

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: May 16-17, 2024

From: TANISHA TAYLOR, Executive Director

Reference Number: 4.4, Action

Prepared By: Ahmed Ghonim
Assistant Deputy Director

Published Date: May 3, 2024

Subject: Yolo 80 Corridor Improvement Project - Phase 1 – Request for Approval of Tolling Application, Resolution G-24-1

Recommendation:

Staff recommends the California Transportation Commission (Commission) approve the application submitted by the Capital Area Regional Toll Authority for a toll facility on Interstate 80 in Yolo County. The recommendation is based on the submission received by the Commission on March 15, 2024 and commitments made by the Capital Area Regional Toll Authority as outlined herein. The recommendation is supported by findings that the application meets the criteria for approval outlined in Assembly Bill 194 (Chapter 687, Frazier, 2015), and the Commission's Guidelines for Toll Facility Project Applications.

Issue:

On March 15, 2024, the Commission received an application from Capital Area Regional Toll Authority, a joint powers authority established between the Yolo Transportation District, the Sacramento Area Council of Governments, and the California Department of Transportation (Caltrans). This application pertains solely to Phase 1 of the project and seeks authorization for tolling one lane in each direction along Interstate 80 (I-80) spanning from Richards Boulevard to U.S. Highway 50 (US 50). The overarching project, including future phases, covers Interstate 80 from Kidwell Road in eastern Solano County to W. El Camino Ave on I-80 in Sacramento County, and extends to the US 50/Interstate 5 (I-5) interchange on US 50 in Sacramento County. The Capital Area Regional Toll Authority will request tolling authority for each subsequent phase.

Within the boundaries of Phase 1, Interstate 80 currently operates as a freeway with three lanes in each direction. The project will construct 17 lane miles of tolled (High-Occupancy Toll 3+ [driver plus two passengers]) lanes that will improve overall freight throughput and ease congestion, construct pedestrian and bicycle facility enhancements, construct a new Class I (fully separated from the road) pedestrian and bicycle facility, as well as intelligent transportation system elements such as ramp meters, closed circuit televisions, and changeable message

signs. The project scope is consistent with the scope of work for other agenda items slated for consideration in May 2024, referenced as 4.3 and 2.5s(8).

The project will be delivered and managed through a partnership between Yolo Transportation District, Sacramento Area Council of Governments, and Caltrans. Acting as the lead agency, Caltrans completed the environmental phase of the project on April 30, 2024, in accordance with the requirements of the California Environmental Quality Act and the National Environmental Policy Act.

Assembly Bill 194 requires the Commission assess toll applications to ensure that each application meets six criteria. In addition, the Commission's guidelines, established in March 2016, recommend applicants furnish additional information regarding the project. Assembly Bill 194 further stipulates that the Commission must conduct at least one hearing to receive public comments at or near the proposed facility.

On April 9, 2024, the Commission held a public hearing in West Sacramento meeting the requirements of Assembly Bill 194. A video recording of this hearing, the application, and other project documentation are available and accessible on the Commission's website at: <https://catc.ca.gov/programs/tolling>. Commission staff has reviewed and considered all public comments. Written public comments submitted to the Commission are provided in Attachment B.

Statutory Criteria for Commission Approval

For the Commission to approve a proposed toll facility, Assembly Bill 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 data outlined in the tolling application underscores the operational benefits that Phase 1 of the tolling project will offer all users, particularly those employing high-occupancy modes such as transit, vanpooling, and carpooling (3+ occupants). Notably, the improvements in travel time are distinctly more pronounced for high-occupancy vehicles compared to single-occupant vehicles in the general-purpose lanes.

Anticipated performance enhancements include the following average reductions in travel time:

<u>Directional Peak Hour</u>	<u>Managed Lanes: Transit, Vanpool, Carpool, etc.</u>	<u>All Traffic Lanes including Managed Lanes</u>
Eastbound Direction-AM Peak Hour	16%	3%
Eastbound Direction-PM Peak Hour	80%	19%
Westbound Direction-AM Peak Hour	9%	4%
Westbound Direction-PM Peak Hour	9%	N/A (Maintained low levels of congestion)

These results show a significant reduction in travel time in all directions during both the AM and PM peak hours. It's worth noting that the substantial enhancement in travel time during the PM peak hour in the eastbound direction is attributed to the project's resolution of existing bottlenecks in the eastbound direction. Without the proposed improvements, these bottlenecks would deteriorate significantly by 2049.

Moreover, transit service will benefit from significant reductions in bus travel times along key routes:

- Eastbound Bus Route 42B (Mace Boulevard to Enterprise Boulevard, PM Peak): Travel time is expected to decrease from 25.7 minutes to 15 minutes.
- Eastbound Bus Route 138 (Old Davis Road to US 50 at Stockton Boulevard, PM Peak): Travel time is expected to decrease from 81 minutes to 23.6 minutes.
- Westbound Bus Route 138 (US 50 at Stockton Boulevard to Old Davis Road, AM Peak): Travel time is expected to decrease from 41.8 minutes to 19.0 minutes.

