

Dear elected official and interested member of the public:

I am writing today in opposition of the Toll Road routes through our communities and this is why:

TCA: Orange County has a robust transportation network consisting of freeways, toll roads, bicycle paths, bus transit, railways and walking paths. Since 1981, State Route 241 has been on Orange County's Master Plan of Arterial Highways to accommodate planned growth in South Orange County, alleviate traffic congestion on Interstate 5 (I-5) and provide traffic redundancy in the area in case of emergency.

SR 241 was on the Master Plan of Arterial Highways for decades with an alignment that went around San Clemente and San Juan Capistrano, connecting to I-5 south of the county line. SC and SJC relied on that formally adopted "locally preferred alignment" as they moved forward with decisions regarding where to build homes, preserve open space, and place schools, parks and trails, etc. After 35 years of showing the proposed toll road in one location, TCA's attempt to find a new connection to I-5 through either of these established communities (or any community) is UNCONSCIONABLE!

State Route 241 is NO LONGER shown connecting to I-5 on the Master Plan of Arterial Highways—so maybe TCA should call it a day!

If the TCA has decided it can't make the case for connecting to I-5 in the location planned and relied upon by the residents of SC and SJC (and Mission Viejo, Ladera and Sendero and other Rancho Mission Viejo communities), then it should abandon efforts to connect to I-5. Indeed, why not just stop efforts to extend the toll road any further and let OCTA, the county, RMV and local cities figure out the best way to complete the arterial roadway network?

TCA: Traffic on I-5 in South Orange County is more congested than ever -- especially on weekends -- and it's anticipated to get worse.

Reality is that average weekday daily traffic at the Orange County-San Diego County line is almost UNCHANGED over the past 17 years. Just look at OCTA's annual traffic volume maps on the OCTA web page. Keep in mind roughly half of the trips are southbound and half northbound: Year 2000—130,000 average daily weekday trips; Year 2005—134,000 average daily weekday trips; Year 2010—132,000 average daily weekday trips (DOWN from 2005!); Year 2016—133,000 average daily weekday trips. Very little change. This is particularly noteworthy when one considers the fact that the TCA's 1991 traffic study, prepared to justify the toll road, predicted 221,000 at the county line by 2010! Wrong! The TCA's 2006 EIR/EIS predicted 201,000 trips by 2025. This contradicts the 1991 study by 20,000 fewer trips, 15 years later, than initially projected, and that lower 2025 projection will still overshoot the actual trips by tens of thousands. Indeed, it will overshoot by more trips than TCA claims would divert off I-5 to use the toll road.

Traffic on I-5 has increased from Crown Valley to past Oso Parkway—because this is where commuters from new developments like Ladera access I-5. Crown Valley Parkway's on-ramp loads over 2,000 vehicles per hour onto the freeway during the peak morning period!

One interesting thing to note is that despite regular traffic congestion on that stretch of I-5, there are still FAR FEWER drivers than anticipated using the SR-73 Toll Road to avoid this stretch. So that toll road also provides far less traffic relief than promised.

Regarding Weekend Traffic: Weekend traffic is far LESS than weekday traffic on most of I-5 in south OC (i.e., in Lake Forest, Laguna Hills, Mission Viejo, Laguna Niguel and north San Juan Capistrano). Traffic on I-5 in south San Juan Capistrano and San Clemente does increase on some weekends due to folks coming to the coast or traveling through to the north or south for the weekend. However, weekend traffic does not have “peak periods” the way weekday traffic does, so traffic solutions are designed and implemented to address “peak period” weekday trips. Until now, there has never been an attempt to justify the 241 toll road on the grounds that it would make a very small dent in weekend traffic on a short stretch of I-5. Weekend travelers are even less likely to pay a toll than weekday travelers, and it would be outrageous to cram a toll road through permanent open space and the middle of an established community to provide miniscule relief from weekend traffic.

TCA: Because there is currently no major alternative route to I-5, whenever traffic is severely congested due to weekend or holiday traffic or if there is an incident or construction on I-5, traffic spills onto the local streets of San Clemente, Dana Point and San Juan Capistrano -- completely clogging local city roadways as drivers try to find a way around the gridlock to their destination.

The TCA has all but abandoned its original justification for the 241 connection to I-5. The TCA used to claim (based on projections that turned out to be wrong) that the Foothill South would provide substantial weekday traffic relief on I-5 throughout ALL of south Orange County. (A connection to I-5 provides very little relief on I-5, and the relief dissipates rapidly as one moves north along I-5 past south San Juan Capistrano). Instead, TCA now focuses on providing a “safety valve” from traffic due to accidents and/or construction closures. TCA hopes to evoke an emotional response. (This is the traffic we hate most because we don’t expect it, and it can be a concentrated period of bad traffic). But nobody (other than the TCA) proposes building new highways through established communities just to provide minor potential relief from accident or construction-generated traffic. Under this theory, we’d have roads EVERYWHERE. Also, while a toll road connecting to I-5 might provide an additional outlet in some cases, it could also make things worse depending on where any particular accident occurs. Building out the planned arterial system makes much more sense than building a toll road through a community as an “escape valve for unanticipated events.”

