

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: August 14-15, 2019

From: SUSAN BRANSEN, Executive Director

Reference Number: 4.11, Action

Prepared By: Paul Golaszewski
Deputy Director

Published Date: August 2, 2019

Subject: **San Mateo County US 101 Express Lanes Project – Toll Facility Approval Request**

Issue:

Should the California Transportation Commission (Commission) approve an application from the San Mateo County Express Lanes Joint Powers Authority (JPA) to develop and operate a high-occupancy toll facility on US 101 in San Mateo County?

Recommendation:

Staff recommends the Commission approve the San Mateo County Express Lanes JPA's request to develop and operate a high-occupancy toll facility on US 101 in San Mateo County, as specified in the application received by the Commission on July 2, 2019.

This recommendation is based on staff's finding that the application meets the criteria for approval set forth in Assembly Bill (AB) 194 (Frazier, 2015), as well as consideration of public comments received via email and at the public hearing held on July 25, 2019. The proposed project will increase the corridor's performance by reducing vehicle hours of delays and increasing passenger throughput, and it has a complete funding plan from federal, state, local, and private sources. The application also states that the San Mateo County Express Lanes JPA will consider and work with other Bay Area toll operators toward regionally-consistent policies that allow seamless travel in the region.

Background:

In 2015, the Legislature passed AB 194, which delegates to the Commission the responsibility to approve the tolling of transportation facilities in California. Section 149.7 of the California Streets and Highways Code, as amended by AB 194, authorizes regional transportation agencies (including JPAs) or the California

Department of Transportation (Caltrans) to apply to the Commission to develop and operate high-occupancy toll lanes or other toll facilities, including the administration and operation of a value pricing program and exclusive or preferential lane facilities for public transit or freight.

Applications for the development and operation of toll facilities are subject to review and approval by the Commission pursuant to criteria set forth in the Guidelines for Toll Facility Applications (guidelines) adopted by the Commission at its March 2016 meeting. It is important to note that the Commission's guidelines state that after the Commission has approved a project, it will have no further role in reviewing or approving changes to the project except at the request of the sponsor agency. If the sponsor agency finds it necessary or appropriate to make changes to the toll facility project after approval, the Commission expects the agency will request approval of the change by submitting a supplement to the project application setting forth a description of the change and the reasons for it.

San Mateo County Express Lanes JPA Application

On July 2, 2019, the Commission received an application from the San Mateo County Express Lanes JPA pursuant to AB 194 to develop and operate a 22-mile high-occupancy toll facility on US 101 in San Mateo County between the Santa Clara county line to the south and Interstate 380 to the north. The San Mateo County Express Lanes JPA is a joint venture between the City/County Association of Governments of San Mateo County (C/CAG) and the San Mateo County Transportation Authority (SMCTA).

The project is split into two segments. The southern segment of the project will convert existing high-occupancy vehicle (HOV) lanes to express lanes in each direction along 7.25 miles of US 101. The northern segment of the project will add one new express lane in each direction along 14.75 miles of US 101 (while also maintaining the current number of general purpose lanes).

The \$514 million project is funded from the Solutions for Congested Corridors Program (\$200 million), regional toll funds (\$95 million), private sector funds (\$53 million), the State Transportation Improvement Program (\$33.5 million), Measure A sales tax revenues (\$30.5 million), the Local Partnership Program (\$20 million from the competitive program and \$1.8 million from the formula program), the Interregional Transportation Improvement Program (\$18 million), and a repurposed federal earmark (\$9.5 million). In addition, SMCTA will provide \$53 million from Measure A or other funds, which will be reimbursed from future excess net toll revenues once the facility is operational. All funds have been programmed, committed, and/or allocated to the project.

Construction on the southern segment of the project has commenced and is expected to be complete in 2020. Project design for the northern segment is 65 percent

complete and expected to be finished in September 2019, with construction beginning in January 2020. The project is expected to open to the public in 2022.

A copy of the application is available on the Commission's website at: https://catc.ca.gov/-/media/ctc-media/documents/programs/toll-facilities-program/sm101hotlane_ctcapplication_tollfacility_v07_complete.pdf

Statutory Criteria for Commission Approval

For the Commission to approve a proposed toll facility, AB 194 requires the Commission to find, at a minimum, that the application meets the following criteria:

(1) A demonstration that the proposed toll facility will improve the corridor's performance by, for example, increasing passenger throughput or reducing delays for freight shipments and travelers, especially those traveling by carpool, vanpool, and transit.

The application includes a copy of the project's Final Environmental Impact Report/Environmental Impact Statement (Final EIR/EIS) which provides substantial information regarding increases in throughput and reduction in delay. The application summarizes many of the benefits included in the Final EIR/EIS that demonstrate the proposed project will improve the corridor's performance. For example, during peak periods the project will increase person throughput in the project corridor from 589,000 persons to 772,000 persons and reduce vehicle hours of delay from 103,000 hours to 85,000 hours.

(2) A requirement that the proposed toll facility is contained in the constrained portion of a conforming regional transportation plan prepared pursuant to Section 65080 of the Government Code.

The Project is included in the constrained portion of Metropolitan Transportation Commission's (MTC) Plan Bay Area 2040 adopted on July 26, 2017. MTC also has provided to the Commission a letter of support for the application.

(3) For projects involving the state highway system, evidence of cooperation between the applicable regional transportation agency and Caltrans. Examples of acceptable evidence of cooperation could be in the form of a completed cooperative agreement or a signed letter between the parties to demonstrate that the parties are working cooperatively on the development of the toll facility.