The comprehensive data provided in the tolling application underscores that this project will not only enhance the corridor's overall performance but also increase passenger throughput and mitigate delays. The project will benefit freight shipments, alongside significant improvements for high-occupancy vehicles and transit users. The anticipated enhancement in travel time reliability for transit and high-occupancy vehicles is expected to catalyze increased carpooling and transit utilization, thereby promoting sustainable transportation practices.

In addition, the tolling application specifically earmarks \$28 million for related mitigation measures, such as increased transit services. By implementing both managed lanes and mitigation strategies, including the introduction of mobility hubs, it is anticipated that these enhancements will encourage greater transit usage along the corridor, bolster vanpooling and carpooling, and further advance sustainable transportation practices.

(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 Sacramento Area Council of Government's most recent Transportation Improvement Program, the 2023-2026 Metropolitan Transportation Improvement Program, adopted on September 15, 2022, and amended on April 12, 2024 with the title, *I-80 and US 50 Managed Lanes*, as ID CAL21276. The scope is listed as follows:

On I-80 just from the I-80/Kidwell Road interchange in Solano County, through Yolo County, and to the W. El Camino interchange; also on US 50 from the I80/US 50 interchange to the I-5/US 50 interchange in Sacramento County: Construct improvements consisting of managed lanes a High Occupancy Toll (HOT) 3+ lane in each direction with direct connectors, pedestrian/bicycle facilities, park-n-ride, and Intelligent Transportation System (ITS) elements. (The project was split into two projects with the same scope and timeline, CAL21276 and CAL21424. Total cost for both projects is \$465,000,000).

- (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.*

Since June 2022, Caltrans, Yolo Transportation District, and Sacramento Area Council of Governments have actively collaborated in recognition of the regional significance and benefits of implementing this managed lane project. This partnership has been characterized by ongoing coordination and regular meetings, essential for discussing critical aspects such as design, tolling operations, business rules, and other pertinent topics crucial to the project's success.

In 2024, Caltrans, Yolo Transportation District, and Sacramento Area Council of Governments elevated their collaboration by establishing the Capital Area Regional Toll Authority through a joint powers authority agreement. This strategic partnership underscores their collective commitment to delivering the project successfully. Leveraging the strengths and resources of each partner, the Capital Area Regional Toll Authority will ensure a unified and efficient approach to project implementation and management. Through resource pooling, coordinated regional efforts, a unified management structure, cost-sharing, and a commitment to public accountability, the project will be executed in a collaborative and efficient manner.

Caltrans continues to lead the project delivery effort by spearheading all phases, including planning, environmental analysis, design, construction, and eventual facility operations. As a member of the Capital Area Regional Toll Authority, Caltrans will continue to play a pivotal role in managing and stewarding the facility, reaffirming its dedication to the project's success and long-term sustainability.

- (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, as amended by Assembly Bill 194, contains requirements for tolling applicants approved by the Commission regarding matters such as law enforcement for the toll facility; the use of toll revenues; the collection of toll revenues; and bond financing. The Capital Area Regional Tolling Authority has committed to meet the requirements as outlined in this code section by executing an agreement with California Highway Patrol for enforcement and reimbursement of cost prior to the testing and opening of the facility for tolling. The Capital Area Regional Tolling Authority will execute an agreement with Caltrans for the operation and maintenance of toll facility by June 2025. To further enhance transparency, the Capital Area Regional Toll Authority commits to submit all agreements with the aforementioned agencies, along with the expenditure plan, to the Commission before execution. Furthermore, the Capital Area Regional Toll Authority will provide the Commission with the final executed agreements.

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

The Project Initiation Document was completed on November 13, 2017, and is included as Attachment A of the tolling application. The project has since completed additional technical studies. The draft project report and environmental document were circulated to the public in November 2023. The project report and final environmental document were signed on April 30, 2024.

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

The Commission's guidelines interpret the statutory requirement as mandating the identification of all funding sources, alongside a strategic plan for securing these funds. The application has satisfied this requirement, having identified and committed a combination of federal, state and local funds. Caltrans, through its partnership with Yolo Transportation District, has successfully secured \$85.9 million in Infrastructure for Rebuilding America grant funds. Additionally, the Sacramento Area Council of Governments has secured and contributed \$4.06 million in Congestion Mitigation and Air Quality funds, along with \$1 million in Regional Surface Transportation Program funds. The project has also secured \$4 million in State Transportation Improvement Program Covid Relief funds. This diverse funding base, encompassing local, regional, state and federal sources, underscores the support for the project and acknowledges its local, regional, and national significance.

California Department of Transportation (Caltrans), Yolo Transportation District, and the Sacramento Area Council of Governments jointly submitted a Trade Corridor Enhancement Program advance programming request of \$105,000,000 for the right-of-way support and construction of the Yolo 80 Corridor Improvements Project – Phase 1 in Yolo County. That request will be considered under reference number 4.3 at the May 2024 Commission meeting. This additional funding, coupled with the already committed funds from local, regional, state, and federal agencies, fully funds the Phase 1 project through construction completion. In summary, the application has met the requirement of submitting a comprehensive funding plan for the development and operation of the toll facility.

