



**OCTA
I-405 Improvement Project
Stakeholder Working Group**

**Minutes of Meeting
Thursday, August 23, 2012 at 9 a.m.**

**Orange County Transportation Authority
600 S. Main Street, Orange CA 92868
Conference Room 103/104**

Stakeholder Working Group Participants

Members

Charles Antos
Marie Antos
Ralph Bauer
Mark Bloeser
Steve Bos
Diana Carey
Lea Choum
Shohreh Dupuis
Kevin Gilhooly
Karen Heit
Russ Lightcap
Justin McCusker
Colin McCarthy
Charles Mitchell
Chad Morgan
Ernesto Munoz
Pamela Newcomb
Adolfo Ozaeta
Kenneth Piguet
Mark Rudometkin
Raja Sethuraman
Gregg Smith
Schelly Sustarsic
Sean Taylor
Jay VanWormer

Organization

Seal Beach Historical Society
Seal Beach Historical Society
Citizens Advisory Committee, OCTA
Office of Long Beach City Councilman, Patrick O'Donnell, 4th District
City of Long Beach
City of Westminster
John Wayne Airport
City of Irvine
Office of California State Senator Tom Harman
Gateway Cities Council of Governments
Rossmoor Homeowners Association
C.J. Segerstrom
City of Costa Mesa Planning Commission
Garden Grove Sanitary Advisory Committee
Office of Assemblyman Allan Mansoor
City of Costa Mesa
Office of Orange County Supervisor, John Moorlach, 2nd District
City of Westminster
Association of California Cities, Orange County
Cal State Long Beach
City of Costa Mesa
Seal Beach Naval Weapons Center
College Park East Homeowners Association
Orange County Automobile Dealers Association
Fountain Valley Homeowners Association

Agencies and Consultants

<u>Name</u>	<u>Agency</u>
Kurt Avila	OCTA
Niall Barrett	OCTA
Ellen Burton	OCTA
Christina Byrne	OCTA
Rose Casey	OCTA
Will Kempton	OCTA
Lance Larson	OCTA
Jenny Larios	HDR Engineering, Inc.
Kenneth Phipps	OCTA
Smita Desphande	Caltrans
Adnan Maiah	Caltrans
Lisa Ramsey	Caltrans
Gloria Roberts	Caltrans
Macie Cleary	Parsons
Neal Denno	Parsons
Kathryn Angotti	Consensus Inc.
Jeannie Kim	Consensus Inc.
Veronica Yniguez	Consensus Inc.
Tamara Werkmeister	HNTB

I. Welcome, Self Introductions and Opening Remarks

Christina Byrne opened the meeting, welcomed those in attendance and asked for self introductions.

Ms. Byrne thanked the group for all their efforts on the I-405 Improvement Project. She announced the release date of the draft environmental document on May 18, 2012.

Will Kempton thanked the group for taking time out of their busy schedules to attend the meeting. He gave an overview of the agenda including the environmental process, public review period, design refinements, and next steps moving forward. He stated the public comment period began May 18 and ended July 17, 2012. Since the close of the public comment period, OCTA and Caltrans have begun reviewing the comments and worked closely with the technical consultant, Parsons, to develop possible design refinements.

II. Presentation, Community Outreach

Ms. Byrne explained that community engagement during the environmental phase of the I-405 Improvement Project began in the fall of 2009 with a series of four public scoping meetings in Fountain Valley, Huntington Beach, Rossmoor, and Westminster. Since that time OCTA has continued to communicate with the public and stakeholders by conducting regular Policy

Working Group and Stakeholder Working Group meetings and presenting to more than 150 civic and community organizations as well as regular briefings to the Measure M Technical Advisory Committee (TAC), Citizens Advisory Committee, public works/city staff and elected leaders including LA Metro, Long Beach and other regional partnerships on the status of the project. Christina further explained OCTA has a demonstrated history of working with the community to mitigate impacts not only on this project but every project. Since the major investment study phase of this project, OCTA has been able to reduce full residential acquisitions from more than 100 properties to 0.

