people to make a lifestyle change that takes cars off the road in exchange for a faster commute has been an effective way to help overall traffic flow better and that incentive needs to be preserved.

These two objectives are actually consistent with each other, but adding toll lanes is not consistent with either.

Regarding the first objective, respecting the voters' intent when passing M2, toll lanes are clearly not what people expected. Measure M2 materials made no mention of toll lanes. Measure M2 is a general sales tax paid by everyone, and everyone is entitled to benefit from the improvements it pays for. M2 funds should be used to add free general purpose lanes that everyone can use, or lanes that help reduce traffic on the free lanes, like carpool lanes. Taxpayers believe they have already paid for these free lane improvements and charging them again would be viewed as double taxation. Alternative 1 (one additional general purpose lane) would deliver on M2 promises, and if additional funding can be identified, Alternative 2 (two additional general purpose lanes) would be even better. This is what the people believe they are paying for.

Adding toll lanes can also be good public policy, but must be done in addition to, not instead of, the benefits M2 is intended to provide. For example, if the financial modeling indicates that we can build new raised toll lanes paid for through bond financing paid off through collection of tolls over time, as has been done with the 73 and 241, the board should consider those alternatives. Of course, we should learn from the experiences of LA Metro on the 110 express lanes before we embark on such a project, but such a project should stand on its own. It should not be entitled to benefit from land acquisitions or bridge widening paid for with M2 funds. The capacity must be additive, and fully paid for through tolls, so that the toll paying users pay the full cost of those lanes over time.

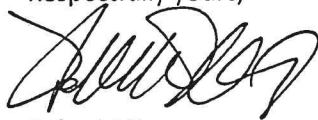
The second objective is also not well served by combining carpool and toll lanes. Drivers choose to carpool because there is no other alternative to achieve the time savings. If paying a toll were an option, many of those choosing to carpool would choose to pay the toll. In each such case, adding an additional car back on the road that was previously removed. The approach most consistent with the purpose of carpool lanes is to make the lane 3+ during peak periods and 2+ during off peak. Achieving the highest possible trip compression helps the general purpose lanes flow better and solves the Caltrans degradation issue.

Many have argued recently that Caltrans will create toll lanes on our freeways whether we want them to or not, so we might as well do it ourselves and keep the money. This argument fails because it assumes that Caltrans will do the politically unthinkable: hurt the general public and especially the poorest among us while helping the rich with no added benefit to the public. If Caltrans did this, there would be public outcry across the state because what it does here, it could do anywhere. Tolls are acceptable to people as the cost to build something new. Without this rationale, they are simply a tax that punishes those least able to pay, as much as \$15 per one way trip. The precedent setting component of this vote is that Caltrans would be having OCTA do for it what it would be unable to do politically for itself, and it would undoubtedly seek to reproduce this pattern in every county across the state.

In summary, I suggest that you approve Alternative 1 with instructions to staff to continue to identify additional funding that might be available to fund Alternative 2. At the same time, I suggest you address the degradation of the HOV lane by increasing vehicle occupancy requirements from 2+ to 3+ during peak hours. This solution is affordable, will satisfy the degradation requirements and does not foreclose the possibility of doing a true additive toll lane project in the future.

This letter is written in my capacity as Mayor of Laguna Niguel and does not reflect the position of the Laguna Niguel City Council. Thank you for your time and consideration.

Respectfully yours,



Robert Ming
Mayor

CITY OF LOS ALAMITOS



Mayor:
Warren Kusumoto

Mayor Pro Tem:
Gerri L. Graham-Mejia

Council Members:
Troy D. Edgar
Dean Grose
Richard D. Murphy

November 12, 2013

OCTA Board of Directors
600 S. Main St.
Orange, CA 92863

**SUBJECT: REQUEST FOR A WORKSHOP MEETING SCHEDULE
WITH OCTA REPRESENTATIVES TO DISCUSS THE I-405
IMPROVEMENT PROJECT**

Dear Board of Directors,

We appreciated the opportunity to speak before the OCTA Board at its November 8, 2013, meeting regarding agenda #9: Staff recommendations for the I-405 improvement project between State Route 55 and Interstate 605.

As you know, the unanimous decision by the OCTA Board was to continue this matter until your December 9, 2013, meeting in order to get input and buy-in from the corridor cities such as Los Alamitos. Therefore, we are requesting a series of public meetings between now and your December 9th meeting in order to improve and increase our mutual understanding of the needs, concerns, impacts, and mitigation measures for the OCTA and Los Alamitos.

Please coordinate with City Clerk, Windmera Quintanar, to establish the dates when we can meet to discuss the I-405 Improvement Project.

Sincerely,

CITY OF LOS ALAMITOS

Warren Kusumoto
Mayor

Gerri Graham-Mejia
Mayor Pro Tem
I-405 Policy Working Group

3191 Katella Avenue
Los Alamitos, CA
90720-5600

Telephone:
(562) 431-3538

FAX (562) 493-1255

www.ci.Los-Alamitos.ca.us

cc: *City Council*
General Manager, Rossmoor Community Services District

City of Seal Beach



CITY HALL - 211 EIGHTH STREET
SEAL BEACH, CALIFORNIA 90740
(562) 431-2527 • www.sealbeachca.gov

November 20, 2013

Chairman Gregory T. Winterbottom
Orange County Transportation Authority
550 South Main Street
Orange, California 92863-1584

Dear Mr. Winterbottom:

The City is in receipt of your letter dated November 11, 2013. As has been discussed on numerous occasions, improvements to the 405 freeway are needed between the 605 and 73 freeways. The City of Seal Beach ("Seal Beach") appreciates OCTA balancing the needs of this regional facility with those of the local jurisdictions and desires for a project to move forward that benefits all parties. It has been stated on numerous occasions by OCTA staff that this project will occur once in a generation and this may be the one chance to improve what is the most heavily travelled roadway in the region.

As such, the decision that OCTA makes is crucial to the vitality of the region. All input needs to be received in order to insure that the decision made is the correct one and spends \$1.3 billion in local funds effectively. In order to insure that this is the case, **Seal Beach hereby formally requests that the EIR/EIS be supplemented and recirculated.**

The EIR/EIS was drafted to assess four options or alternatives. Those alternatives were set based upon results from the Major Investment Study in meetings and a study period of well over 5 years. During the past 120 days information has been presented that alters the decision making process for OCTA. This information (Caltrans Degradation Study and Action Plan – July 31, 2013) was not available when alternatives for the EIR/EIS were developed. CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible. The degradation study constitutes "significant new information" (14 CCR 15088.5), which requires recirculation of the EIR/EIS. The degradation plan lists multiple potential remedies to address degradation which appear to have various levels of environmental impacts that are not analyzed in the EIR/EIS. CEQA states that significant new information requires the introduction a new project alternative(s) or mitigation measures which would lessen the environmental impacts of the project.