The funding table below outlines the identified funding sources:

Fund Status	Funding Source	Source	Project Component (\$1000)					Total	
			PA&E D*	PS&E	ROW Sup	CON Sup	ROW Cap		CON Cap**
Committed	Local	Sacramento Area Council of Governments Regional Surface Transportation Grant Program	\$1,000						\$1,000
	Local	Congestion Mitigation and Air Quality	\$4,000				\$60		\$4,060
	State	COVID Relief Fund—STIP	\$4,000						\$4,000
	Federal	INFRA Grant Program		\$3,000				\$82,900	\$85,900
Total Committed			\$9,000	\$3,000			\$60	\$82,900	\$94,960
Under consideration Ref# 4.3	State	Trade Corridor Enhancement Program			\$100	\$20,000		\$84,900	\$105,000
Total Under Consideration – Ref# 4.3					\$100	\$20,000		\$84,900	\$105,000
Additional Need			\$0	\$0	\$0	\$0	\$0	\$0	\$0
Project Total			\$9,000*	\$3,000	\$100	\$20,000	\$60	\$167,800**	\$199,960

* The PA&ED cost covers the cost for the entire Project, including Phase 1 and future phases

**The construction capital cost includes \$28 million for VMT mitigation for Phase 1

(7) Commission is to conduct at least one public hearing at or near the proposed toll facility for the purpose of receiving public comment.

Assembly Bill 194 requires that, prior to approving an application, the Commission conducts 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 April 9, 2024. The hearing was held at the Arthur F. Turner Community Library in the City of West Sacramento and via webinar. The hearing took place within the project study area, chosen for its proximity to significant employment hubs and convenient access to public transportation. Additionally, webinar access was provided to maximize public participation. Chair Guardino, Vice Chair Grisby, and Commissioners Eager, Tiffany, Bradshaw, Falcon and Norton attended the hearing. Following presentations by the Capital Area Regional Tolling Authority, the Commission received comments from in-person and webinar attendees. A video recording of this hearing is available on the Commission website at: <https://catc.ca.gov/programs/tolling>. The public comment portion begins at minute 31 and extends through the end of the 1 hour and 7-minute recording. Copies of written public comments received by the Commission are included in Attachment B.

The Commission heard from commenters during the hearing that supported the managed lane project. Many community representatives expressed support for the project's expected benefits, especially its ability to improve goods movement, reduce congestion, promote sustainable transportation practices, and that these improvements are expected to enhance performance and travel time reliability for transit, freight traffic, vanpools, and carpools. Commissioners heard comments from members of the public expressing concerns about potential increases in vehicle miles traveled due to expanded capacity. It is worth noting that the tolling application specifically earmarks \$28 million for related mitigation measures, such as increased transit services. Additionally, some comments express support for the project's plans to extend, enhance, and upgrade bike and pedestrian facilities which align with the goals outlined in the Climate Action Plan for Transportation Infrastructure and the state's Complete Streets priorities. Commission staff compiled, reviewed, and considered all comments received before making the recommendation.

Background:

In 2015, the Legislature passed Assembly Bill 194 (Chapter 687, Frazier, 2015), which assigns the Commission the responsibility to approve the tolling of transportation facilities in California. The legislation authorizes regional transportation agencies or 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 adopted by the Commission at its March 2016 meeting. These guidelines can be found on the Commission website at: <https://catc.ca.gov/programs/tolling>.

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. A change approval request is only necessary if the change substantially alters the scope, schedule, or terms of the approved project. The Commission will approve the change if it finds that the revised project meets the evaluation criteria set forth in the guidelines.

Attachments:

- Attachment A: Commission Resolution G-24-41
- Attachment B: Written comments submitted to the Commission
- Attachment C: Streets and Highways Code 149.7

CALIFORNIA TRANSPORTATION COMMISSION
Approval of Application for
Yolo 80 Corridor Improvement Project Phase 1

RESOLUTION G-24-41

- 1.1 **WHEREAS** Assembly Bill 194 (Chapter 687, 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 California Transportation Commission (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** the Commission adopted Guidelines for Toll Facility Project Applications at its March 16, 2016 meeting to set forth the Commission's policy for carrying out its role in implementing Assembly Bill 194, and
- 1.4 **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
- 1.5 **WHEREAS** on March 15, 2024 the Commission received from the Capital Area Regional Toll Authority the *Application for Yolo 80 Corridor Improvements Project Phase 1 – Toll Facility* for review and approval in accordance with Assembly Bill 194 and the Commission's guidelines, and
- 1.6 **WHEREAS** the Commission held a hearing to receive public comment on the proposed toll facility related to this application on April 9, 2024 in the City of West Sacramento, California, and
- 1.7 **WHEREAS** after reviewing the Capital Area Regional Transportation Authority's application for compliance with Assembly Bill 194 and the Commission's guidelines and consideration of public comments received at the public hearing and via email, Commission staff recommended that the Commission approve the proposed toll facility;