Ms. Byrne shared important highlights from the public comment period. She stated that more than 800 people attended the public hearings strategically held throughout the project area. Spanish and Vietnamese translation was available and OCTA adhered to title 6 requirements at all meetings. She explained that OCTA also attended a community meeting in Seal Beach with more than 200 attendees. OCTA has received letters from the cities of Cypress, Fountain Valley, Huntington Beach, Long Beach, Los Alamitos, La Palma, Seal Beach, Rossmore, Westminster, and Costa Mesa in addition to a letter signed by several corridor cities. Christina Byrne noted that it is not uncommon or unique to the 405 project to receive more negative comments than positive for a project of this scale and complexity. It is understandable that a complex project like the 405 has the potential to generate opposition because of the perceived impacts. However, as we refine the project design, construction impacts are minimized to the extent possible.

Ms. Byrne outlined some of the key issues OCTA has identified as a result of feedback from the corridor cities throughout the public comment period including the Fairview bridge replacement in Costa Mesa, noise and visual impacts with the proposed SR-73 connector in Costa Mesa, business relocations in Fountain Valley, parking impacts in Westminster, Almond Avenue sound wall reconstruction in Seal Beach, the potential traffic impacts at the Los Angeles and Orange County line transition, air quality impacts in the city of Seal Beach, sound wall heights, perception of tolling and high-occupancy vehicle 2+ conversions, and lastly funding questions.

II. Presentation, City Concerns

Rose Casey presented each issue city by city and the recommended approach to resolving each city's concern.

In the City of Costa Mesa, a common theme is the belief that congestion on the I-405 is primarily north of the City. Rose Casey explained there is a desire from the City to begin all project improvements at Euclid Street. The City feels they have done their share to widen the 405 with the 405/55 and 405/73 projects and the recently widened (not rebuilt) Fairview bridge. Some residents are concerned about perceived visual/noise impacts associated with the 405/73 HOV direct connector under Alternative 3. In consideration of the concerns from the residents and City of Costa Mesa, OCTA is proposing truncating the express facility under alternative 3 north of Fairview Avenue. This approach, Jim explained will avoid reconstruction of Fairview bridge, eliminates the SR-73 direct connector and associated impacts with that

structure, addresses the city's concerns, and it also reduces the overall project cost. Mr. Beil explained one downside is it may require additional environmental review and recirculation of the document however OCTA is not expecting this.

Ms. Casey explained that in the City of Fountain Valley, the main issue is the braided ramps between Magnolia and Warner Avenues that requires up to four business relocations under all three alternatives. She stated the recommended approach is to use a collector/distributor configuration that will address the City's concerns by eliminating the need for business relocations; however, this approach may require non-standard design exceptions and would require Caltrans approval.

Ms. Casey provided project background with regards to the City of Westminster and stated throughout the Major Investment Study and Project Study Report phases, OCTA and Caltrans have worked extensively with the City to reduce the right-of-way impacts. More than 100 single family full residential acquisitions have been reduced to zero. Some partial residential acquisitions and parking impacts to businesses remain under all three proposed alternatives. Ms. Casey explained OCTA staff has collaborated with Director Janet Nguyen's office and City staff to significantly reduce parking impacts to the City. The project has been refined to eliminate all parking impacts to Sears and reduce parking impacts to El Torito from 35 to 3 spaces. The remaining three spaces may be mitigated through the right-of-way process and relocated on Caltrans property adjacent to the restaurant.

Residents in the College Park East community of Seal Beach are very concerned about the possible relocation of the existing Almond Ave. soundwall as part of the project under Alternative 2 and 3. Under Alternative 1 there are no impacts to the existing wall. Design variations will be explored with Caltrans and OCTA will do everything to try and avoid relocating the wall. Under Alternative 2, Ms. Casey stated, totally eliminating replacement of portions of the wall is not possible. Ms. Casey explained it is important to balance local concerns with any safety considerations when recommending design refinements.