The Caltrans District 4 Director signed the Final Environmental Impact Report/Environmental Assessment with Finding of No Significant Impact on October 30, 2018 and the Final Project Report on October 31, 2018. In addition, Caltrans has provided to the Commission letters of support for the application from the Acting Director of the department and from the District 4 Director.

(4) A discussion of how the proposed toll facility meets the requirements of Streets and Highways Code Section 149.7.

Streets and Highways Code Section 149.7(e) contains additional requirements for AB 194 applicants. In the application, the San Mateo County Express Lanes JPA commits to meet the additional requirements prior to the opening of the project by entering an agreement with the California Highway Patrol for enforcement services; entering an agreement with Caltrans for operations and maintenance; and adopting a toll policy and entering a contract for toll administration. The application also states the San Mateo County Express Lanes JPA's commitment to manage toll revenues in accordance with statutory restrictions and provide required reporting information to the Commission or the Legislative Analyst's Office upon request.

(5) A complete project initiation document for the proposed toll facility.

The application includes a copy of the Project Study Report/Project Development Support document that services as the Project Initiation Document for the project.

(6) A complete funding plan for development and operation of the toll facility.

The application states that funds for the project have all been programmed, committed, and/or allocated.

Supplemental Information

In addition to the criteria in statute, the Commission's guidelines specify that the Commission will consider all provided information to determine whether to approve the proposed toll facility. Accordingly, the guidelines strongly encourage applicants to provide more information than necessary to meet the minimum criteria. The guidelines request that, whenever applicable and possible, applicants provide information on the following:

Compliance with State Law. In addition to Streets and Highways Code Section 149.7, the application commits to compliance with Government Code Section 14106 (requiring revenues generated by the project to be spent within the project corridor) and California Vehicle Code Sections 21655.9 and 5205.5 (providing for use of exclusive or preferential HOV lanes to low- and zero-emission vehicles regardless of occupancy). The application also states the project is compliant with state laws and regulations related to competitive procurement, privacy, right-of-way acquisition, and utility relocations.

System Compatibility. The application notes that the project is subject to the design standards in Caltrans' Highway Design Manual. In addition, the project has been designed in coordination with the express lane facilities that are being developed in Santa Clara County, directly to the south of the project. This will result in a continuous facility on US 101 between SR 237 in Santa Clara County

and I-380 in San Mateo County. The application also states that the San Mateo County Express Lanes JPA will consider and work with other Bay Area toll operators toward regionally-consistent policies that allow seamless travel in the region. The importance of working toward regionally-consistent policies that allow for seamless travel is also discussed in both MTC's and Caltrans' support letters for the application.

Corridor Improvement. The performance improvements to the corridor include increases in passenger throughput and decreases in travel time, as discussed above.

Technical Feasibility. The application includes a detailed description of the proposed facility, location, and timeline. Additional information about the project's feasibility is included in the Final EIR/EIS, which is included with the application.

Financial Feasibility. The \$514 million project cost estimate is based on the completion of the design phase for the southern segment, with construction underway, and the completion of 65 percent of the design phase for the northern segment. The funds for the project have all been programmed, committed, and/or allocated, and the funding plan includes a construction phase contingency of 9.25 percent of the capital costs. The application includes estimates of projected revenues and operating expenses, including a projection of about \$10 million annually in net excess revenues. The application states the San Mateo County Express Lanes JPA will develop and implement an expenditure plan for net excess revenues, which potentially could be used to maintain or improve the safety, operation, or travel reliability in the corridor; provide or improve travel options in the corridor; or fund an equity program.

Regional Transportation Plan & Community Support. The application indicates the project is consistent with MTC's Regional Transportation Plan/Sustainable Communities Strategy (Plan Bay Area 2040), Caltrans District 4's Comprehensive Corridor Plan for the US 101 South Corridor, C/CAG's Countywide Transportation Plan 2040, and SMCTA's Strategic Plan 2014-2019, as well as applicable state and federal environmental statutes and regulations. The application describes the public outreach efforts related to the project, including a public scoping meeting held in October 2016, additional public meetings held in San Mateo and Redwood City in May and June of 2017, and 22 meetings with staff from the local city jurisdictions along the corridor. The application states that there is no known opposition to the project. It also highlights that the project is expected to reduce the number of vehicles using local streets to navigate around congestion points on US 101, and that the project will be built almost entirely within the existing Caltrans right of way.

Public Hearing

AB 194 requires that, prior to approving an application, the Commission conduct at least one public hearing at or near the proposed toll facility to receive public comment. The Commission held a hearing to receive public comment on July 25, 2019. The hearing was held in the San Mateo County office building located at 455 County Center, Redwood City, California. The hearing was webcast live and recorded. The recording is available on YouTube at:

<https://www.youtube.com/watch?v=FpwbslxgrVY&feature=youtu.be>

Commissioners Inman, Van Konyneburg, Ghielmetti, and Dunn were present for the hearing. Following presentations by C/CAG, SMCTA, Caltrans, and MTC, the Commission received public comment from two individuals. One commenter described various transportation challenges in the project area related to congestion on the US 101. The other commenter expressed support for the project on behalf of the Bay Area Council.

In addition to the comments received at the hearing on July 25, 2019, the Commission received several comments via email, which are included in the attachments.