- 2.1 **NOW THEREFORE BE IT RESOLVED** that the Commission finds the Capital Area Regional Transportation Authority's *Application for Yolo 80 Corridor Improvements Project Phase 1 – Toll Facility* consistent with Assembly Bill 194 and the Commission's guidelines, and
- 2.2 **BE IT FURTHER RESOLVED** that the Commission approves the Capital Area Regional Transportation Authority's application to develop and operate toll lanes on Interstate 80 in Yolo County as described, and
- 2.3 **BE IT FURTHER RESOLVED** that, consistent with Commission guidelines, the Commission expects the Capital Area Regional Transportation Authority will request approval of any substantial changes to the project by submitting a supplement to the project application.



GREATER SACRAMENTO
ECONOMIC COUNCIL

Greater Sacramento Economic Council
400 Capitol Mall, Suite 2520
Sacramento, CA 95814

April 9, 2024

Dear California Transportation Commission,

I am writing to express our support of the allocation of \$105 million toward the Yolo 80 project. This initiative addresses critical needs in our transportation infrastructure, particularly along the I-80 corridor in Yolo County.

The necessity of the Yolo 80 project cannot be overstated. Serving as the primary east-west crossing of the Yolo Bypass and a crucial freight corridor linking the Bay Area with the rest of the United States, I-80 in Yolo County accommodates approximately 200,000 vehicles and heavy-duty trucks daily. Without viable alternative routes, congestion on this corridor has reached unreasonable levels and is projected to worsen significantly by 2049. These delays have also caused safety hazards, as evidenced by over 1,000 collisions in the project area over the past three years alone.

The benefits of the Yolo 80 project are significant. By increasing freight truck throughput and improving daily travel time for freight by 72%, the initiative not only enhances efficiency but also lays the foundation for a more sustainable and equitable transportation network. By adding the Sacramento region's first toll lane, we'll make major strides toward reducing greenhouse gas emissions, generating local transportation revenue, and improving travel time for all users.

Investing in the Yolo 80 project is a sound economic decision and a critical step toward fostering sustainable growth, supporting our workforce, and advancing the state's climate goals. As a leading market in California with a population growing faster than Los Angeles, San Francisco and San Diego, it's critical that our regional infrastructure is built for a growing business community. We urge the Commission to approve the allocation of funds for this transformative initiative, as it represents a balance of sustainability, social equity, and economic benefits.

Thank you for your consideration.

Sincerely,

Barry Broome
President & CEO, Greater Sacramento Economic Council

Caltrans Study:-Toll Discount do not encourage Carpooling.

Table 5.3 from the Caltrans own I-80 full corridor plan (2022 I-80 CMCP pg. 97) It showing how adding a new toll lane that with tolling free policy for carpooler (HOT2+ and HOT3+) has no effective on lane efficiency thru increased vehicle occupancy-i.e. amount of carpooling. Compare here Scenario 3 HOT3+ column- the proposal for Yolo80 - to “base line” and “existing” column to see that offering toll free use of the managed lane does not affect travel behavior. Segments 6 & 7 here map to are Yolo80 widening, but this is true of all segments. CTC should ask why we are offering discount for car pooler as cut revenue, increase social equity issues, reduce funds for transit, mitigation and social equity program while differentially advantages groups taking recreational trips to Tahoe.

TABLE 5.3 | VEHICLE OCCUPANCY BY SEGMENT BY ALTERNATIVE

Occupancy	Rating	No Build (Baseline)	Scenario 1 (HOV 2+)	Scenario 2 (HOT 2+)	Scenario 3 (HOT 3+)	Scenario 4 (CC)	Scenario 5 (TDM)
Segment 1	1.31	1.31	1.32	1.28	1.20	1.32	1.31
Segment 2	1.31	1.34	1.34	1.34	1.34	1.35	1.34
Segment 3	1.31	1.35	1.35	1.34	1.35	1.36	1.35
Segment 4	1.33	1.35	1.36	1.35	1.36	1.37	1.37
Segment 5	1.34	1.37	1.37	1.37	1.37	1.39	1.37
Segment 6	1.33	1.34	1.34	1.34	1.34	1.34	1.34
Segment 7	1.31	1.31	1.32	1.32	1.33	1.31	1.31
Segment 8	1.33	1.31	1.31	1.34	1.35	1.31	1.31
Segment 9	1.31	1.32	1.33	1.34	1.34	1.32	1.32

Note choice alt 4 vs alt 5 results in 60% less revenue for VMT mitigation and social equity- source: Yolotd board slide #20 12/11/23

Yolo 80 Managed Lanes Update Operational Effects and Projected Revenue

“Time Saving” show is from DEIR travel model that does not reflect Induced Demand