Another concern from the City of Seal Beach residents is the potential air quality impacts to the community as a result of the project. Ms. Casey explained that OCTA will continue to share information about the air quality impacts and benefits for each alternative and correct the misinformation. Based on the Draft Environmental Impact Report/Statement, the No-Build Alternative has the worst impact on air quality. Alternatives 2 and 3 are the best for air quality. Alternative 1 delivers only half of the air quality benefit of Alternatives 2 or 3.

Next, Ms. Casey explained the cities near the Orange County and Los Angeles county line are concerned about the lane transition between the counties under all three proposed build-alternatives. The technical analysis shows the project will create manageable transition at the county line under all of the build-alternatives. Rose Casey further stated that the technical team is committed to reviewing the lane drop locations to optimize traffic flow and will be conducting additional traffic analysis at the county line and into Long Beach.

Lastly, Ms. Casey outlined the City of Long Beach's concerns, explaining that the City and the Gateway Council of Governments submitted comments stating the Draft Environmental Impact

Report/Statement does not adequately consider traffic impacts in Los Angeles County. To address this, she stated, OCTA staff will be performing additional traffic analysis and review the proposed impacts with Los Angeles County.

III. Presentation, Key Issues

Ms. Casey, then outlined several key issues that surfaced in comments throughout the corridor. Some residents, she said, would like the soundwalls constructed as part of the I-405 Improvement Project to be the maximum height possible. She explained, based on the federal reasonability and feasibility criteria soundwall locations and heights vary. Staff will conduct soundwall surveys and meetings with the community to ascertain their preference regarding the soundwall heights. Ms. Casey stated soundwalls are usually constructed between 12-16 feet therefore OCTA will explore the use of local funds to address community issues where possible to increase the height of walls that may fall short of the maximum height.

Ms. Casey explained, that much of the feedback received during the public review period was related to Alternative 3. Some of the key issues included, overall perception of tolling as a transportation funding mechanism, the perceived take-away when converting from HOV2 to HOV3, the lack of awareness of just how congestion pricing works and in general, costs of transponders and account fees. Ms. Casey outlined the approach that OCTA is taking to explore toll policy options including modeling options such as part-time opportunities for HOV2 and also an HOV exclusive account that does not require a monthly fee, similar to the Special Access account on the 91 Express Lanes.

Ms. Casey outlined another misperception regarding Alternative 3 is that Measure M funds are paying for the toll road. Measure M funds, she stated, under all three proposed alternatives will deliver the base M project that is one general purpose lane in each direction. The incremental cost of adding toll lanes under Alternative 3 would be paid for by the toll facility revenue and not Measure M funds.

Mr. Kempton stated there have been questions regarding the use of the potential net toll revenue under Alternative 3. He explained the express lanes proposed for Alternative 3 differ from traditional toll roads in that the priority for setting toll rates is to ensure that traffic throughput is optimized and not to just collect revenue. In addition to providing project funding, express lanes can produce “net revenues” in excess of those needed to repay construction bonds or operate or maintain the facility. Net revenues can then be used to make additional mobility improvements, generally within the same travel corridor.

Mr. Kempton cited Streets and Highways Code 143 (j) (1) and explained the existing Streets and Highways Code allows for toll revenue to be used for operations, maintenance, indebtedness, improvements to the project, and improving public transportation in and near the project limits. He further stated the use of net toll revenues would be subject to authorizing legislation and OCTA Board of Directors (Board) policy.

IV. Presentation, Upcoming Analyses and Policy Discussions

Mr. Kempton began concluding the presentation by outlining a list of upcoming analyses and policy discussions for Board consideration prior to the selection of the LPA in September. For both Alternatives 1 and 2, OCTA will explore design build opportunities and the financial and schedule implications with and without design-build. For Alternative 2 OCTA, will explore funding tradeoffs and project prioritization should the board select alternative 2 and the potential impacts to the schedule of M2 projects. For Alternative 3, OCTA will be modifying it to respond to public comments as Alternative 3-A.

Mr. Kempton also stated OCTA is in the process of revising the traffic and revenue projections under a host of scenarios including looking at part-time use of the Express Lanes by HOV2+.

Ms. Byrne thanked the committee for their ongoing participation and opened discussion up for questions and feedback.