Chairman Winterbottom
Page Two
November 20, 2013

The EIR/EIS document was amended at the request of the City of Long Beach (Supplemental Draft Environmental Impact Report/Environmental Impact Statement). The document should again be amended to include study of additional viable options that address this new degradation requirement. Any action by the OCTA Board of Directors to alter the prior selection of "Alternative 1" as the LPA based all or in part as a result of information presented in the "Degradation Study and Action Plan" violates CEQA/NEPA requirements, and cannot be considered until such time as a new Supplemental EIR/EIS is prepared, released to the public, and the public has commented on the Supplemental EIR/EIS.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Miller". The signature is fluid and cursive, with the first name "Gary" and the last name "Miller" clearly distinguishable.

Gary Miller
Mayor
City of Seal Beach
211 Eighth Street
Seal Beach, CA 90740

cc: OCTA Board of Directors
OCTA CEO Darrell Johnson
Caltrans District 12 Director Ryan Chamberlain

Wendy Knowles

From: RODELIUS, SHARON <SHARON.RODELIUS@costamesaca.gov>
Sent: Thursday, November 21, 2013 2:29 PM
To: Darrell Johnson; Wendy Knowles; Laurena Weinert
Subject: I-405 Freeway Cities Coalition
Attachments: OCTA GWinterbottom 11-20-13.pdf

Forwarding on behalf of Mayor Righeimer.

OCTA,

Please find attached a copy of the I-405 Freeway Cities Coalition response to OCTA's letter requesting a list of additional projects for consideration for funding should excess toll revenues from the I-405 freeway become available. Please consider this letter as our joint unified response to your requests.

James M. Righeimer
Mayor
CITY OF COSTA MESA



November 20, 2013

Gregory Winterbottom
Chairman, OCTA
550 South Main Street
Orange, CA 92868

Dear Chair Winterbottom,

The 405 Freeway Cities Coalition, consisting of the cities of Costa Mesa, Fountain Valley, Huntington Beach, Westminster, Los Alamitos and Seal Beach, acknowledges the receipt of the individual letters that you sent us requesting a list of additional projects for consideration for funding should excess toll revenues from the I-405 freeway become available. Please consider this letter our joint unified response to your requests.


There is only one project that the Corridor Cities are interested in and believe would justify the use of Measure M funds. That project is the widening of the 405 freeway to include two new general purpose lanes in each direction.


Constructing toll lanes is a breach of trust with Orange County residents who voluntarily voted for an additional half cent sales tax increase under Renewed Measure M with the promise that one additional general purpose lane would be added to the I-405 freeway. Alternative 3 does not result in the addition of any free lanes. The I-405 freeway currently has 5 free lanes, one High Occupancy Vehicle (HOV) and four general purpose lanes. Alternative 3 will result in same number of free lanes, as the free HOV lane is converted to a toll lane. Measure M would never have been supported if voters were made aware that a toll lane would replace the current free HOV lane.

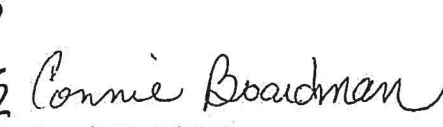
We acknowledge the Chair's comment that the Orange County Transportation Authority (OCTA) will schedule a meeting with each Corridor City to further discuss the use of excess toll revenues. To ensure that OCTA understands how united we are on this critical matter, we will only conduct these meetings if all Cities are in attendance at a joint meeting, rather than individual meetings.

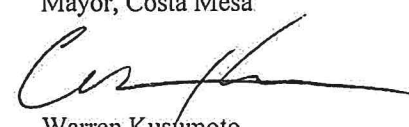
The Cities request the OCTA Board to approve the true "locally" preferred alternative, which is two new general purpose lanes in each direction, not two new toll lanes.

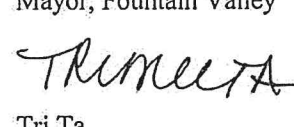
Sincerely,

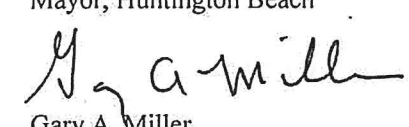

Jim Righeimer
Mayor, Costa Mesa


Mark McCurdy
Mayor, Fountain Valley


Connie Boardman
Mayor, Huntington Beach


Warren Kusumoto
Mayor, Los Alamitos


Tri Ta
Mayor, Westminster


Gary A. Miller
Mayor, Seal Beach

cc: OCTA Board of Directors

Wendy Knowles

From: Christina Byrne
Sent: Thursday, November 21, 2013 3:10 PM
To: Wendy Knowles
Subject: 405 comment - Steve Brumm

Christina L. Byrne
Community Relations Officer
Orange County Transportation Authority
550 South Main Street, Orange, CA
714-560-5717 direct line
cbyrne@octa.net

-----Original Message-----

From: Steve Brumm [<mailto:steveb@disciplelink.com>]
Sent: Thursday, November 21, 2013 10:45 AM
To: Christina Byrne
Subject: Expansion of I-405 Warner Ave on/off ramp

My main thrust here will be about the absolute lack of need to do the "braided" ramp at Magnolia/Warner on/off ramp in Fountain Valley.

This appears to me to be another "we've got the money, and we're going to spend it" typical government project.

I have lived at 16786 Willow Cir , Fountain Valley since 1974. I have used both the on and off ramps daily at Warner and Magnolia for all these years at all times of the day. There hasn't been and there is not now a problem merging at this location. To use the "straw man" argument that there will be increased traffic in the future is pure jibberish.

Fountain valley, Westminster, Huntington Beach are for practical purposes "built out". These would be the areas using this ramp. There is no need for this ramp due to increased traffic. Did any one preform a traffic study here? If they did it was by E-mail and extrapolation.

As far as the statement that the ramp change is" needed to comply with road construction codes" another "straw man" has just jumped out. You must have plenty of smart engineers who can comply with what we presently have without all the extra expense. Have them go back to the drawing board!

I also agree with the argument that invasion of privacy, noise, and lowering of property values will occur.

Common sense is called for here.

Steve Brumm

Fountain Valley Housing and Community Development Advisory Committee

Wendy Knowles

From: Christina Byrne
Sent: Friday, November 22, 2013 8:02 AM
To: Wendy Knowles
Subject: 405 comment - Alesha Garrett

Christina L. Byrne

Community Relations Officer
Orange County Transportation Authority
550 South Main Street, Orange, CA
714-560-5717 direct line
cbyrne@octa.net

From: Alesha Garrett [<mailto:agarrett@socal.rr.com>]
Sent: Thursday, November 21, 2013 9:12 PM
To: Christina Byrne
Subject: Braided on ramp at Warner Ave, Magnolia Ave and 405 North FWY

To whom it may concern,
Building a braided on-ramp at Warner Ave, Magnolia Ave and 405 North FWY according to this article, <http://www.ocregister.com/articles/magnolia-538063-ramp-freeway.html>, is absolutely absurd. I use the Warner Ave on ramp multiple times daily at varying times from as early as 5 AM and as late as 11 PM and NEVER do I encounter congestion due to merging traffic. Why would anyone support such a proposal?