Alt #	Description	Long Term Congestion Relief in Horizon Year 2049	Gross Revenue Estimate	Net Revenue Estimate
2a	HOV 2+	Up to 37 minutes time savings	N/A	N/A
3a	HOT 2+	Up to 67 minutes time savings	\$1,200,000	(\$7,680,000)
4a	HOT 3+	Up to 69 minutes time savings	\$20,480,000	\$9,660,000
5a	Express Lane	Up to 60 minutes time savings	\$36,250,000	\$23,860,000
6a	Transit Lane	Up to 40 minutes time savings	N/A	N/A
7a	GP to HOV 2+	Up to 3 minutes <i>increased</i> travel time	N/A	N/A

- ▷ The “b” alternatives (with Direct Connector) would save even more travel time (13 minutes in the westbound direction)
- ▷ Alternatives 2-4 also provide significant travel time savings for the general-purpose lanes (over 30 minutes)

12.11.23

20

Submitted by Alan Hirsch Yolo Mobility .
to get our newsletter “I-80 news” write; Alan@yolomobility.org

From: [Alan Hirsch](#)
To: [Alan Hirsch](#)
Subject: I-80 news #14 \$10 Tolls for I-80? s
Date: Sunday, April 7, 2024 11:59:02 PM
Attachments: [image001.png](#)
[2024 04 07 I-80 News #14 Toll hearing Tuesday.pdf](#)

EXTERNAL EMAIL. Links/attachments may not be safe.



I-80 News #14 Yolo Mobility April 7, 2024

Circulation: 600+ activist, transportation agencies and Yolo County elected officials

Headlines for a quick scan. See open PDF to unpack.

Contents

1. Unpublicized Hearing on I-80 Tolls Tuesday at 5:30. in West Sac

\$10- \$40 at rush hour tolls proposed - but Tahoe Groups go free! 3

SACOG Process May Limit Future Public Input on tolls t. 3

Agency Staff Says Plan may lead to \$10 or even \$40 tolls. 3

How to comment at Toll Agency Hearing. 4

Hearing is Tuesday, April 9 at 5:30 pm at the West Sac Library. 4. Write to:

• Chair Carl Guardino and members, CTC CTC@CATC.CA.GOV : 4

• YoloTD Chair Josh Chapman and members, Public-Comment@Yctd.org. 4

zoom at: https://zoom.us/webinar/register/WN_CJo270s6TFiUuUdRjmN50Q.. 4

Phone in : (669) 900- 9128, Webinar ID: 971 5154 9287, Webinar Passcode: 646259. 4

2. Below are some observations for Toll Hearing comments. 4

a. Governing Practices Limit Public input on Toll Setting. 4- hearings in West Sac at rush hour??

b. Three-Free Tolling Policy favors Recreational Tahoe Traveler. 4

c. Three-Free Policy Drives up Tolls for Other User- Is this social equity?. 5

d. Unfunded Social Equity Promises. 5

e. Three Free policy Increases inequity by cutting funds for transit. 5

f. Social Equity is mega region, not Yolo County issue. 5

g. Who Takes Three - Free Discount Is Not Enforceable. 5

h. Three Free Policy Threaten Mitigation promise made in I-80 EIR. 6

i. Caltrans Study:-Toll Discount do not encourage Carpooling. 6

3. Watch Video; YoloTD Board approved 3 Ride-Free tolling based on 1

[slide & 3 minute staff report. 7](#)

[Incurious Board choose toll option based on incomplete and erroneous information. 8](#)

[4. Monday 4/8 6pm YoloTD Mtg -I-80 update. 8](#)

[Zoom Link: https://us06web.zoom.us/j/87969227172?pwd=uZtLwJ9uLFC1Aedi-Y5LrMrgxK-ZYg.B3_28oRDmT0rgxlu.9](https://us06web.zoom.us/j/87969227172?pwd=uZtLwJ9uLFC1Aedi-Y5LrMrgxK-ZYg.B3_28oRDmT0rgxlu.9)

[Agenda: https://yolotd.org/wp-content/uploads/2024/04/April-Full-packet-FINAL.pdf](https://yolotd.org/wp-content/uploads/2024/04/April-Full-packet-FINAL.pdf)
[OR TRY: https://yolotd.org/resources/agendas/](https://yolotd.org/resources/agendas/). 9

[5. CTC Back Story 1: I-80 Funding On Hold because “Mistakes were made. 9”](#)

[“Flawed” and “Exaggerated” Forecast of Congestion Benefit. 9](#)

[California Road Lobby Pushes for Widening. 10](#)

[The Big Lie of Ignoring Induced Demand. 10](#)

[CEQA Lawsuit Will Address Induced Demand Mitigation. 10](#)

[What Is Induced Demand?. 11](#)

[Does Emperor Caltrans have any clothes: Avoiding Cost Benefit Accountability. 11](#)

[6. The CARB Letter to CTC: Caltrans must do “Reasonably Accurate” cost/benefit analysis. 12 of I-80Yolo](#)

[CARB’s detailed take on Caltrans flawed congestion forecast. 13](#)