Attachments:

- Attachment A: CTC Resolution G-19-42
- Attachment B: Comments sent to the Commission via email
- Attachment C: Assembly Bill 194 (Frazier, 2015)

CALIFORNIA TRANSPORTATION COMMISSION
Approval of Application for a Toll Facility on US 101 in San Mateo County

RESOLUTION G-19-42

- 1.1 WHEREAS Assembly Bill 194 (Frazier, 2015) amended Section 149.7 of the Streets and Highways Code authorizing regional transportation agencies or the California Department of Transportation (Caltrans) to apply to the Commission to develop and operate high-occupancy toll lanes or other toll facilities, including the administration and operation of a value pricing program and exclusive or preferential lane facilities for public transit or freight, and
- 1.2 WHEREAS Assembly Bill 194 specifies that applications for the development and operation of toll facilities are subject to review and approval by the Commission pursuant to criteria set forth in guidelines established by the Commission, and
- 1.3 WHEREAS Assembly Bill 194 requires that for each eligible application the Commission shall conduct at least one public hearing at or near the proposed toll facility for the purpose of receiving public comment, and
- 1.4 WHEREAS the Commission adopted guidelines at its March 16, 2016, meeting to set forth the Commission's policy for carrying out its role in implementing Assembly Bill 194 and to assist the regional transportation agencies and Caltrans when contemplating an application to the Commission for approval to develop and operate high-occupancy toll lanes or other toll facilities, and
- 1.5 WHEREAS the City/County Association of Governments of San Mateo County and the San Mateo County Transportation Authority have formed the San Mateo County Express Lanes Joint Powers Authority (JPA) to develop and operate a high-occupancy toll facility on US 101 in San Mateo County, and
- 1.6 WHEREAS on July 2, 2019 the Commission received from the San Mateo County Express Lanes JPA the *Application for Toll Facility: US 101 Express Lane Project* for review and approval in accordance with Assembly Bill 194 and the Commission's Toll Facility Guidelines, and
- 1.7 WHEREAS the Commission held a hearing to receive public comment on the proposed toll facility related to this application on July 25, 2019, in Redwood City, California, and

- 1.8 WHEREAS Commission staff reviewed the San Mateo County Express Lanes JPA's application for compliance with Assembly Bill 194 and the Commission's Toll Facility Guidelines, and
- 1.9 WHEREAS this review found that the application meets the minimum criteria identified in Assembly Bill 194, and
- 1.10 WHEREAS, in addition, the application commits to compliance with state laws regarding the expenditure of revenues generated by the project; the use of exclusive or preferential high-occupancy vehicles lanes for low- and zero-emission vehicles; and state laws and regulations related to competitive procurement, privacy, right-of-way acquisition, and utility relocations, and
- 1.11 WHEREAS, the application states the project has been designed in coordination with the express lane facilities that are being developed in Santa Clara County, directly to the south of the project, to result in a continuous facility on US 101 between SR 237 in Santa Clara County and I-380 in San Mateo County, and
- 1.12 WHEREAS, the application states that the San Mateo County Express Lanes JPA will consider and work with other Bay Area toll operators toward regionally-consistent policies that allow seamless travel in the region, and
- 1.13 WHEREAS, the application states the San Mateo County Express Lanes JPA has met and coordinated on numerous occasions with local city jurisdictions along the corridor and has held several public meetings on the project, and
- 1.14 WHEREAS Caltrans is a co-sponsor with the San Mateo County Express Lanes JPA of the US 101 Express Lanes Project and has submitted to the Commission a letter of support for the project application, and
- 1.15 WHEREAS Caltrans' letter of support states that prior to the beginning of tolling operations it will enter a toll operations agreement with the San Mateo County Express Lanes JPA addressing tolling principles, and that it will work with local and regional agencies implementing express lanes in the Bay Area toward achieving uniform policies, practices, and toll operations agreements, and
- 1.16 WHEREAS the Metropolitan Transportation Commission is a funding partner in the US 101 Express Lanes Project and has submitted a letter of support to the Commission for the project application, urging the Commission to convey the expectation that the San Mateo County Express Lanes JPA will consult with the Bay Area region's three existing express lane agencies when setting tolling policies, and

- 1.17 WHEREAS, based on its review of the application, and considering the testimony provided at the public hearing and via email, Commission staff recommended that the Commission approve the proposed toll facility in accordance with Assembly Bill 194 and the Commission's adopted guidelines.
- 2.1 NOW THEREFORE BE IT RESOLVED that the Commission finds the San Mateo County Express Lanes JPA's *Application for Toll Facility: US 101 Express Lane Project* consistent with Assembly Bill 194 and the Commission's Toll Facility Guidelines, and
- 2.2 BE IT FURTHER RESOLVED that the Commission expects the San Mateo County Express Lanes JPA and Caltrans to work collaboratively with all local and regional agencies implementing express lanes in the Bay Area toward seamless travel across the region, and
- 2.3 BE IT FURTHER RESOLVED that the Commission approves the San Mateo County Express Lanes JPA's application to develop and operate high-occupancy toll lanes on US 101 in San Mateo County as described, and
- 2.4 BE IT FURTHER RESOLVED that if the San Mateo County Express Lanes finds it necessary or appropriate to make changes to the toll facility project after approval, the Commission expects that the agency will request approval of the change by submitting a supplement to the project application setting forth a description of the change and the reasons for it.

From: [Matthew Mayberry](#)
To: [Borja, Jofil@CATC](mailto:Borja_Jofil@CATC)
Subject: Fwd: California Transportation Commission Hearing to Receive Public Comment on Proposed Express Lanes
Date: Friday, July 19, 2019 9:36:39 AM
Attachments: [072519_SM_Toll_Hearing_Agenda.pdf](#)

Hi Jofil,

I am unable to attend in person but wanted to share my feedback on this proposed project:

- These toll lane projects are absolutely ridiculous
 - you use taxpayer money to build a new lane that you then charge people a toll to use... wtf
 - The lanes don't reduce traffic for all - only those wealthy enough to be able to add \$10 or more each way, each day to their commute to save time. The rest of the people are still stuck in traffic
- The addition of these lanes just causes new choke points - for example, look at the 680 project. In the 12 miles or whatever it is of toll lane, you didn't widen the overpass at rudgear road - so now the traffic will just jam up around rudgear road.
- These projects are an absolute nightmare for anyone living around them. You people have already taken \$100k or more in value off of my home and you regularly start construction at 10PM and go until 6AM - and you have noise exemptions for all the night work. You shake my house with giant, tractor mounted jackhammers all night, my kids cry and ask me if "the people are going to tear our roof off". Your people have trespassed on my private road so many times I sent a cease and desist letter and notified the sheriff that I want all future trespassers arrested immediately. It's so sad and disturbing and you people don't care one bit.