Strongly against this

Alesha Garrett
714 965 0042

Wendy Knowles

From: Christina Byrne
Sent: Friday, November 22, 2013 8:07 AM
To: Wendy Knowles
Subject: 405 comment - Norbert Fischer

Christina L. Byrne
Community Relations Officer
Orange County Transportation Authority
550 South Main Street, Orange, CA
714-560-5717 direct line
cbyrne@octa.net

From: Norbert Fischer [<mailto:norbertfischer68@gmail.com>]
Sent: Thursday, November 21, 2013 8:49 PM
To: Christina Byrne
Cc: 'Alesha Garrett'
Subject: Braided on ramp at Warner Ave, Magnolia Ave and 405 North FWY

To whom it may concern,
Building a braided on-ramp at Warner Ave, Magnolia Ave and 405 North FWY according to this article, <http://www.ocregister.com/articles/magnolia-538063-ramp-freeway.html>, is absolutely absurd. I use the Warner Ave on ramp multiple times daily at varying times from as early as 5 AM and as late as 11 PM and NEVER do I encounter congestion due to merging traffic. Why would anyone support such a proposal?

Strongly against this

Norbert Fischer
714-412-9028



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Residents express worry over I-405 ramps threatening privacy

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Proposed change to freeway ramp

OCTA's expansion of I-405 would raise part of the Warner Avenue on-ramp.

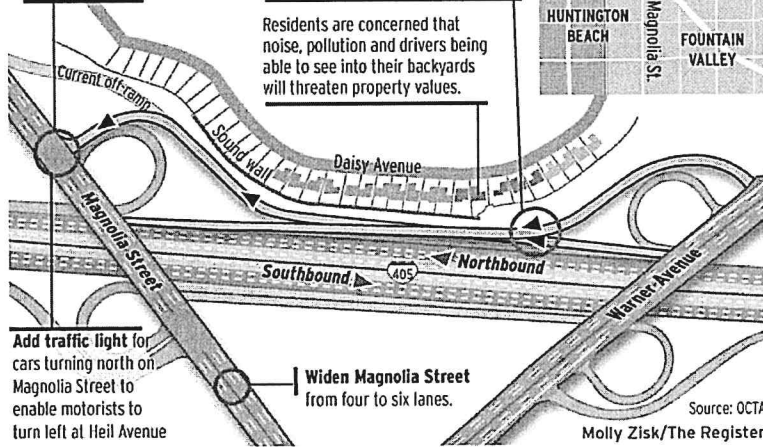
Move off-ramp closer to freeway.

Elevate part of the freeway on-ramp to about 27.5 feet to cross over the off-ramp, eliminating merging traffic.

Residents are concerned that noise, pollution and drivers being able to see into their backyards will threaten property values.

Add traffic light for cars turning north on Magnolia Street to enable motorists to turn left at Heil Avenue

Widen Magnolia Street from four to six lanes.



Source: OCTA Molly Zisk/The Register

By JORDAN ENGLAND-NELSON / ORANGE COUNTY REGISTER

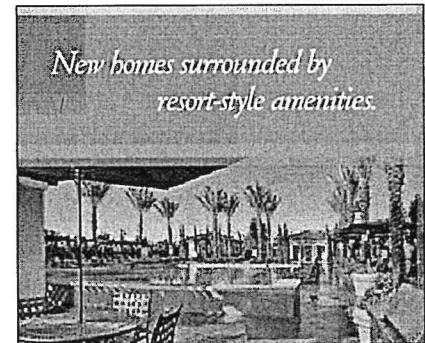
Fountain Valley held a town hall meeting last week to educate residents and address homeowners' concerns about how the planned I-405 expansion will affect the Magnolia Street and Warner Avenue exits.

Some residents are up in arms about how proposed elevated freeway ramps might compromise their privacy and increase the amount of noise and pollution spilling into their backyards.

"It's just a big blow to our community," said Janine Parker, who has lived in her home on Daisy Avenue for 22 years ...

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GRAPHIC: Residents express worry over I-405 ramps threatening privacy

More from Fountain Valley

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- Fountain Valley swing dance team ready to defend U.S. title
- Seeden: Find solace at 'Blue Christmas'

Wendy Knowles

From: Christina Byrne
Sent: Friday, November 22, 2013 4:20 PM
To: Wendy Knowles
Subject: 405 Comment - Power

Christina L. Byrne
Community Relations Officer
Orange County Transportation Authority
550 South Main Street, Orange, CA
714-560-5717 direct line
cbyrne@octa.net

From: Tom Power [<mailto:tpower@e-sbco.com>]
Sent: Friday, November 22, 2013 4:12 PM
To: Christina Byrne
Subject: RE: I-405 Improvement Project E-Newsletter - November 2013

I like 100% of Seal Beach and 100% of every impacted cities is BITTERLY opposed to alternative 3 For LONG LONG list of reasons. Alternative 1 is a MUST as in Measure M FREEWAYS....NOT Tollways See you at the meeting with thousands of others on my side.

Wendy Knowles

From: Christina Byrne
Sent: Monday, November 25, 2013 8:22 AM
To: Wendy Knowles
Subject: 405 Comment - Scherz

Christina L. Byrne

Community Relations Officer
Orange County Transportation Authority
550 South Main Street, Orange, CA
714-560-5717 direct line
cbyrne@octa.net

From: Andrew Scherz [<mailto:scherzan@verizon.net>]
Sent: Saturday, November 23, 2013 6:03 PM
To: Christina Byrne
Subject: Re: I-405 Improvement Project E-Newsletter - November 2013

Dear Christina,

Thank you for the update on this project. I would like to take this opportunity to voice my strong opposition to any of the toll options for this freeway. I do not support the idea that the richer people in society can buy their way around traffic at the tax expense of everyone else. A poor gardener trying to fight that freeway to get to his work won't be able to afford those tolls, but it is still their tax money paid at the pump that is funding the majority of the expense so that a wealthier person can cruise in luxury. To make matters worse, the expense of the toll lanes will thrust the existing car poolers out onto the free lanes further slowing that poor gardener. Therefore, a toll option will make everyone's commute worse, except for the wealthiest that can afford to pay whatever.

I am a 100% supporter of free markets and if a totally private company wants to invest to build a private toll road, I would have no problems with this. They can build any road they want and charge whatever they think they can get away with. But, not using public funds to build special infrastructure for the rich.

For reference, I am among the well off who could afford the luxury of riding in these lanes and I commute on this freeway everyday in rush hour.