IV. Stakeholder Feedback and Questions

Ralph Bauer: My first point is that I am not in favor of the Toll Road Alternative unless it is used to fund additional projects similar to what is happening on the SR-91. I think there are selfish views of cities versus the common goal and the importance of regional planning for transportation projects.

Will Kempton: I appreciate those comments and I do think we need to look at these types of projects from a regional perspective, however it is a balance. The improvements are going through several large communities so we have to be responsive to some of the community concerns. We can't say that we do not care about what Costa Mesa, Fountain Valley, and Westminster says, because we are adding something that adds a greater regional benefit. People will bear the brunt of the construction and the day to day operations of the corridor. So I think that it is important that we take those concerns into consideration. We have heard very strongly about the impacts of the SR-73 direct connector and specifically the replacement of the Fairview Bridge because it was just widened a few years ago. We first need to gain knowledge of the concerns and the potential impacts people are concerned about. That is why we have actually made an attempt to modify when people raise those concerns, and not just with Alternative 3 but Alternative 2 as well. For Alternative 1, we have the least amount of significant impacts.

Colin McCarthy: I can't remember the last time I saw a letter signed by six corridor cities opposing Alternative 3 and supporting Alternative 2. I would like to hear more about on what the problem with Alternative 2 is because it seems from a regional perspective the corridor cities are all lining up and asking for Alternative 2. The other thing I would like to say is Alternative 3A that has been floating around, there is a lot of discussion of community opposition to toll lanes and to hear that excess toll revenues could go into an OCTA "slush fund," and be used for different corridor areas. It looks like it is the start of Measure M3 before

going to the voters. I think you need to do some more public outreach on Alternative 3A and how the additional revenue will be used. Also, what are the problems with Alternative 2 other than simply just not having enough money?

Will Kempton: I am not sure there is a problem with Alternative 2 because all three build-alternatives improve traffic flow in the corridor. From my perspective, I don't think that selecting a No Build Alternative is an option because all three alternatives will make the situation better. It's a matter of deciding which alternative is the best, which alternative moves the most people, and which alternative provides the best long term return on investment. Alternative 2 does have a \$100 million funding gap. That's one issue that has to be addressed for Alternative 2. In terms of the perceived "slush fund," we will engage the corridor cities in terms of how the excess or net toll revenues are applied. That is what we have done on the SR-91 and the basis of the proposal we made to the Finance and Administration Committee yesterday.

Colin McCarthy: What about returning it into a carpool lane when the net excess revenue comes in? So that people can use something, in their minds, they have already paid for.

Will Kempton: If from the beginning you built a carpool lane there is a possibility that you could do that. We are not taking away a lane, however we are increasing the occupancy requirement.

Rose Casey shared throughput benefits and why Alternative 3 offers more versus Alternative 1 and 2.

Diana Carey: On slide 15 where it says "toll use fees may be paid to the regional transportation agency," at the last OCTA Board of Directors meeting there was some discussion over the State potentially coming in and taking those revenues to balance their budget.

Will Kempton: Supervisor Bates, as many of you know, did serve in the State Legislature, and expressed that concern. I know there is no constitutional protection from this, but no one has ever made a suggestion about using the net toll revenues or taking the toll revenues from the SR-91 in over 10 years. Throughout the hard budget times nobody has ever made a suggestion of coming after those toll revenues. My personal feeling is I don't think that would happen. It is just speculation on my part but I don't think it will happen.

Diana Carey: On the design-build, I am a little bit confused on that. If they have to go to Sacramento to get the authorization for design-build it is going to be more costly under Alternatives 1 and 2 versus Alternative 3? So is that a reason to select Alternative 3?

Will Kempton: No, that is not a reason to select Alternative 3. We are not here trying to sell Alternative 3 today, we are here to discuss all of the Alternatives. If we aren't successful in getting design-build authorization and have to use a design-bid-build contract, that will lengthen the time of construction and could be subject to cost escalation.