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

From: (null) (null) <j_pon@yahoo.com>

Sent: Friday, July 19, 2019 1:20 PM

To: California Transportation Commission@CATC <ctc@catc.ca.gov>

Subject: Public Comment: San Mateo County Express Lanes Hearing

Dear CTC:

I disagree with the Express Lane being built on 101 in San Mateo county. I have commuted on 101 for the past 25 years and the past several years of congested traffic on 101 has increased my commute time to an extra 30-45 minutes per day.

Highway 92 backs up every weekday and the traffic overflows onto 101 and the streets of San Mateo and Foster City.

Taking away one lane to use an express lane will not work. It will not ease the congestion rather it will increase the congestion on 101/92 and the city streets and will only afford the most affluent to be able to use those toll lanes.

Sincerely,

Judy Suarez

Sent from my iPhone

From: Kiran Ghodgaonkar <kiranghod@yahoo.com>
Sent: Monday, July 22, 2019 11:42 AM
To: California Transportation Commission@CATC <ctc@catc.ca.gov>
Subject: Public Comment: San Mateo County Express Lanes Hearing

Hi,

Please see feedback from our neighborhood on the express lanes and the poor timing of the meeting.

Kiran

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Public Works Communications & Public Relations Analyst Kellie Benz
, City of San Mateo AGENCY



101 Express Lanes Tolls Public Hearing

Will you be using the new 101 Express Lanes once they are completed? Do you have an opinion on the proposed tolls? Your feedback is important to the California Transportation Commission at its public hearing on July 25 in Redwood City. Meeting is 4-6 p.m. at San Mateo County Office Building, 455 County Center, Redwood City. Details here: <https://catc.ca.gov/programs/tolling/toll-facilities-program>



3 days ago · Subscribers of City of San Mateo

Thank



Reply



5



16

K

Kiran Ghodgaonkar
, Bay Meadows · 3 days ago



Do they really care about our opinion? Why waste everyones time with these meetings. They made the decision to implement these lanes without asking the taxpayer. The carpooling taxpayer is now going to get taxed again to pay the toll. Meanwhile cheaters and electric car buyers get to go in the carpool lane for free. And even better hold these meetings at a time when the taxpayer is slogging away at work to fund these boondoggles and challenge this pattern of poor behaviour.



14



Enrique Marchetti
, North Central · 3 days ago



The purpose of the carpool lanes is to save gas. What the heck are electric cars doing in those lanes? Does anyone know?

[Thank](#)



1



Brian Cervenka
, Sunnybrae · 3 days ago



Re: electric cars in carpool lanes, the idea is to incentivise people to purchase otherwise-more-expensive electric vehicles, under the premise that these vehicles produce lower emissions and use less fuel. Personally, I'm not a huge fan (only a touch below neutral feeling, mind you) of pay to play systems to get access to faster traffic lanes. However, if your view is that carpool lanes are there to save gas, then that should fairly heavily support EV in carpool lane allowance. The electric vehicles, while they do still use fuel in the form of power plant power, are considerably more efficient global emissions wise, and they don't produce their emissions locally in the generally heavily populated areas where carpool lanes tend to be. Tailpipe emissions have been shown to have negative health impacts on people nearby, so there is probably a mild overall global and local health improvement, and definitely a lower gasoline dependency.

[Thank](#)



1



Bob Callaway
, Parkside·3 days ago



This whole thing is a friggin' SHAM. Another way to make life easier for rich folks. The rich can afford to pay the tax, so no big deal for them to get an opportunity to make their commutes more palatable at lower-income-taxpayer expense. (Tax dollars getting used to implement these systems). Granted, that means rich folks will be paying higher taxes (a toll is a tax), but they can afford it, so it gets a bunch of people who can't afford it out of that lane, making life, once again, easier for rich folks at the expense of poorer folks...

[Thank](#)



5



Enrique Marchetti
, North Central·3 days ago



Brian, your idea about the incentive to purchase EV's is a valid one, but the real benefit of the carpool lane is getting more people in one vehicle, thus reducing the total number of cars on the road. This reduction in number lowers the emissions. Carpool lanes allow cars to go non-stop when the freeway is bumper to bumper. Electric cars do not pollute, therefore they should be in the busy lanes, leaving space for the gas vehicles with two or more aboard. I can't imagine anyone paying over 100 Grand for a Tesla just to use the fast carpool lane. More enforcement is needed to make the bandits to pay fines, and use that money to improve the roads, which are in real need of improvement.

[Thank](#)



4



Jake Cella
, Western Hills·3 days ago



Don't we already pay for the roads we drive on through taxes and fees? Why do we have to pay again to use them?

[Thank](#)



7



Charles Harris
, The Village·3 days ago



Just taking more tax money out of the pocket of the working class, and putting more money in the city's pocket, so someone can put there name on a project saying "Look what I did"....

[Thank](#)



3



Charles Harris
, The Village·3 days ago



AND it will probably be "Flex Pricing", so when you need the lanes the most is when the prices will be the highest!!!