[“II. DEIR uses a traffic assessment that underestimates impacts. 13](#)

[7. CTC Funding application was submitted with stealth. 14](#)

[8. Road Lobby Power Play: Signers of Letters in Favor of Yolo80 Widening at CTC. 15](#)

[California Road Lobby – 13 signatures. 15](#)

[9. How *even you* can see if the final EIR is out. 15](#)

[Targeted search for I80Yolo doc:](#)

<https://ceqanet.opr.ca.gov/Project/2021060117> 15

[10. Updated I-80 Timeline --to my best understanding. 16](#)

[Historical Timeline \(adding documents links as locate them\) 16](#)

[Future Meetings and Milestones with Links. 19](#)

[11..... References/Past article w/key Links. 20](#)

[12..... Coda: Yolo Mobility: Get newsletter/ next meeting. 22](#)



I-80 News #14 Yolo Mobility April 7, 2024
For quick scan. See following to unpack.

Contents

1. **Unpublicized Hearing on I-80 Tolls Tuesday 5:30**3
\$10- \$40 at rush hour proposed - but Tahoe Groups go free!.....3
SACOG Process May Limit Future Public Input.....3
Agency Staff Say Plan may lead to \$10 or even \$40 tolls.3
How to comment at Toll Agency Hearing.....4
Hearing is Tuesday, April 9 at 5:30 pm at the West Sac Library4
 Chair Carl Guardino and members, CTC CTC@CATC.ca.gov, cc:4
 YoloTD Chair Josh Chapman and members, public-comment@Yctd.org.....4
[zoom at: https://zoom.us/webinar/register/WN_CJo270s6TFiUuUdRjmN5OQ](https://zoom.us/webinar/register/WN_CJo270s6TFiUuUdRjmN5OQ).....4
Phone in : (669) 900- 9128, Webinar ID: 971 5154 9287, Webinar Passcode: 6462594
2. *Below are some observations for Toll Hearing comments.*4
a. **Governing Practices Limit Public input on Toll Setting**4
b. **Three-Free Tolling Policy favors Recreational Tahoe Traveler**4
c. **Three-Free Policy Drives up Tolls for Other User- Is this social equity?**.....5
d. **Unfunded Social Equity Promises**5
e. **Three Free policy Increases inequity buy cutting funds for transit**5
f. **Social Equity is mega region, not Yolo County issue.**5
g. **Who Takes Three - Free Discount Is Not Enforceable**5
h. **Three Free Policy Threaten Mitigation promise made in I-80 EIR.**6
i. **Caltrans Study:-Toll Discount do not encourage Carpooling**.....6
3. **YoloTD Board approved 3 Ride-Free tolling based on 1 slide & 3 minute staff report.**7
Incurious Board choose toll option based on incomplete and erroneous information.8
4. **Monday 4/8 6pm YoloTD Mtg -I-80 update**.....8
Zoom Link: https://us06web.zoom.us/j/87969227172?pwd=uZtLwJ9uLFC1Aedi-Y5LrMrgxK-ZYg.B3_28oRDmT0rgxlu9
Agenda: <https://yolotd.org/wp-content/uploads/2024/04/April-Full-packet-FINAL.pdf>
OR TRY: <https://yolotd.org/resources/agendas/>.....9

5.	CTC Back Story 1: I-80 Funding On Hold because of Mistakes were made.	9
	“Flawed” and “Exaggerated” Forecast of Congestion Benefit	9
	California Road Lobby Pushes for Widening	10
	The Big Lie of Ignoring Induced Demand	10
	CEQA Lawsuit Will Address Induced Demand Mitigation	10
	What Is Induced Demand?	11
	Does Emperor Caltrans have any clothes: Avoiding Cost Benefit Accountability	11
6.	The CARB Letter: Caltrans must to a “Reasonably Accurate” cost/benefit analysis	12
	CARB’s detailed take on Caltrans flawed congestion forecast	13
	“II. DEIR uses a traffic assessment that underestimates impacts.	13
7.	CTC Funding application was submitted with stealth.	14
8.	Road Lobby Power Play: Signers of Letters in Favor of Yolo80 Widening at CTC	15
	California Road Lobby – 13 signatures	15
9.	How <i>even you</i> can see if the final EIR is out.	15
	Targeted search for I80Yolo doc: https://ceqanet.opr.ca.gov/Project/2021060117	15
10.	Updated I-80 Timeline --to my best understanding	16
	<i>Historical Timeline (adding documents links as locate them)</i>	16
	Note YoloTD has another time line on their website with date and other historical milestones beginning in 2021. : https://yolotd.org/planning-projects/freeway-roads/	16
	<i>Future Meetings and Milestones with Links</i>	19
11.	References/Past article w/key Links	20
12.	Coda: Yolo Mobility: Get newsletter/ next meeting	22

1. Unpublicized Hearing on I-80 Tolls Tuesday 5:30

\$10- \$40 at rush hour proposed - but Tahoe Groups go free!