TCA: With the county’s population expected to increase by more than 400,000 residents by 2035...

This is the countywide projected increase, but the vast majority of population increase will be in Central and North OC, not South OC. Population increases in San Clemente, San Juan Capistrano, Dana Point and Mission Viejo are anticipated to be quite small. Population increases in Anaheim, Santa Ana and Irvine are IRRELEVANT to evaluating whether TCA should build a toll road through San Clemente.

14,000 new homes being built in Rancho Mission Viejo over the next decade...

RMV opposes the current alignments of the toll road and says it can build out the Ranch Plan development without a toll road extension. RMV IS CORRECT—ARTERIAL ROADS WOULD DEAL WITH RANCH PLAN TRAFFIC BETTER THAN THE TOLL ROAD.

Over 80% of RMV’s homes will be in Planning Areas 1 through 4, and all of those planning areas use (or will use) existing and planned roads NORTH of Ortega Highway! Very little daily Ranch Plan traffic goes south.

RMV is building a major arterial roadway right now (Los Patrones Parkway) that will provide a major new route for north of Ortega traffic, but the TCA WANTS TO TURN A FREE ROAD INTO AN ADDITIONAL TOLLED SEGMENT OF THE 241!

If the TCA really cared about “south county mobility,” it would not try to take over Los Patrones Parkway because the TCA’s own traffic study said it would carry 22,000 more cars as a free road than as a toll road in 2035. Los Patrones Parkway provides substantial traffic relief to Antonio Parkway, Ortega Highway and Crown Valley Parkway—relief NOT provided if TCA charges drivers to use it.

Also, at least 6,000 of the homes in RMV will be for seniors, with substantially less impact on traffic, especially peak period traffic. Indeed, one reason traffic has not grown as much as predicted is that SoCal’s population is aging and will continue to do so.

TCA: Traffic is projected to increase in South Orange County by 60 percent by 2035.

No reputable current study claims that traffic volumes in South Orange County will increase by 60% by 2035. (Plus we’ve seen how badly TCA has OVERESTIMATED future traffic volumes in past studies).

TCA: We must work together to identify solutions that will relieve the excessive traffic congestion on I-5.

Note how the TCA, after making a bunch of unsubstantiated claims, tries to assert as a “given” that there must be a solution that will relieve “excessive traffic congestion on I-5.” Does TCA mean traffic congestion during construction (see above)? During weekends and holidays (again, see above)? Seriously? Nobody designs parking lots to deal with two weeks of holiday shopping, and nobody should ruin a community with an unplanned toll road to deal with weekend or holiday traffic (or traffic from accidents or construction).

Nevertheless, efforts should be and are being undertaken to address peak-period traffic congestion on I-5, including: (1) The completion of La Pata to Antonio Parkway; and (2) An additional general purpose lane in each direction on I-5 from SR-73 to the El Toro “Y” as well as the extension of a second HOV lane in each direction. OCTA is using tax dollars to fund the I-5 improvements, WHICH FOR YEARS WERE PROHIBITED BY TCA’s “NON-COMPETE” AGREEMENT WITH CALTRANS.

Also, the extension of the existing HOV lanes on I-5 down to Pico, and other I-5 improvements nearing completion in south San Juan Capistrano and San Clemente, will add capacity that will lessen any weekend congestion on I-5.

TO SUM UP: THE TCA IS THE ONLY GOVERNMENTAL AGENCY THAT WOULD SERIOUSLY PURSUE BUILDING A TOLL ROAD ALONG A ROUTE NEVER SHOWN ON PLANS THAT GOES RIGHT THROUGH AN ESTABLISHED COMMUNITY IN ORDER TO PROVIDE INFINITESIMAL AMOUNT OF TRAFFIC RELIEF. WHY WOULD TCA TRY TO DO THIS? BECAUSE ALL IT DOES IS BUILD TOLL ROADS, AND THE ONLY WAY TO JUSTIFY ITS EXISTENCE IS TO KEEP BUILDING TOLL ROADS.

The Public Process

TCA: In 2015, a South Orange County Community Ascertainment Study identified high levels of agreement, among stakeholders in the region, that there is a growing traffic problem that people expect their elected officials and public agencies to fix.

TCA hopes to create an impression that the “Community Ascertainment Study” was some sort of exhaustive study of community sentiment in South Orange County, when in fact it involved interviews with ONLY 45 people—and nobody but the TCA knows the identities of all of them or why they were selected.