[Thank](#)



Shawn Fahrenbruch
, Baywood Knolls·3 days ago



Would it be possible for the new lane to be used for the first 12 months (capture all traffic patterns for one calendar year) before implementing the tolls? Then implement it for one calendar year with tolls to see if the theory that the overall traffic is better/smoothed with one or the other? I bought my Chevy Bolt for the express purpose of using the carpool lane as I drive San Mateo to San Jose. But I've always suspected that the overall gridlock and emissions would be reduced if the carpool lane were just another lane open to all.

[Thank](#)



3



Zack Kerwin
, Borel · 3 days ago



Company shuttles and public buses will be able to use these lanes as well which should speed them up and make service more attractive

[Thank](#)



Sebastian Caballero
, Sunnybrae · 3 days ago



Yeah, sure. We'll use it, now can we get some budget for the soundwall to be raised so the neighbors living in that area are not affected? Thanks

[Thank](#)



1



Public Works Communications & Public Relations Analyst Kellie Benz
· 2 days ago



The CTC also welcomes your comments by email or formal letters if you're unable to make its public hearing. Emails, and should be sent to ctc@catc.ca.gov with "Public Comment: San Mateo County Express Lanes Hearing" in the subject line. Formal letters should be addressed to: California Transportation Committee Attn: Toll Facilities Program 1120 N Street, MS-52 Sacramento, CA 95814 All public comment should be dated or postmarked no later than July 25, 2019 (the date of the hearing).

Thank



Charles Harris
, The Village · 2 days ago



Why not hold the meeting from 7PM to 9PM so the people affected will have a chance to voice there opinion, instead of holding it during commute time when no one can be there because they are on the road!!!

Thank



5



Public Works Communications & Public Relations Analyst Kellie Benz
· Edited 2 days ago



Hey Charles, that's great feedback for the CTC, here's the post again about where to send your comments if you can't make the meeting (we are just the messenger, it's not our meeting): Emails, and should be sent to ctc@catc.ca.gov with "Public Comment: San Mateo County Express Lanes Hearing" in the subject line. Formal letters should be addressed to: California Transportation Committee Attn: Toll Facilities Program 1120 N Street, MS-52 Sacramento, CA 95814 All public comment should be dated or postmarked no later than July 25, 2019 (the date of the hearing).

Thank



Douglas Keen

, North East Parkside · Edited 1 day ago



All public comment will be treated with the usual disdain... Yada yada It would be much more efficient for them to hold a meeting to announce what they have already decided to do. Oh, but, wait, that is essentially what the "Tolls Public Hearing" is - a meeting to tell us what they have already decided. They will be happy to make long presentations to explain ' The Answer ' Then give next to no time for public comment. Oh, sorry, out of time ! To paraphrase - Ask not for whom the road tolls; it tolls for thee.

[Thank](#)



3



Larry Garrido

, Baywood · 2 days ago



Here is what's going to happen, every surface street within this zone is going to become overwhelmed with vehicle traffic trying to avoid the gridlock you will be creating by adding tolls to ANY lanes of 101, this includes residential neighborhoods. I already see this happening in areas where exit ramps have become daily backups, like 101 South at the 3rd ave exit, the residential areas from poplar to 3rd are jammed up with people trying to avoid 3rd ave exit since it backs up all the way to the poplar exit. Why not just build some additional normal roads to accommodate all the extra people you have introduced to the area with mega apartment complexes and large businesses? The people running the city and county of San Mateo are proving to be incompetent, it's really really simple, the glass can only hold so much liquid, put in too much it overflows, your only choice is to get a bigger glass. So, being there is no additional land to grab you need to come to grips with reality and stop building massive apartment buildings and bringing in large corporations with hundreds and thousands of employees that the infrastructure can not possibly support! What are they trying to accomplish with this?

[Thank](#)



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Add a reply...



July 24, 2019

Susan Bransen
Executive Director
California Transportation Commission
1120 N Street MS-52
Sacramento, CA 95814

RE: **Letter of Support for the San Mateo US 101 Express Lane Project Application for Toll Facility**

Dear Ms. Bransen,

The Bay Area Council is pleased to convey our support for the San Mateo County Express Lanes Joint Powers Authority's application to operate a high-occupancy toll facility on US 101 in San Mateo County.

The Bay Area Council is a civic leadership organization that works to strengthen the Bay Area's economy and quality of life; our work is led by the hundreds of major employers that comprise our membership. Surveys of the public and input from our business members consistently rank transportation as a top challenge for our region. With employment growing rapidly, especially in the corridor between San Francisco and Silicon Valley, commute conditions are worsening rapidly.

Our members have identified near-term commute relief as a top priority for the Bay Area Council, and one proven strategy is to convert underutilized carpool lanes into express lanes. Doing so optimizes utilization of the lane, provides a convenient and reliable option for those who may want it, and generates revenue for other transportation improvements and services in the vital corridor connecting two of California's largest areas of employment and innovation. The Council has long supported express lanes on the US 101 corridor. The Council has supported: 1) AB 194, which delegates responsibility to approve the tolling of transportation facilities in California, 2) SB1, which is partially funding the construction of the Express Lane Project, 3) and continues to support Caltrans' application for U.S. Department of Transportation grant funding for the Express Lane Project.

The Council has faith in the San Mateo Joint Powers Authority to operate the San Mateo County Express lanes, and to work in partnership with the Metropolitan Transportation Commission, Caltrans, and major employers to improve commutes and reduce traffic congestion in this crucial corridor.