By Alan Hirsch

Policies that will decide how high the tolls will be on new I-80 lanes will be discussed at little [publicized hearing](#) Tuesday April 9th 5:30 at the West Sacramento Public Library. Zoom will be available. This may be the first - and maybe last- chance for most members to make oral public comments as future toll agency meetings will be held during the day in DT Sacramento SACOG offices, where zoom-in comments are not allowed.

Staff for this new agency members have also shared they believe, under the proposed policies, they expect tolls on I-80 for Davis commuter may typically be \$10 each way at congestion times-- or even more when congestion is worst -even \$40). But they are proposing 3-in-a- car will go toll free- a policy that seems to differentially favor Tahoe recreational travelers over commuters.

The hearing by the California Transportation Commission (CTC) will take input on setting up a new agency and making policies for the proposed 17 miles of new toll lane that run from I-80 in Dixon to both I-80 and I-50 Sacramento River Bridges. The agency will decide how tolls are set, who get discounted tolls, and how the toll revenue will be used. The Agency sponsors are SACOG and Yolo Transportation District. YoloTD is chaired by Davis Mayor Josh Chapman who is also the Davis's representative on SACOG.

SACOG Process May Limit Future Public Input

The new agency is called CARTA, Capitol Area Regional Tolling Agency. This agency, if approved by CTC, usually meet during the day at the downtown Sacramento office of SACOG- or sometimes other part of the region including Maryville and Roseville or El Dorado Hill, SACOG does not offer either advanced voice messaging or real time zoom in public comments. Overall SACOG public engagement policies, if allow for CARTA by CTC, seem designed to minimize and muffle public input on toll setting.

Agency Staff Say Plan may lead to \$10 or even \$40 tolls.

The proposed toll plan of I-80 is dynamically raising (and lowering) the toll on the new lane to in effect “auction off” capacity to the highest bidding driver.” This means tolls will be set high enough to limit which drivers use the lane, so these drivers who are willing and able to pay the toll are never inconvenienced by congestion. Toll Rates will change over the course of the day based on congestion, as usually the freeway has excess capacity.

However, at peak at times when the lanes are most needed the tolls will be quite high. YoloTD director Autumn Bernstein has stated in a KDRT interview that she expected the toll on these 17 mile of lanes to be \$1 a mile, which means at peak congestion about \$10 for a one-way Davis to Sac commute. Kathleen Hanley, principal planner for the new agency, has also affirmed this in a presentation that the toll will be between 50 cents and \$4 a mile. She suggested Davis commuters might have to pay \$40 to use the lane in a commute to Sacramento sometimes.

How to comment at Toll Agency Hearing

Hearing is Tuesday, April 9 at 5:30 pm at the West Sac Library

This is located at 1212 Merkley Street near city hall on West Capitol. It was not well publicized: No press release was given to the *Davis Enterprise* according to Sebastian Ornate the editor. It is not in West Sac News Ledges, There has been no posting on Davis social media. Hearing is at 5:30 so Davis residents coming home I-80 may find it difficult to zoom in- or attend and be home for dinner. For more information on actual proposal, go to [this webpage](#) and use the “Hearing” drop down.

The event flier does not say they want written public comments, or give a deadline for receipt of input such, but they should be sent to:

- Chair Carl Guardino and members, CTC CTC@CATC.ca.gov, cc:
- Kathleen Hanley, Planner SACOG/CARTA Khanley@SOCOG.org
- YoloTD Chair Josh Chapman and members, public-comment@Yctd.org

The official meeting agenda and instructions can be viewed [here](#).

zoom at: https://zoom.us/webinar/register/WN_CJo270s6TFiUuUdRjmN5OQ (must have linked email)

Phone in : (669) 900- 9128, Webinar ID: 971 5154 9287, Webinar Passcode: 646259

2. *Below are some observations for Toll Hearing comments.*

a. Governing Practices Limit Public input on Toll Setting

Assuring diverse voice can be heard in governing process is important, If the new Capital Area Regional Tolling Agency, CARTA follows that pattern set by SACOG this might not occur. CARTA will be staffed and run out of SACOG, so it is like the tolling board will hold meeting at their Sacramento offices -- even though the only toll lanes it will manage for foreseeable future are in Yolo County. SACOG meeting are during the day and do not take zoom or live phone message public comments- you must go in person to make oral comment. Public should ask CTC guarantee that the new agency for Yolo80 lanes, be required to meet in Yolo County, at more convenient times and places, allow remote oral public comments by the public, It should also allow general public comment at beginning of meeting, not end of the meeting to convenience member of public who want to provide input. The public comment received be included a public record- minute of the meeting. And given a picture is worth 1000 words, it is notable only that only board member and staff a privileged to show visuals live to board – including board member and public who attend over zoom.

b. Three-Free Tolling Policy favors Recreational Tahoe Traveler

Part the tolling plan, per YoloTD Board, is to let -three plus carpool use the lane toll free. This would seem to favor Tahoe recreational travelers over local commuter and workers.-It would fit larger regional plan to allow 3-free on planned future extension of I-80 toll lanes all the way to Roseville- thus optimizing Tahoe travel. The transportation reason for this is unclear, as according to Caltrans figures offering discount for carpool uses would make encourage less 3% more people to carpool. ([I-80 CMCP table 5.3 pg. 97](#))

As it currently cost \$9 one-way to take the train from Davis to Sacramento- or \$27 for a party of three adults. Aren't there already enough incentives to carpool? And consider induced demand, do we want to encourage more Tahoe travel?

c. Three-Free Policy Drives up Tolls for Other User- Is this social equity?