TCA: There is undoubtedly excessive I-5 traffic during the morning and evening commute times, on weekends, and whenever there is an accident or incident that impacts an I-5 traffic lane.

This sentence is so general as to be useless. As discussed above, traffic on weekends is not an issue along most of I-5 in South Orange County. There will always be traffic flare-ups from accidents (though we should work to reduce those to the extent possible), and the proposed toll road would do very little to reduce weekday commuter traffic on I-5.

TCA: Research has concluded that this severe congestion is gravely impacting quality of life for South Orange County families, residents, business owners, and commuters.

This sentence is classic PR fluff (“4 out of 5 dentists. . .”). Traffic sucks sometimes; we all agree. But so does putting a toll road somewhere nobody expected or planned for--and it really stinks when that toll road would not provide meaningful traffic relief. Build an arterial system that would be used more and impact communities less.

TCA: Get Moving OC is a result of the recommendations of the Community Ascertainment Study and is the first part in a series of next steps led by the Transportation Corridor Agencies (TCA), along with participation from multiple transportation planning agencies throughout the region, to address transportation mobility concerns in South Orange County.

TCA was purportedly embarking on this “open-minded” process where no ideas would be off the table AT THE SAME TIME IT WAS HAVING SECRET SETTLEMENT AGREEMENT MEETINGS THAT TOOK THE LOCALLY PREFERRED ALIGNMENT OFF THE TABLE.

These agencies include Caltrans and the Orange County Transportation Authority (OCTA).

TCA should not be the “lead” agency for a South County Mobility Study because all it knows and does is toll roads, and after entering into the November settlement agreement, it can’t even look at all toll road options.

TCA: Through this process, several public forums have been held across South Orange County to solicit input from the public and local elected officials for their ideas on how we can relieve traffic across the region.

TCA has held three forums, two of which occurred BEFORE it announced that it had secretly settled all environmental litigation, thereby eliminating the toll road alignment it had always talked about as being part of the Master Plan of Arterial Highways since 1981.

TCA: So far, 18 ideas have been received. As required by state and federal laws, TCA is analyzing, studying, and screening the 18 transportation solution ideas proposed by the public to determine their benefits, costs and impacts to find a balanced solution to solve our region's traffic problem.

TCA wants to create a false impression that the "18 ideas" were all generated by the public. Who from the public suggested the Pico connection? The connection to I-5 through San Juan Capistrano? The Vaquero connection?

TCA: We encourage you to participate and remain engaged in this process every step of the way to ensure your community's needs and priorities are considered.

We are engaged and will remain engaged at every step, but TCA must stop conducting much of its business in secret and violating the Ralph Brown Act and First and Fourth Amendment Rights.

TCA: Settlement with the Environmental Community

In 2008, the California Coastal Commission denied a key permit for a previously proposed project known as State Route 241 Foothill-South.

On Thursday, November 10, 2016, TCA announced the settlement of five lawsuits regarding the previously proposed projects known as State Route 241 Foothill-South and Tesoro Extension. TCA is pleased to join more than a dozen environmental organizations in this unprecedented outcome, underscoring the collaboration between TCA's leadership and the leaders of the environmental community.

People have various reactions to the substance of the TCA's settlement with the environmental groups. Some who doubt the benefits of ANY 241 connection to I-5 are happy to see it won't go through State Park lands or connect near Trestles; others, who see benefits and feel the road is more appropriate to connect in the location always anticipated over the last 35-plus years than through an established community, are angry that the TCA abandoned that plan.

Regardless of how one feels about the substance of the settlement agreement, however, one thing is indisputable: the PROCESS LEADING UP TO THE SETTLEMENT STUNK AND WAS ILLEGAL. In this regard, the environmental community made a deal with the Devil. It is one thing to conduct some confidential negotiations prior to considering a settlement, but for the TCA to execute a settlement agreement that ABANDONED THE ROUTE SHOWN FOR DECADES and opened the door to considering entirely different toll road routes that run through established communities WITHOUT HOLDING A SINGLE PUBLIC HEARING was the DEFINITION OF GOVERNMENTAL ABUSE. The environmental groups were complicit in that abuse.

The environmental groups also agreed to look the other way while the TCA tries to back-door a 5.5 mile extension of the toll road that the Regional Water Board rejected and the environmental groups were prepared to litigate. (TCA would do this by taking over Los Patrones Parkway and turn it from a free road to an extension of the toll road).

TCA: It is with this collaboration and framework, that TCA will move forward to review alternative solutions for solving the regional traffic problem in a manner that protects our most environmentally and culturally sensitive lands.

TRANSLATION: Surprise, we (the TCA) gave up on the route that was on the map for 35 years (i.e., the route communities relied upon in doing three decades of planning and in building-out their communities), and now we are looking to cram an ineffective toll road through an established community.