Thanks,
Andrew

Wendy Knowles

From: Christina Byrne
Sent: Monday, November 25, 2013 8:38 AM
To: Wendy Knowles
Subject: 405 comment - Brown

Christina L. Byrne
Community Relations Officer
Orange County Transportation Authority
550 South Main Street, Orange, CA
714-560-5717 direct line
cbyrne@octa.net

From: Linda [<mailto:armstar@socal.rr.com>]
Sent: Friday, November 22, 2013 9:31 PM
To: Christina Byrne
Subject: Update on 22 Freeway Toll

Hello Christina,

Are you able to provide updates on the 22 Freeway Toll Road THREAT? I would sure like to avoid that at all costs. Thank God I don't have to drive the 22 to work everyday like the people who work at OCTA. Will the employees at OCTA get passes or reduced rates like they receive with AMTRACK and carpooling? This is a really hot topic in my circle of tax payers.

Please keep us posted on this topic.

Linda Brown

Wendy Knowles

From: Christina Byrne
Sent: Monday, November 25, 2013 8:40 AM
To: Wendy Knowles
Subject: 405 comment - Aveleno

Christina L. Byrne
Community Relations Officer
Orange County Transportation Authority
550 South Main Street, Orange, CA
714-560-5717 direct line
cbyrne@octa.net

From: Pete Aveleno [<mailto:paveleno@socal.rr.com>]
Sent: Friday, November 22, 2013 7:06 PM
To: Christina Byrne
Subject: 405

I have already paid to have the 405 freeway built through my taxes.. now you expect me to pay to use it.... NO .. The state builds it with tax dollars and turns it over to a private company.. NO, NO, NO... Looking at the 22 ORANGE CRUSH project you were in charge of completely destroys your credibility.. it is worse than before a 3 year project with millions and millions spent. I can't wait to see the 605/405 project results.

Pete A.

Wendy Knowles

Subject: FW: 405 comment - Hartman

Christina L. Byrne

Community Relations Officer
Orange County Transportation Authority
550 South Main Street, Orange, CA
714-560-5717 direct line
cbyrne@octa.net

From: Nia Hartman [<mailto:niahartman@earthlink.net>]

Sent: Friday, November 22, 2013 9:49 PM

To: Christina Byrne

Cc: Jessica RCSD; Ron Casey; Rossmoor Homeowners Association; Joel Lawrence Block, Esq.; Eric Christensen; Tom&Dorothy Fitzgerald; Everett W Knell; bjohnson@ocregister.com; fmickadeit@ocregister.com

Subject: Re: I-405 Improvement Project E-Newsletter - November 2013

Hello Christina Byrne,

I am very troubled about this misleading portrayal of the consideration of HOT, TOLL lanes, on the i-405 Improvement Project.

Firstly, nowhere in this sanitized list of events does it mention that every public meeting has been attended by hundreds of citizens all opposed to HOT lanes.

Secondly, the brief description of Degradation is extremely misleading and disengenuous.

In all honesty, you should send a retraction, apology, and correction to all the people who received this deceptive email?

Specific Misrepresentation:

In the green area of the email, titled "What is Degradation?", it states "HOT lanes are a proven alternative" to relieve degradation.

This whole article doesn't show any other options to mediate Degradation.

The implication is that HOT lanes ARE THE ONLY PROVEN ALTERNATIVE.

Are there any other proven options to relieve Degradation?

I can think of two off the top of my head that would not provoke the public ire.

1) The proposed HOT lane in Alternative 3 could be converted to a second HOV lane.

2) Any HOV lane could be restricted to 3-person vehicles and zero-emissions vehicles during peak times.

Were these obvious and less expensive alternatives explored?

The Choice:

The public should be told the true motivation of Caltrans and OCTA.

These agencies want another funding stream through Toll lanes to supplement the tax dollars they receive now.

The public should get to decide if they want the burden and extra cost of the HOT lanes, or whether they would choose to continue paying for Caltrans and OCTA through taxes.

This is a blatant money grab disguised as a response to a Federal Transportation Bill.

If Caltrans and OCTA need extra money they should document where the current funds have gone and what they will need for the future.

The separate subject of keeping express lanes moving at 45 MPH should be remedied according to the citizens choice.

Linking these two separate issues is a blatant move by Caltrans and OCTA to confuse the public and force through and unpopular agenda.

Frustrated, and now getting angry...

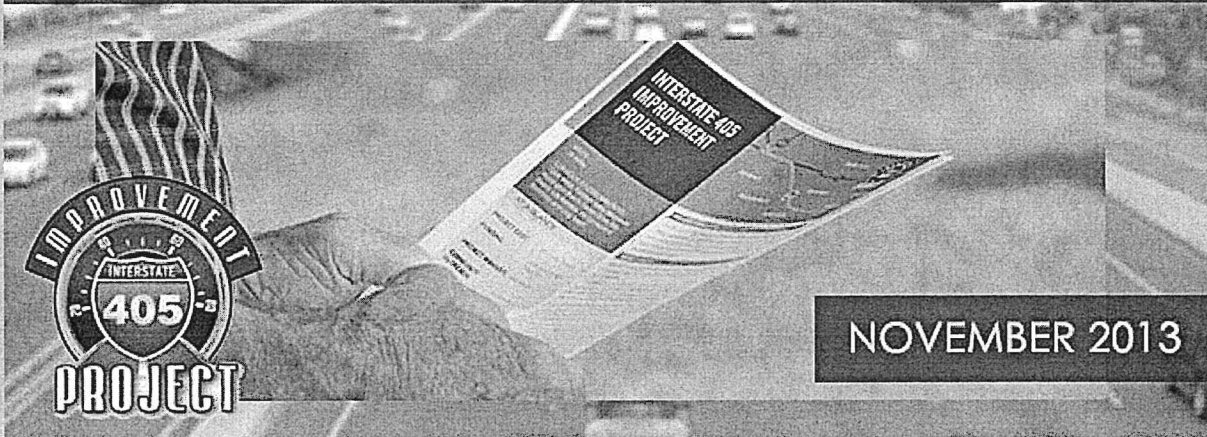
(I am angry because at the Long Beach Town Hall we were told that no one was pursuing the Toll Lanes but they just couldn't be taken out of the study. We presented a petition with hundreds of signatures and we were told "Don't worry. Toll Lanes are not being considered any more. No one wants them." How can we trust Caltrans, OCTA, or the consultants?)

Nia Hartman
3131 Druid Lane
Rossmoor, CA 90720
(562) 233-4455

On Nov 22, 2013, at 4:07 PM, Christina Byrne <cbyrne@octa.net> wrote:

Having trouble viewing this email? [Click here](#)

I-405 IMPROVEMENT PROJECT E-NEWSLETTER



NOVEMBER 2013

Why Improve the I-405?