Diana Carey: I get the idea that Alternatives 2 and 3 are really outside of the Measure M2 document, when it doesn't specifically articulate that adding one general purpose lane in each direction was promised. I remember distinctly, when we were talking about Alternative 1, the engineers were going to go back, who have been wonderful by the way, and mitigated the issues with houses. But when I read the document it doesn't say specifically the project will add one lane in each direction.

Ellen Burton: During the Major Investment Study for the I-405 Alternative 4 stated it would add one lane in each direction. That is how we arrived at one general purpose lane.

Diana Carey: I have been to many meetings in the last three months, and I can tell you that with only one exception that anybody has ever said that we were trying to stop the project. We are not trying to stop the project, but as Will said, we all have serious issues. Again, yesterday the Mayor of Westminster sent another letter to the OCTA Board. We have issues that regionally Alternative 3 is a pass through to South County, we feel like our business districts are bypassed especially all of our auto dealers are off of Beach Blvd. We feel like under Alternative 2 we are getting more throughput for the people who voted for Measure M2. We feel like people using the toll lanes are just buying their way through to South County. That doesn't sit well. The other thing is we are really concerned that MTA and Long Beach did not participate. On the West County Connectors, Steve Bos and I both participate in that working group and it works really well. Those are some of our issues. In addition, we are very concerned about the soundwalls. Thank you to the Staff who is working very hard but we do have concerns to address.

Karen Heit: MTA was invited at 3 p.m. yesterday to the meeting today.

Will Kempton: I would like to react to the Long Beach and MTA comment. We had early conversations with Los Angeles. We are very cognizant of the situation created by the I-5 on our side of the county line. We did talk with MTA and they are looking at some things relevant to the improvements, and we are still talking and in discussions with them. But the timing of it isn't going to be perfect; MTA's focus of sales tax revenue is focused on their transit capital projects. They are making tremendous improvements primarily in the central area of Los Angeles in that regard, but they haven't focused on roadways as much as our measure focuses on. With respect to Long Beach we have had you engaged in the discussions since 2009.

Steve Bos: That is correct.

Will Kempton: We have brought Long Beach to the table and we continue to be criticized for not engaging Long Beach in this process, and I am surprised by that because we have. We may not have responded to everything that Long Beach has wanted but we are still talking and we aren't through. I think where there may have been a slip up is with the Gateway Cities Council of Governments. Karen Heit is here today from the GCCOG and we are trying to get a meeting scheduled, as requested by the COG, with Mr. Art Leahy and his Chair, the OCTA Chairman, and myself.

Karen Heit: I think there may have been some communication. But the big issues that we have is the City of Long Beach's request for the Notice of Preparation, asked for examination and analysis of what happens at the North end of the project. When the EIR came out it stops at the county line. The intent may have been there, and conversations may have happened, but the actual document falls short at analyzing any traffic, especially cut through traffic in LA County. We think there are some real flaws in the document in that it doesn't examine LA County impacts. There are whole areas of potential impact that are ignored. I don't see how the EIR is considered adequate when it disappears in terms of analysis north of the county line. The COG normally does not get involved with responding to EIR's, but we couldn't let this one go by because of the lack of analysis to date. It is nice to hear there are some potential revisions to the EIR to resolve these issues.

Will Kempton: Thank you for that and I appreciate the explanation.

Steve Bos: Thank you very much for the opportunity to be here today. My first comment is the City of Long Beach has been working with OCTA on the I-405 Improvement Project since June of 2009. We were invited to a meeting in this room to take a look at the options and have been a participating agency in this process. Secondly, I wanted to thank Christina Byrne and Niall Barrett for countless updates and meetings with council offices. OCTA has been exceptionally responsive to our requests and it is really appreciated. What I would like to focus on is the perception that this project will create bottleneck at the county line. Back in 2009, in recognition of this perception, the City requested that the study area be expanded along the I-405, SR-22, and I-605. The City doesn't understand why that wasn't accommodated in the draft document. This in connection with some perceptions of past opportunities between Metro and OCTA to coordinate raised the concern that there is an opportunity to work on our intercounty coordination. There wasn't any intercounty coordination on the document which is curious, because back in 2005, OCTA and Metro did an intercounty study. One of the conceptual plans in that study is the addition of a general purpose lane north of the county line, near the 710,. The fact that the document was silent on that study raised some concern. The City is working with OCTA to address these issues. There is an intercounty working group that will be meeting for the first time on Monday. The City of Long Beach is supportive of the project, and I personally, as a resident of West Garden Grove, have an interest in the project. My question is this: what can the City of Long Beach do to better support this project?