Sincerely,



Gwen Litvak
Senior Vice President of Public Policy
Bay Area Council

From: Bob Brasher <brasher.snoitulos@gmail.com>
Sent: Friday, July 26, 2019 3:12 PM
To: Bransen, Susan@CATC <Susan.Bransen@catc.ca.gov>
Cc: Bob Brasher <brasher.snoitulos@gmail.com>
Subject: *** San Mateo: Additional Congestion Reduction

Dear Ms. Bransen, Executive Director;

I was unable to attend the San Mateo County US 101 Express Lanes meeting yesterday. I was planning to propose the following.

A new traffic management system is available which will enhance the current US 101 Managed Lanes project by reducing traffic congestion an approximately 20% more in the problematic congested areas which the current project will create.

The new traffic management system is called the BYPASS MERGE LANES.
Please see attached document for details.

The areas which most likely will have increased traffic congestion after completing the currently proposed US 101 Managed Lanes project are as follows:

US 101 North at I-380. (Back towards SR 92)
US 101 South at Veterans Boulevard and Whipple Ave. (Back towards SR 92)
US 101 South between Marsh Road and University Avenue.

The Bypass Merge Lanes could compliment the currently proposed US 101 Managed Lanes project by reducing congestion approximately 20% more in the congested areas stated.

If the California Transportation Commission has interest in implementing the Bypass Merge Lanes for additional traffic congestion reduction, please contact me.

Sincerely,
Robert Brasher
Snoitulos, LLC

BYPASS MERGE LANES INTRODUCTION

Traffic congestion is a problem in many areas on highways. Traffic congestion increases other problems such as, travel time, pollution, fuel consumption and danger.

Therefore, a system was created to inexpensively address these problems. It is called the Bypass Merge Lanes (BML). The BML is a highway traffic management system which is specifically designed to reduce traffic congestion in worst congested traffic areas. The system reduces traffic congestion, travel time, pollution, fuel consumption, and danger by increasing the efficiency of a highway.

The BML has the ability to reduce traffic congestion and travel time approximately 40%. In most cases, the BML will reduce traffic congestion and travel time approximately 20%. In addition, the BML has the ability to compliment other systems, such as SMART Corridors HOV/HOT Lanes or Express Lanes, where traffic congestion and travel time could be reduced an additional 20%.

The BML can be implemented inexpensively. In that, in most cases, lane striping and signs are the only items necessary. A component of the BML is a Separator. A Separator can be anything used to divide any two lanes on a roadway. The BML is most useful at the root cause of a congestion area. Some examples of a Separator are painted lane striping or vertical barrier. In most cases, a Separator will be two parallel solid white lines with a capital letter "B" in between the lines to signify a BML Separator. Separators are usually placed in strategic areas where traffic congestion occurs.

The BML operates by separating the cause of the traffic congestion away from free flowing traffic. It does not attempt to avoid congestion. It simply reduces congestion by cutting through the problem areas.

Usually, congestion is created when traffic on a roadway meets traffic entering the roadway which exceeds the allowable capacity for the conditions. The effect starts where one entrance lane meets a lane on the roadway which is unable allow traffic into the lane without maintain speed causing the lane to slow. When one lane on a highway becomes slow, a ripple effect occurs, in that, the adjacent lanes reduce speed until all lanes are slow.

Separators can be placed anywhere between two lanes on a roadway. The placement and the length of the Separators will be determined by the design to manage traffic. In most cases, the Separators are less than two miles and placed two lanes from the outside edge of a roadway to accommodate traffic entering or exiting.

In some cases, where lanes are added to the roadway in order to increase traffic flow, other problems may occur elsewhere in the roadway system, which create undesirable effects. The BML increases traffic flow and has minimal adverse effects elsewhere in the roadway system.

For additional benefits, refer to Bypass Merge Lanes Benefits.

Attachment C

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**Assembly Bill No. 194****CHAPTER 687**

An act to amend Section 149.7 of, and to add Section 149.12 to, the Streets and Highways Code, relating to transportation, and making an appropriation therefor.

[Approved by Governor October 09, 2015. Filed with Secretary of State October 09, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 194, Frazier. High-occupancy toll lanes.

Existing law provides that the Department of Transportation has full possession and control of the state highway system. Existing law authorizes the department to construct exclusive or preferential lanes for buses only or for buses and other high-occupancy vehicles.

Existing law authorizes a regional transportation agency, as defined, in cooperation with the department to apply to the California Transportation Commission to develop and operate high-occupancy toll (HOT) lanes, including administration and operation of a value-pricing program and exclusive or preferential lane facilities for public transit, consistent with established standards, requirements, and limitations that apply to specified facilities. Existing law requires the commission to conduct at least one public hearing in northern California and one in southern California for each eligible application submitted by the regional transportation agency. Existing law limits the number of approved facilities to not more than 4, 2 in northern California and 2 in southern California, and provides that no applications may be approved on or after January 1, 2012.

This bill would authorize a regional transportation agency or the department to apply to the commission to develop and operate HOT lanes or other toll facilities, as specified, and would delete the January 1, 2012, deadline for HOT lane applications and remove the existing limitation on the number of facilities that may be approved. The bill would include the Santa Clara Valley Transportation Authority within the definition of regional transportation authority for these purposes. The bill would delete the requirement that the facilities be consistent with the established standards, requirements, and limitations that apply to specified facilities and would instead require the commission to establish eligibility criteria set forth in guidelines for the development and operation of the facilities and provide for the review and approval by the commission of each proposed toll facility pursuant to those eligibility criteria. The bill would require toll facilities approved by the commission on or after January 1, 2016, to be subject to specified minimum requirements, including those relating to toll facility revenues. The bill would authorize a regional transportation agency or the state, as applicable, to issue bonds, refunding bonds, or bond anticipation notes backed by revenues generated from the facilities. The bill would delete the requirement that the commission conduct at least one public hearing in northern California and one in southern California for each eligible application and would instead require the commission to conduct at least one public hearing at or near the proposed toll facility. The bill would require a regional transportation agency that applies to the commission to reimburse the commission for all of the commission's costs and expenses incurred in processing the application and to enter into specified agreements with the department and the Department of the California Highway Patrol. Before submitting an application to the commission, the bill would require a regional