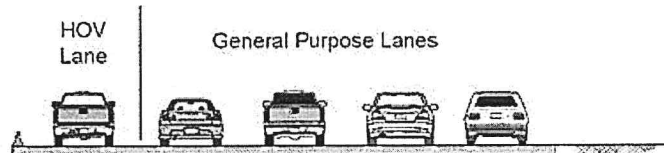
Today, the San Diego Freeway (I-405) is one of the most congested freeways in Orange County, carrying more than 400,000 vehicle trips in some sections each day. Traffic volumes on the I-405 are expected to increase significantly and the population is expected to grow 11 percent by 2040.

WHAT ALTERNATIVES ARE UNDER CONSIDERATION?

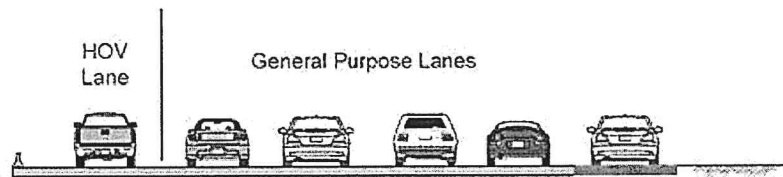
The California Department of Transportation (Caltrans), in cooperation with the Orange County Transportation Authority (OCTA), is proposing to widen the San Diego Freeway (I-405) between State Route 73 (SR-73) and Interstate 605 (I-605). The purpose of the proposed improvement is to improve travel conditions for work, recreation, school, and commerce by increasing freeway capacity, improving traffic and interchange operations, and enhancing road safety to meet state and federal standards.

The I-405 Improvement Project draft environmental impact report/impact statement (EIR/EIS) was released on May 18, 2012 and included a no build and three build alternatives. Any project built will include at least one free lane in each direction funded through Measure M, the county's half-cent sales tax for transportation.

INTERSTATE 405 IMPROVEMENT PROJECT PROPOSED BUILD ALTERNATIVES Typical Cross Sections between Brookhurst Street and Valley View Street



Existing



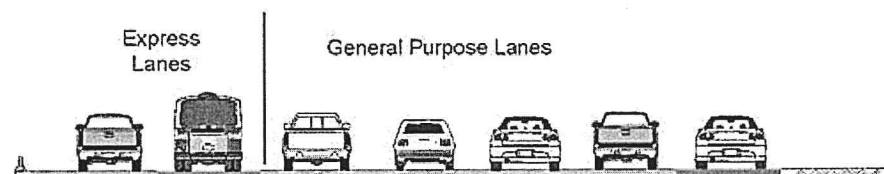
Alternative 1

M2 Project K – Adds one General Purpose (GP) lane



Alternative 2

M2 Project K – Adds one GP lane
Plus an additional GP lane



Alternative 3

M2 Project K – Adds one GP lane



CITY of LAGUNA NIGUEL

30111 Crown Valley Parkway • Laguna Niguel, California 92677
Phone/949•362•4300 Fax/949•362•4340

CITY COUNCIL

Laurie Davies
Linda Lindholm
Jerry McCloskey
Robert Ming
Jerry Slusiewicz

November 7, 2013

Board of Directors
Orange County Transportation Authority
550 S. Main Street
P.O. Box 14184
Orange, CA 92863-1584

Dear OCTA Board Members:

This Friday, November 8, 2013, you will be asked to vote on adding additional lanes to the 405 Freeway. You will need to decide whether those lanes will be General Purpose lanes, Carpool 2+ Lanes, Carpool 3+ Lanes or Toll Lanes. Because this vote will have long term consequences and could be precedent setting for both Orange County and the state, I wanted to share some points for you to consider before voting on the matter.

First, there are two competing objectives at work. The first is to respect the voters' intent when they passed Measure M2. When the people voted for measures M1 and M2, they did so because they recognized the state's unwillingness to provide the transportation improvements Orange County needs. Unsatisfied with the status quo, Orange County residents took matters into their own hands and voted in support of a half-cent sales tax for transportation improvements in Orange County. With the passage of Measure M2, the voters re-confirmed their commitment to responsible self-help for their transportation needs. They now expect the OCTA to continue to deliver the improvements that they were promised. There was no mention of adding toll lanes in any of the Measure M2 materials.

The second objective is that Caltrans requires OCTA to take steps to make the current Carpool 2+ lanes on the 405 freeway move faster in order to retain funding. People choose to carpool because they can spend less time in traffic by doing so. If the carpool lane does not provide enough incentive, people will stop carpooling, resulting in more cars on the road and reduced air quality. Encouraging people to make a lifestyle change that takes cars off the road in exchange for a faster commute has been an effective way to help overall traffic flow better and that incentive needs to be preserved.

These two objectives are actually consistent with each other, but adding toll lanes is not consistent with either.

Regarding the first objective, respecting the voters' intent when passing M2, toll lanes are clearly not what people expected. Measure M2 materials made no mention of toll lanes. Measure M2 is a general sales tax paid by everyone, and everyone is entitled to benefit from the improvements it pays for. M2 funds should be used to add free general purpose lanes that everyone can use, or lanes that help reduce traffic on the free lanes, like carpool lanes. Taxpayers believe they have already paid for these free lane improvements and charging them again would be viewed as double taxation. Alternative 1 (one additional general purpose lane) would deliver on M2 promises, and if additional funding can be identified, Alternative 2 (two additional general purpose lanes) would be even better. This is what the people believe they are paying for.

Adding toll lanes can also be good public policy, but must be done in addition to, not instead of, the benefits M2 is intended to provide. For example, if the financial modeling indicates that we can build new raised toll lanes paid for through bond financing paid off through collection of tolls over time, as has been done with the 73 and 241, the board should consider those alternatives. Of course, we should learn from the experiences of LA Metro on the 110 express lanes before we embark on such a project, but such a project should stand on its own. It should not be entitled to benefit from land acquisitions or bridge widening paid for with M2 funds. The capacity must be additive, and fully paid for through tolls, so that the toll paying users pay the full cost of those lanes over time.

The second objective is also not well served by combining carpool and toll lanes. Drivers choose to carpool because there is no other alternative to achieve the time savings. If paying a toll were an option, many of those choosing to carpool would choose to pay the toll. In each such case, adding an additional car back on the road that was previously removed. The approach most consistent with the purpose of carpool lanes is to make the lane 3+ during peak periods and 2+ during off peak. Achieving the highest possible trip compression helps the general purpose lanes flow better and solves the Caltrans degradation issue.

Many have argued recently that Caltrans will create toll lanes on our freeways whether we want them to or not, so we might as well do it ourselves and keep the money. This argument fails because it assumes that Caltrans will do the politically unthinkable: hurt the general public and especially the poorest among us while helping the rich with no added benefit to the public. If Caltrans did this, there would be public outcry across the state because what it does here, it could do anywhere. Tolls are acceptable to people as the cost to build something new. Without this rationale, they are simply a tax that punishes those least able to pay, as much as \$15 per one way trip. The precedent setting component of this vote is that Caltrans would be having OCTA do for it what it would be unable to do politically for itself, and it would undoubtedly seek to reproduce this pattern in every county across the state.