Will Kempton: I think you are doing it by being here and to continuing to provide feedback.

Rose Casey: I think the only other thing that can be done or to continue to do is to keep your local and state elected officials apprised of what we are doing.

Colin McCarthy: I just wanted to thank you for Alternative 3A. I tend to criticize OCTA and I think OCTA did take a lot of the corridor city's concerns into consideration with 3A. My question is when will we have something to chew on in terms of 3A concerns? Will further environmental review need to be done?

Will Kempton: I think the biggest question is whether or not we need to do further environmental review and that is something we need to work out with Caltrans. I can't give you

a date on that. We are working on a response to the letter from the six corridor cities. I believe the approval of that will coincide with the selection of the LPA.

Colin McCarthy: So 3A could become the LPA without additional review?

Will Kempton: We think it can become the LPA without additional environmental review; however, we don't know that for sure. We are having discussions with Caltrans about the modifications for all the alternatives.

Colin McCarthy: It seems to me that the corridor cities would like the opportunity to provide some feedback on 3A before it gets approved.

Ellen Burton: This is a concern that has also been raised by our Board. Our technical team is doing analysis on this as well and will be presented on September 10th. We have a series of technical reports that we will be presenting. We are working to address community feedback as we go.

Schelly Sustarsic: College Park East Homeowners Association has also been involved watching this for a few years regarding impacts to Almond Ave. in College Park East. We appreciate OCTA's work with us. Through the course of most of this, it looked like it was going to stay within the existing right-of-way and then last year, the plans that were proposed impacted the whole wall which is important to us in terms of access for 200 residents. It will also result in a possible loss of parking for three quarters of a mile. We also have concerns with Alternative 3 itself. We also agree with Long Beach about the perceived traffic problems at the county line. Even with what we have now we have problems. It is wishful thinking to assume half of that traffic will get on the I-605. We appreciate the additional analysis but this also has impacts to us as local drivers. Congestion management makes General Purpose lanes more congested based on the tables in the EIR when you look at all three Alternatives. Congestion management will create more throughput on the toll lanes but more congestion in the general purpose lanes. We think that we need to have regional coordination with Long Beach. The gridlock that would result from the lack of coordination will be outside our neighborhood and impacting our air quality. I know OCTA's stance is that air quality is better in Alternative 2 and 3 but there will still be a lot of cars that aren't moving. I don't believe the EIR compares it to the existing conditions and we have three parks and schools in the Rossmoor area. We are very concerned about the exposure to younger kids and elders in our community. We are not trying to stop the project.

Paul Wilkinson: That is quite a range of average daily traffic and I would like to understand where the 500,000 is and where the 350,000 is. I think it would be valuable to understand that in terms of what end of the project.

Steve Bos: There is something that I have learned and it is that there is a perception that Metro is doing nothing on the 405 and I would like to clarify. My understanding is there is currently no project to widen the I-405 north of the county line. That being said, there is quite a bit of planning effort on different project, for example, the Gateway Cities study on the I-605 Hot Spots – there is a lot of effort placed on studying the I-605 and I-405 corridor. Metro does have

an ideological difference on how to manage congestion; however, Metro is working to evaluate opportunities north of the County line.

Will Kempton: We are aware of that study. Please don't take anything I have said as a criticism. They have made great improvements especially in the downtown area.

V. Closing

Will Kempton closed the meeting by outlining the next steps in the process including OCTA recommending a locally preferred alternative that will be presented to the Regional Planning and Highways Committee on September 17th and to the full Board of Directors on September 24th. He reminded the group that after the Board selects their locally preferred alternative, Caltrans will then select a Preferred Alternative this fall.