



October 7, 2019

To: Executive Committee

From: Darrell E. Johnson, Chief Executive Officer

Subject: Framework for Implementation of the State Route 241/91 Express Lanes Connector

Overview

The Orange County Transportation Authority, Riverside County Transportation Commission, Transportation Corridor Agencies, and California Department of Transportation have been working to resolve outstanding issues related to the implementation of a future direct, tolled connector linking the State Route 241 toll road to the 91 Express Lanes. The agencies have reached consensus on terms for future implementation of the connector project. Recommendations are presented to move the project forward, contingent on all parties agreeing to terms that will be incorporated into future agreements.

Recommendations

- A. Approve the State Route 241/91 Express Lanes Connector term sheet as a framework for future agreements, contingent on all parties agreeing to the term sheet.
- B. Direct staff to work with agencies to prepare associated agreements for Board of Directors' consideration, consistent with the terms included in this report.

Background

The Transportation Corridor Agencies (TCA) and the California Department of Transportation (Caltrans) are working toward finalizing the environmental phase of a proposed project to construct a tolled connector between the State Route 241 (SR-241) toll road and the 91 Express Lanes (SR-241/91 Express Lanes Connector). The proposed project would connect directly with the 91 Express Lanes, approximately two miles west of the Orange County/Riverside County line. This location overlays the transition zone between State Route 91 (SR-91) and the 91 Express Lanes, where commuters can change facilities and lanes (mixing bowl).

The Orange County Transportation Authority (OCTA) and the Riverside County Transportation Commission (RCTC) expressed concerns with the tolled connector as part of the project development process, including the review of the draft environmental document (Attachment A). These concerns related to the new connector impacting SR-91 general-purpose lanes (275,000 vehicles per day) and the 91 Express Lanes (50,000 vehicles per day), relative to the proposed benefits of the project (less than 10,000 vehicles per day). Because the proposed project is located just before the mixing bowl area, eastbound traffic entering the 91 Express Lanes from the proposed connector could occupy most of the capacity in the 91 Express Lanes. This means fewer vehicles from the general-purpose lanes could enter the 91 Express Lanes, eliminating an option for SR-91 commuters and an opportunity to relieve SR-91 general-purpose lanes congestion. Further, 91 Express Lanes toll changes may be necessary to address increased demand from the new connector.

Based on the above, and other concerns related to planned/adjacent SR-91 corridor projects, as well as operational issues, the OCTA Board of Directors (Board) acted in December 2017 to request TCA to defer all work on the connector given the regional mobility impacts and work with RCTC and Caltrans to evaluate opportunities to advance higher priority SR-91 corridor congestion-relief projects.

The Board action set in motion a series of efforts intended to resolve, to the fullest extent possible, all of the issues raised by OCTA and RCTC, with the goal of ensuring the connector could move forward in a coordinated fashion that considers the complexity of the corridor, planned projects, and operational issues.

Discussion

Since December 2017, the agencies have worked together to review additional traffic analysis, engineering plans, and coordination with planned/adjacent SR-91 projects. This analysis also considered the risks if the new connector delivers too much traffic to the 91 Express Lanes that cannot be realistically managed by OCTA and RCTC. For example, delivering too much eastbound afternoon traffic from the new connector into the 91 Express Lanes could cause a rise in tolls so that users divert out of the 91 Express Lanes into the mixing bowl area. This would cause impacts to the general-purpose lanes, further slowing afternoon traffic. Given these risks to OCTA, RCTC, and the SR-91 corridor users, these discussions needed to include decisions on operational and policy control of the new connector.

In mid-2019, and to facilitate these on-going deliberations, Caltrans retained a professional mediator with expertise in engineering, traffic analysis, and consensus-building (Attachment B). Throughout the negotiations, the chief executive officers of OCTA, RCTC, TCA, and Caltrans, districts 8 and 12, as well as Caltrans Headquarters directors, worked through five major issue areas that included:

1. Setting priorities for SR-91 corridor projects to reduce construction-related impacts;
2. Allowing completion of the environmental approval process and updating related programming documents;
3. Clarifying lead agencies for final design, construction, and maintenance;
4. Identifying the principal funding agency for final design, construction, and maintenance; and
5. Designating lead agencies for retaining toll revenue and toll setting/operational control.

In September 2019, the negotiations reached a consensus point in the form of the SR-241/91 Express Lanes Connector term sheet (Attachment C). The major points in the term sheet allow TCA and Caltrans to finalize the environmental document and move forward with final design. OCTA will update programming documents related to future right-of-way and construction phases. TCA will complete the final design, subject to Caltrans approval, with OCTA and RCTC reviews. OCTA, RCTC, and Caltrans will move forward with critical SR-91 construction projects that will open before the connector. Caltrans, District 12, will build the connector after most of the other construction projects are open to traffic. OCTA and RCTC will establish the toll rates and manage operations of the connector paid for with connector revenues. Connector toll revenues will be retained by TCA for specific responsibilities and approved projects, subject to change if non-TCA funds are secured for construction of the connector.

To ensure consensus, each Board (OCTA, RCTC, and TCA) will need to formally approve the term sheet. As a partner in this arrangement, Caltrans has provided a letter of support on the terms (Attachment D). The remaining actions are expected to be completed by the end of November 2019, which will allow development of more detailed agreements related to funding, construction, operations, maintenance, and use of toll revenue. These agreements will be subject to Board approval, consistent with OCTA policies.

Summary

The agencies have reached initial consensus on moving forward with the SR-241/91 Express Lanes Connector. With approvals of the term sheet by the end of November 2019, the agencies will develop the associated agreements for future Board consideration and potential approval.

Attachments

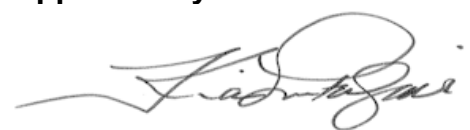
- A. Letters from the Orange County Transportation Authority and the Riverside County Transportation Commission Regarding the SR-241/91 Express Lanes Connector
- B. Letter to Darrell Johnson, Chief Executive Officer, Orange County Transportation Authority, Anne Mayer, Executive Director, Riverside County Transportation Commission, Michael Kraman, Chief Executive Officer, Transportation Corridor Agencies, from Laurie Berman, Director, Department of Transportation, dated June 19, 2019
- C. SR-241/91 Express Lanes Connector Term Sheet, September 12, 2019
- D. Letter to Darrell Johnson, Chief Executive Officer, Orange County Transportation Authority, Michael Kraman, Chief Executive Officer, Transportation Corridor Agencies, Anne Mayer, Executive Director, Riverside County Transportation Commission, from Ryan Chamberlain, District 12 Director, Michael Beauchamp, District 8 Director, dated September 26, 2019

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