In summary, I suggest that you approve Alternative 1 with instructions to staff to continue to identify additional funding that might be available to fund Alternative 2. At the same time, I suggest you address the degradation of the HOV lane by increasing vehicle occupancy requirements from 2+ to 3+ during peak hours. This solution is affordable, will satisfy the degradation requirements and does not foreclose the possibility of doing a true additive toll lane project in the future.

This letter is written in my capacity as Mayor of Laguna Niguel and does not reflect the position of the Laguna Niguel City Council. Thank you for your time and consideration.

Respectfully yours,



Robert Ming
Mayor



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Darrell Johnson
Chief Executive Officer

November 26, 2013

The Honorable Robert Ming
Mayor
City of Laguna Niguel
30111 Crown Valley Parkway
Laguna Niguel, CA 92677

Dear Mayor Ming:

Thank you for your recent letter regarding the Interstate 405 Improvement Project (I-405 Project). The Orange County Transportation Authority (OCTA) and California Department of Transportation (Caltrans) are in receipt of your comments regarding the I-405 Project and the build alternatives currently under consideration. Your letter was sent to the OCTA Board of Directors (Board) on November 7, 2013.

The OCTA Board will discuss the I-405 Project at the December 2, 2013 Regional Planning and Highways Committee prior to the December 9, 2013 board meeting.

OCTA looks forward to working closely with the City of Laguna Niguel and other regional partners as the project moves forward.

Please feel free to contact me at (714) 560-5343 if you have any questions.

Sincerely,

Gregory T. Winterbottom
Chairman

GTW:cb

c: OCTA Board of Directors

Chairman Winterbottom

Page Two

November 20, 2013

The EIR/EIS document was amended at the request of the City of Long Beach (Supplemental Draft Environmental Impact Report/Environmental Impact Statement). The document should again be amended to include study of additional viable options that address this new degradation requirement. Any action by the OCTA Board of Directors to alter the prior selection of "Alternative 1" as the LPA based all or in part as a result of information presented in the "Degradation Study and Action Plan" violates CEQA/NEPA requirements, and cannot be considered until such time as a new Supplemental EIR/EIS is prepared, released to the public, and the public has commented on the Supplemental EIR/EIS.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Miller". The signature is fluid and cursive, with the first name "Gary" and last name "Miller" clearly distinguishable.

Gary Miller

Mayor

City of Seal Beach

211 Eighth Street

Seal Beach, CA 90740

cc: OCTA Board of Directors
OCTA CEO Darrell Johnson
Caltrans District 12 Director Ryan Chamberlain

Wendy Knowles

From: Adler <arnmiraadler@sbcglobal.net>
Sent: Thursday, November 28, 2013 4:50 PM
To: Board of Directors
Subject: Freeway Tolls

Members of the Board:

Amidst the political theatre and jockeying regarding whether or not the public should be assessed tolls for using the new I-405 lanes, and other toll lanes in the future, an important contributory factor has been ignored: population growth and lack of adequate setbacks in cities adjoining freeways.

An example is the new Hyundai building soon opening in Fountain Valley next to the I-405 between Brookhurst and Euclid. The building has multiple floors, and a parking structure which extends from Talbert Avenue to the edge of the freeway property. The structure has at least four levels (I cannot count them accurately and drive safely). A traffic signal has been added on Talbert between Euclid and Ward. Neither Talbert nor Ward is large enough to accommodate what will clearly be thousands of daily commuters exiting the I-405. The project is close enough to Orange Coast Memorial Hospital to impact the speed at which ambulances can arrive at the emergency room when using Brookhurst or Talbert.

No amount of charging for toll lanes will reduce congestion when projects such as this force thousands of vehicles onto an already overburdened freeway and its adjoining surface streets.

The "Authority" (in reality, a service paid for by the taxpayers) should dialogue with the cities along freeway routes regarding the effects on freeway use and maintenance on the projects they permit within their boundaries. One way or the other, everyone who uses the I-405 is going to pay for this building through commute time, gasoline, and vehicle wear and tear. To charge commuters a toll for that privilege is, simply put, unacceptable. I will be avoiding it, which will lengthen my commute route and only partially avoid the additional crush.

Sincerely,
Roberta S. Adler
Garden Grove
ArnMiraAdler@sbcglobal.net

Wendy Knowles

From: Michelle Steel, Board of Equalization Member <Board.Memberd3@boe.ca.gov>
Sent: Wednesday, November 27, 2013 3:47 PM
To: Board of Directors; Darrell Johnson; Lance Larson
Cc: Angeles, Joel; Dana, Arie
Subject: Letter re: I-405 Improvement Project
Attachments: 11 25 2013 Letter to OCTA Board of Directors.pdf

Good afternoon,

Please find the attached letter addressing my concerns in regards to the upcoming Orange County Transportation Authority vote on the I-405 Improvement Project. The original letter has been mailed via USPS.

Sincerely,

Michelle Steel
Vice Chair
California State Board of Equalization



MICHELLE STEEL
VICE CHAIR
STATE BOARD OF EQUALIZATION

November 25, 2013

Chairman Gregory T. Winterbottom
Orange County Transportation Authority
550 S. Main Street
Orange, CA 92868

Dear Chairman Winterbottom:

I write to you in strong support of the Orange County Transportation Authority's 2012 decision to support Alternative 1 as the locally preferred alternative for the County's I-405 improvement project.

Alternative 1, which voters have already approved as part of Orange County's Renewed Measure M program, would add one general purpose lane in each direction from Euclid Street to the I-605 Interchange. As OCTA prepares to revisit this decision, I urge the Board to renew its commitment to County residents by reaffirming Alternative 1 as the locally preferred alternative.

As a resident of Seal Beach I also stand with my neighbors and our neighboring cities of Costa Mesa, Fountain Valley, Huntington Beach, Los Alamitos and Westminster – collectively the "corridor cities" – in opposing Alternative 3, which would add a toll lane in each direction and convert existing carpool lanes in to toll lanes as well, in addition to the single general purpose lane included in Alternative 1.

Furthermore, I am deeply concerned about reports that Caltrans has used potentially faulty data, collected over a six-month period more than two years ago, to insist that Alternative 3 be imposed upon Orange County residents despite our objections.

It is my hope that the OCTA Board will stand by its 2012 decision and uphold the will of Orange County voters by supporting Alternative 1 as our locally preferred alternative for the I-405 improvement project.

Sincerely,

A handwritten signature in cursive script that reads "Michelle Steel".

MICHELLE STEEL
Vice Chair, Third District
State Board of Equalization

Cc: OCTA Board of Directors
Darrell Johnson, OCTA CEO



Wendy Knowles

From: Matt Filler <matt@mattfiller.com>
Sent: Friday, December 06, 2013 4:28 AM
To: Wendy Knowles
Subject: I-405 - Additional Comments Opposing Seal Beach portion of Tollway

Dear Ms Knowles,

Please forward this message to the OCTA Board Members and Director Chamberlin.