transportation agency to consult with every local transportation authority and every congestion management agency whose jurisdiction includes the facility that the regional transportation agency proposes to develop and operate pursuant to the above-described provisions. The bill would require the regional transportation agency to give a local transportation authority or congestion management agency, as specified, the option of entering into agreements, as needed, for project development, engineering, financial studies, and environmental documentation for each construction project or segment, and would authorize the local transportation authority or congestion management agency to be the lead agency for those construction projects or segments. The bill would provide that these provisions do not authorize or prohibit the conversion of any existing nontoll or nonuser-fee lanes into tolled or user-fee lanes, except that a high-occupancy vehicle lane may be converted into a HOT lane pursuant to its provisions.

This bill would create the Highway Toll Account in the State Transportation Fund for the management of funds received by the Department of Transportation for toll facilities operated by the department under the bill. The bill would continuously appropriate to the department the portion of revenues designated and necessary for the payment of debt service for those facilities.

This bill would become operative only if AB 914 is enacted and takes effect on or before January 1, 2016.

Vote: majority Appropriation: yes Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) The development, improvement, expansion, and maintenance of an efficient, safe, and well-maintained system of roads, highways, and other transportation facilities is essential to the economic well-being and high quality of life of the people of this state.

(b) High-occupancy toll lanes, express lanes, and toll roads provide an opportunity to more effectively manage state highways in order to increase passenger throughput and to reduce delays for freight shipments and travelers, especially those traveling by carpool, vanpool, or bus.

(c) Highway tolling should be employed for the purpose of optimizing the performance of the transportation system on a transportation corridor and should not be employed strictly as a revenue generating facility.

SEC. 2. Section 149.7 of the Streets and Highways Code is amended to read:

149.7. (a) Notwithstanding Sections 149 and 30800, a regional transportation agency, as defined in subdivision (k), or the department may apply to the commission to develop and operate high-occupancy toll lanes or other toll facilities, including the administration and operation of a value pricing program and exclusive or preferential lane facilities for public transit or freight.

(b) Each application for the development and operation of the toll facilities described in subdivision (a) shall be subject to review and approval by the commission pursuant to eligibility criteria set forth in guidelines established by the commission. Prior to approving an application, the commission shall conduct at least one public hearing at or near the proposed toll facility for the purpose of receiving public comment. Upon approval of an application, the regional transportation agency or the department may develop and operate the toll facility proposed in the application.

(c) The eligibility criteria set forth in the guidelines established by the commission pursuant to subdivision (b) shall include, at a minimum, all of the following:

(1) A demonstration that the proposed toll facility will improve the corridor's performance by, for example, increasing passenger throughput or reducing delays for freight shipments and travelers, especially those traveling by carpool, vanpool, and transit.

(2) A requirement that the proposed toll facility is contained in the constrained portion of a conforming regional transportation plan prepared pursuant to Section 65080 of the Government Code.

(3) Evidence of cooperation between the applicable regional transportation agency and the department.

(4) A discussion of how the proposed toll facility meets the requirements of this section.

(5) A requirement that a project initiation document has been completed for the proposed toll facility.

(6) A demonstration that a complete funding plan has been prepared.

(d) A regional transportation agency that applies to the commission to develop and operate toll facilities pursuant to this section shall reimburse the commission for all of the commission's costs and expenses incurred in processing the application.

(e) Toll facilities approved by the commission on or after January 1, 2016, pursuant to this section, shall be subject to the following minimum requirements:

(1) A regional transportation agency sponsoring a toll facility shall enter into an agreement with the Department of the California Highway Patrol that addresses all law enforcement matters related to the toll facility and an agreement with the department that addresses all matters related to design, construction, maintenance, and operation of the toll facility, including, but not limited to, liability, financing, repair, rehabilitation, and reconstruction.

(2) A regional transportation agency sponsoring a toll facility shall be responsible for reimbursing the department and the Department of the California Highway Patrol for their costs related to the toll facility pursuant to an agreement between the agency and the department and an agreement between the agency and the Department of the California Highway Patrol.

(3) The sponsoring agency shall be responsible for establishing, collecting, and administering tolls, and may include discounts and premiums for the use of the toll facility.

(4) The revenue generated from the operation of the toll facility shall be available to the sponsoring agency for the direct expenses related to the following:

(A) Debt issued to construct, repair, rehabilitate, or reconstruct any portion of the toll facility, payment of debt service, and satisfaction of other covenants and obligations related to indebtedness of the toll facility.

(B) The development, maintenance, repair, rehabilitation, improvement, reconstruction, administration, and operation of the toll facility, including toll collection and enforcement.

(C) Reserves for the purposes specified in subparagraphs (A) and (B).

(5) All remaining revenue generated by the toll facility shall be used in the corridor from which the revenue was generated pursuant to an expenditure plan developed by the sponsoring agency, as follows:

(A) (i) For a toll facility sponsored by a regional transportation agency, the regional transportation agency shall develop the expenditure plan in consultation with the department.

(ii) For a toll facility sponsored by the department, the department shall develop the expenditure plan in consultation with the applicable regional transportation agency.

(B) (i) For a toll facility sponsored by a regional transportation agency, the governing board of the regional transportation agency shall review and approve the expenditure plan and any updates.

(ii) For a toll facility sponsored by the department, the commission shall review and approve the expenditure plan and any updates.