Dear OCTA Board Member or Director,

I am a resident of College Park West in Seal Beach.

1. I noticed Gary Miller's comments and those of other citizens attached to the November 7, 2013 memo from Greg Winterbottom to the Board of Directors. I support his comments and those of the other opponents of the tollway. However, I would also like to emphasize that if the tollway were to proceed despite the massive public opposition, OCTA should exclude the Seal Beach segment of the freeway from the tollway (similar to what happened at the other end of the freeway in killing the connector to SR-73). At least one of the comments (by Tom Power) includes references to this issue, and I see an indirect reference in Gary Miller's comment about degraded segments in the 2011 Degredation Action Plan. I had a letter published in The Sun stating some of the safety, public betrayal, and engineering reasons for this position (attached, expanded version below).

I also submitted 5 comments to the original EIR on 7/16/2012, one opposing the tollway, and one as follows that presents engineering, safety, and public trust arguments against extending a tollway north of I-22:

"Unless and until I-22 is also made a tollway, the porition of I-405 through Seal Beach that is shared with I-22 should be excluded from any tollway and should remain as paired HOV lanes.

"The current WCC project was justified to the public and the US DOT because of the dangerous problem of I-22 and I-605 HOV traffic needing to cross 4 or more lanes of traffic in order to continue on a carpool lane. I attended a similar meeting at the onset of construction of the WCC project (at Edison Park), and one of the biggest take-aways for me was that WCC replaced a previous mitigation of this hazard consisting of median lighting, which had been done because funds were unavailable to do a proper solution to the lane-crossing problem for these HOV users, and the non-HOV traffic that they impact.

"Changing this section of the I-405 to a tollway will re-establish this dangerous situation with 5 lanes, violating the public trust in OCTA and CALTRANS by making things better, not worse.

"This also creates the unfair problem for I-22 and I-605 HOV users of having to buy and have a transponder and pay a toll to go 2 miles, or else having to cross multiple lanes of traffic twice, either to avoid the toll or because they have no transponder or they have an I-91 or I-73 or other transponder that does not work on this section of freeway for no good reason. If this impact is not mitigated as suggested in this comment, all users of I-22 and I-605, including those in LA County, should be notified of this impact, surveyed, and given a chance to comment, not just those in Seal Beach, and should be given free transponders on request.

"HOV users will be angered at Caltrans and OCTA by the above situations in addition to the challenge of crossing multiple lanes, making the probability of collisions that much higher."

I have looked at MAP-21 as documented on the US DOT website, and I further find that inclusion of the Seal Beach segment of the I-405/SR-22 as part of a tollway cannot be justified and makes no sense under MAP-21. That is first of all because any delays in this segment of the HOV lane have already been addressed by adding a second lane. That should increase the capacity by well over 100%, since passing within the HOV lanes will be allowed for most of this segment. This must be completed and its traffic effect studied before any consideration is given to further mitigation.

Second, the MAP-21 rules (<http://www.fhwa.dot.gov/map21/qandas/qaoperations.cfm>, HOV facilities Section 1514) require action within 180 days to address degradation. Since this project is not projected for construction for several years, it is not a suitable mitigation for the current problem:

Question 5: How does MAP-21 change provisions related to the "degraded" operation of HOV facilities?

Answer 5: The conditions in 23 U.S.C. 166(d)(2) for determining whether a facility's operation is "degraded" have not changed. However, for facilities that allow tolled vehicles or low-emission/energy-efficient vehicles, if the operation of the facility is deemed "degraded," the State has 180 days to bring the facility into compliance with the minimum average operating speed performance standard. To improve the operational performance of the facility, States may take any appropriate action to change the operation of the facility including, but not limited to the following: i) increasing the occupancy requirement for HOV lanes; ii) varying the toll charged to HOT vehicles to reduce demand; iii) discontinuing allowing non-HOV vehicles to use HOV lanes; and iv) increasing the available capacity of the HOV facility. Failure to bring the facility back into compliance within the 180 days shall subject the State to program sanctions under 23 CFR 1.36 until the facility is no longer degraded. (23 U.S.C. 166(d)(1)(D) & (E))

I also submit that the part of this project involving restriping to allow continuous HOV access, as on SR-22, should be done and its traffic impact studied before any other MAP-21 mitigation is considered. I also question whether in fact MAP-21 has somehow overridden the exemption that California has long enjoyed from requirements to increase the occupancy requirement for HOV lanes, as has happened for years in other states.

This tollway proposal shows a gross disregard for the traffic implications on non-express lanes of the mitigation. This is not only in that HOV2 (and non-transponder) traffic currently using the express lanes will probably use the non-express lanes, but also because connections between tolled and non-tolled facilities are problematic in terms of traffic friction, weaving and lane-crossing. Not only does inclusion of the Seal Beach segment of I-405/SR-22 in this tollway increase the impact of this by causing 3 such transitions instead of 1 (in each direction) at the northern end of the freeway, but by allowing the local veto of the direct transition between the I-405 tollway and I-73, the impact of this transition at the southern end is similarly magnified, further degrading the traffic flow on non-tolled lanes and further weakening the case for a tollway as the appropriate mitigation for HOV congestion under MAP-21. Part of the impact of this lane switching is to increase congestion, so this must be minimized if HOT is to achieve its goals of increasing traffic flow in the express lanes - traffic that must exit to I-73 will have to slow to cross the lanes to do so, reducing the throughput of both the tolled and untolled lanes.

I see that MAP-21 also includes safety initiatives and parameters, and the US DOT should be consulted to assure that MAP-21 is not being abused by OCTA and CALTRANS to achieve its own goals of increased sources of revenue. There is also US DOT policy on how HOT tolls can be spent. I know that 20 years ago HOT was first proposed as a way to fund bonds for creation of express HOV lanes; the public has instead approved numerous bonds to fund congestion reduction paid out of taxes paid by all. Conversion of the lanes funded by these bonds to tollways is likely to put an end to that, causing a reaction that will not only end such anti-congestion funding, but will instead lead to an initiative rolling back such tollways and requiring voter approval for all such toll conversions, or perhaps for any toll roads. If the board is not ready to give up on this Tollway idea, I will support such an effort, at both the county and state levels. By right, conversion of existing freeway lanes from free to toll is a taking, and tolls on lanes built as free should revert to repay or refund for other purposes bonds that paid for the lanes and then reduce taxes by the current value of those lanes, rather than be available for funding of other projects, (regardless of what US DOT may say about the use of such moneys - if that can't be resolved, then the tolls could not be collected under such an initiative).