(6) The sponsoring agency's administrative expenses related to operation of a toll facility shall not exceed 3 percent of the toll revenues.

(f) For any project under this section involving the conversion of an existing high-occupancy vehicle lane to a high-occupancy toll lane, the sponsoring agency shall demonstrate that the project will, at a minimum, result in expanded efficiency of the corridor in terms of travel time reliability, passenger throughput, or other efficiency benefit.

(g) This section shall not prevent the construction of facilities that compete with a toll facility approved by the commission pursuant to this section, and the sponsoring agency shall not be entitled to compensation for the adverse effects on toll revenue due to those competing facilities.

(h) A sponsoring agency that develops or operates a toll facility pursuant to this section shall provide any information or data requested by the commission or the Legislative Analyst. The commission, in cooperation with the Legislative Analyst, shall annually prepare a summary report on the progress of the development and operation of any toll facilities authorized pursuant to this section. The commission may submit this report as a section in its annual report to the Legislature required pursuant to Section 14535 of the Government Code.

(i) (1) A regional transportation agency may issue bonds, refunding bonds, or bond anticipation notes, at any time, to finance construction of, and construction-related expenditures for, a toll facility approved pursuant to this section, and construction and construction-related expenditures that are included in the expenditure plan adopted pursuant to paragraph (5) of subdivision (e), payable from the revenues generated from the toll facility. The bonds, refunding bonds, and bond anticipation notes shall bear such interest rates and other features and terms as the regional transportation agency shall approve and may be sold by the regional transportation agency at public or private sale.

(2) A bond, refunding bond, or bond anticipation note issued pursuant to this subdivision shall contain on its face a statement to the following effect:

"Neither the full faith and credit nor the taxing power of the State of California is pledged to the payment of principal of, or the interest on, this instrument."

(3) Bonds, refunding bonds, and bond anticipation notes issued pursuant to this subdivision are legal investments for all trust funds, the funds of all insurance companies, banks, trust companies, executors, administrators, trustees, and other fiduciaries.

(4) Interest earned on any bonds, refunding bonds, and bond anticipation notes issued pursuant to this subdivision shall at all times be free from state personal income tax and corporate income tax.

(5) (A) For a toll facility operated by the department, the California Infrastructure and Economic Development Bank or the Treasurer may issue bonds, refunding bonds, or bond anticipation notes, at any time, to finance development, construction, or reconstruction of, and construction-related expenditures for, a toll facility approved pursuant to this section and construction and construction-related expenditures that are included in the expenditure plan adopted pursuant to paragraph (5) of subdivision (e), payable solely from the toll revenue and ancillary revenues generated from the toll facility.

(B) This subdivision shall be deemed to provide all necessary state law authority for purposes of Section 63024.5 of the Government Code.

(j) (1) Before submitting an application pursuant to subdivision (a), a regional transportation agency shall consult with every local transportation authority designated pursuant to Division 12.5 (commencing with Section 131000) or Division 19 (commencing with Section 180000) of the Public Utilities Code and every congestion management agency whose jurisdiction includes the toll facility that the regional transportation agency proposes to develop and operate.

(2) A regional transportation agency shall give a local transportation authority or congestion management agency described in paragraph (1) the option to enter into agreements, as needed, for project development, engineering, financial studies, and environmental documentation for each construction project or segment that is part of the toll facility. The local transportation authority or congestion management agency may be the lead agency for these construction projects or segments.

(k) Notwithstanding Section 143, for purposes of this section, "regional transportation agency" means any of the following:

(1) A transportation planning agency described in Section 29532 or 29532.1 of the Government Code.

(2) A county transportation commission established under Section 130050, 130050.1, or 130050.2 of the Public Utilities Code.

(3) Any other local or regional transportation entity that is designated by statute as a regional transportation agency.

(4) A joint exercise of powers authority established pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, with the consent of a transportation planning agency or a county transportation commission for the jurisdiction in which the transportation project will be developed.

(5) The Santa Clara Valley Transportation Authority established pursuant to Part 12 (commencing with Section 100000) of Division 10 of the Public Utilities Code.

(l) A regional transportation agency or the department may require any vehicle accessing a toll facility authorized under this section to have an electronic toll collection transponder or other electronic device for enforcement or

tolling purposes.

(m) Nothing in this section shall authorize or prohibit the conversion of any existing nontoll or nonuser-fee lanes into tolled or user-fee lanes, except that a high-occupancy vehicle lane may be converted into a high-occupancy toll lane.

(n) Nothing in this section shall apply to, modify, limit, or otherwise restrict the authority of any joint powers authority described in Section 66484.3 of the Government Code to establish or collect tolls or otherwise operate any toll facility or modify or expand a toll facility.

SEC. 3. Section 149.12 is added to the Streets and Highways Code, to read:

149.12. The Highway Toll Account is hereby created in the State Transportation Fund for the management of funds received by the department for toll facilities authorized pursuant to Section 149.7 and operated by the department. Notwithstanding Section 13340 of the Government Code, moneys in the Highway Toll Account designated and necessary for the payment of any debt service associated with a toll facility project shall be continuously appropriated, without regard to fiscal year, to the department for the purposes described in subparagraph (A) of paragraph (4) of subdivision (e) of Section 149.7. All other moneys deposited in the Highway Toll Account that are derived from premium and accrued interest on bonds sold pursuant to Section 149.7 shall be reserved in the account and shall be available for expenditure, upon appropriation by the Legislature, as specified in subdivision (e) of Section 149.7. Pursuant to Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code, the cost of bond issuance shall be paid out of the bond proceeds, including premium, if any.

SEC. 4. This act shall become operative only if Assembly Bill 914 of the 2015–16 Regular Session is enacted and takes effect on or before January 1, 2016.