2. I also have not seen anything recently about whether a unique transponder is still to be required for this project. Can you tell me if the project has a response to my comment (attached) about the transponder? I submitted the following comment to the original EIR on 7/16/2012:

"The prospect of transitway toll users having to replace or carry multiple transponders is outrageous. If the capabilities of an existing transponder are not going to serve the needs of an I-405, the holders of all existing transponders should be offered free exchange to the new transponder, at the expense of whatever project (I-405 Improvement) requires the upgrade or incompatibility, and all other California toll transponders should be required to offer only compatible transponders from the earliest possible date. If there is an inventory of left-over transponders, they should be offered to other states.

"One alternative would be for existing types of transponders to be allowed on the I-405 tollway, and a signalling system made available to Law Enforcement based on the instantaneous results of the transponder's scanning that would provide

images of those vehicles that fail the scan to an app on the officer's computer, with views into the vehicle and software that can recognize the number of passengers, much as traffic software recognizes vehicles stopped at a traffic light.

"Or just go on the honor system for any 3-person requirement.

"Better yet, just forget about the 3-person requirement if you do a tollway. There is no need. So few people will actually want to pay tolls for this that there will never be a need for a 3-person rule under Alternative 3."

3. With regard to Alternative 2, I'd like to suggest a version of this that dilutes the impact of the narrowing by two lanes at the LA County line while avoiding moving the soundwall into Almond Ave. in Seal Beach: stop the 2nd new lane northbound at Valley View (as an exit only lane). This also reduces the further widening an already excessively wide section of freeway. The only similarly wide freeway I am aware of is in northern New Jersey, where there are 3 median strips to avoid excessive width, and limited access that minimizes multiple lane crossings.

This is the original, more detailed version, of my letter to the editor of The Sun (Seal Beach Newspaper), before editing it down to the requested 300 words:

"I am writing to draw attention to the conflict between the goals of the West County Connectors (WCC) project and the effects of the I-405 Toll Lanes proposal. I'll start by thanking the Sun for its recent detailed stories on opposition to the I-405 Toll Lanes proposal, as well as its coverage of the WCC "Bridge Bash" milestone. As you quoted in your piece, the purpose of the WCC project is to reduce the need for thousands of vehicles daily that use the HOV lanes to cross all but 1 or 2 lanes of these very wide freeways twice in order to go from one HOV lane to another, for example from the SR 22 Westbound HOV lane (now temporarily closed at Knott) to the I-605 HOV lane.

"As currently proposed, the Toll Lanes in Seal Beach would include the WCC project connectors, taking over the lanes between the two connectors and requiring drivers using them to have a transponder, and to have at least 3 persons per vehicle to use it free. This would be in addition to an additional general purpose freeway lane. Moreover, transponders used on other freeway segments in Southern California would be incompatible with those required for this segment, requiring purchase of a new transponder with buttons and lights to signal how many are in the vehicle so the correct rate can be charged and enforced.

"This will undo many of the alleged safety benefits of the WCC project, as many of the HOV users on SR-22, I-605, and I-405 will not have correct transponders or will not want to pay the toll. Some may also have the transponder in a location where they cannot set it properly, and having to set and position this transponder is a distraction equivalent to sending a text message, often in the same area where other drivers are crossing the freeway. These drivers will have to go back to crossing the freeway to get out of the toll lane to the other side of the WCC project area, then crossing again to get to the HOV lanes, just as they did before the WCC project. In effect, most of the cost of the WCC project is retroactively diverted to creating 3 miles of tollway, while at the same time worsening the lane-crossing problem by making the freeways even wider and creating a distraction in toll vehicles.

"When I attempted to discuss this with the head of OCTA recently, he did not seem to be aware of this conflict, even though I raised it in a comment on the Environmental Impact Report submitted in July 2012. As an engineer, I can assure OCTA that this conflict is very real, and I would urge OCTA board members to see that the plan for this proposal is adjusted accordingly.

"If the Toll Lanes option is selected, for safety reasons the toll requirement should only extend northbound to the SR-22 connector, except to allow toll-paid traffic without passengers to remain in these lanes to connect to the I-605 on the new connector, or perhaps to transition to the main I-405 lanes. Southbound, the toll requirement should not apply to traffic using the SR-22 connector, so the toll, HOV-3, and transponder requirements should not start until South of that connector. The I-405 toll, transponder, and HOV-3 restrictions should end at the SR-22 connector unless and until all but one of SR-22, I-605, and I-405 in LA County also have toll lanes instead of HOV lanes."

Thanks,

-- *Matt Filler*

233 Harvard Lane

Seal Beach, California 90740-2510

562-862-3411

562-362-4670 (FAX)

Wendy Knowles

From: Gia Ly <gialy@vacoc.com>
Sent: Thursday, December 05, 2013 2:36 PM
To: Board of Directors
Subject: Letter from the Vietnamese American Chamber of Commerce regarding the 405 freeway expansion
Attachments: VACOCSupportLetter405CorridorCities to OCTA 2013.pdf

Dear OCTA Board of Directors,

Recently, there was a 405 Freeway Toll Lanes Town Hall Forum that was hosted & moderated by the Honorable Diana Carrey, Councilwoman of the City of Westminster and 405 Corridor Cities Representative, on Oct. 29th at the Westminster Civic Center. Although we had a concurrent board meeting at the same time as the town hall, our Chair of Government Relations, Alexander Kim, was able to attend and brief the board about the discussion.

The VACOC supports the cities of Costa Mesa, Fountain Valley, Huntington Beach, Los Alamitos, the community of Rossmore, Seal Beach, and Westminster (known as "The Corridor Cities") in their position on having a moratorium on toll lanes (managed lanes), until such time as a well thought out County and inter-jurisdictional plan can be developed. Careful transportation planning at all levels of government needs to be well-thought out or else certain unintended consequences may affect both our residential and business community in potentially negative ways such as high toll fees and bottlenecking at the LA County Line.

We are proud to represent the interests of Vietnamese American small businesses to our mainstream partners, such as our government partners & local employers like the Walt Disney Corporation, with nearly 10,000 Vietnamese American business listings. We stand by the opportunity to support the Corridor Cities in their mission for strong local control to keep our freeways free.

Should you have any questions, please do not hesitate to contact us at the office at 714-775-6050 or email us at contact@vacoc.com.

Sincerely,

Gia Ly, MBA
Chairperson of the Board (2014-2016)



Vietnamese American Chamber of Commerce

A 501(c)6 non-profit organization
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vacoc.com contact@vacoc.com

December 4, 2013

To: Board of Directors
Orange County Transportation Authority
P.O. Box 14184
Orange, CA 92863-1584

RE: Corridor Cities support by the Vietnamese American Chamber of Commerce (VACOC)

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Sincerely,

A handwritten signature in black ink, appearing to read "Gia Ly".

Gia Ly, MBA
Chair (2014-2015)

A handwritten signature in black ink, appearing to read "Tam Nguyen".

Tam Nguyen, MD., MBA
Chair (2010-2013)