The managed lanes work by "auctioning off" the excess capacity in the toll lane to the highest bidder. If the toll lane is partly or largely filled by Three-Free users than there is less capacity to be auctioned-off to one or two person cars, thus driving up the toll they pay. This would seem to increase social equity issues of toll lanes.

d. Unfunded Social Equity Promises

It has been noted that everyone pays the same gas taxes that are funding building these new lanes, but we are auctioning off their use in a way that favors the rich- who already have 2-5 times the carbon footprint as the poor. This has raised concerns about both climate justice and social equity.

In response to public concerns about social equity of toll lanes staff members has made vague promise of a future having a "social equity" program. But what this means has not been defined anywhere, much less have any guarantee funding identified other than promise toll revenue will be used.

This promise of funding of social equity is particularly problematic as, according CEQA law mitigation of environmental impacts, i.e. GHG/VMT (Vehicle Miles Traveled) mitigation must be funded before social equity. Per the DEIR (page 2-143-2-148) the plan is to fund mitigate 30% of the increased VMT, 57mil miles/year increase in driving created by the widening project. . Again, the plan and costs here are vague. But we can ballpark estimate the cost of mitigation plan to - reducing driving by 57M miles/year by shifting traveler to other modes: YoloBus subsidy is over \$1/ passenger-mile, so an estimate of the mitigation program for 57mil mile/year cost is likely over \$57mil/year, Yet the on-going toll revenue from the toll lane is estimated to be only \$9.6mil/year per. Thus, there seem to be insufficient money to fund the promised mitigation efforts, much less a social equity program. Should not the CTC ask for honest assessment of what CARTA can accomplish in its agency application? .

e . Three Free policy Increases inequity by cutting funds for transit.

Per YoloTD numbers, 3 free policy cut net revenue for transit 60% vs tolls for all policy (DEIR alternative 5 vs chosen alt 4 HOT3+) This would seem to increase, not decrease social equity providing less funding for transit- as well as mitigation.

f. Social Equity is mega region, not Yolo County issue.

The social equity programs discussed by YoloTD seem to only consider help for those in Yolo County, even though over 90% of drivers this section are from Solano, Sacramento and places other than Yolo. Should not CTC ask that any social equity program be addressed to all users, not Yolo County? If tolling authority vision is to be region wide, a region wide solution should be envisioned.

g. Who Takes Three - Free Discount Is Not Enforceable

One of the issues with HOV lanes in general , and especially on the 3-Free user of the lane, is the high level of illegal use. On HOV2+ lanes on highway 99 between Elk Grove and Sacramento a recent

study showed as many as 46% of users of that lane were illegal single occupancy vehicles. This for 2+ riders where lack of a second passenger in front seat can be determined visually. Determining if there are 3 in a car is nearly impossible visually - and even more difficult given it is legal to 100% black out back and back-side window. Advocate for the 3-free program promise some future technology to address but has no specific examples even 30 years after the first HOV 2+ lane was opened.

YoloTD Bernstein has in fact acknowledged in a KDRT interview the lack of enforceability, stating claiming the 3+ ride free discount will be on the “honor system.”. CTC should scrutinize the 3+ program viability for this and the many reasons listed here.

Because the toll level of the is set by balancing supply and demand, if people illegally use the toll lane for free it drives up the cost for toll paying drivers.

h. Three Free Policy Threaten Mitigation promise made in I-80 EIR.

It is notable in the \$9.6mil toll revenue estimate for the lane assumes only a 10% violation rate. This number is not based on not actual data given violation rate in HOV 2+ are much higher.

Comparing “Three Free” vs “Everyone Pays” revenue forecast (DEIR alternative 5 vs 4) the three-free policy cut net toll revenue by 60%. (\$9.6M/year vs \$23.6m/year).(YoloTD Board meeting 12/11/23 slides 18-20).

Who is accountable to pay for mitigation program and a social equity program promise by YoloTD and Caltrain in the EIR? How will a new separate tolling authority become does accountable maximize revenue to fund the promises.

i. Caltrans Study:-Toll Discount do not encourage Carpooling.

TABLE 5.3 | VEHICLE OCCUPANCY BY SEGMENT BY ALTERNATIVE

Occupancy	Existing	No Build (Baseline)	Scenario 1 (HOV 2+)	Scenario 2 (HOT 2+)	Scenario 3 (HOT 3+)	Scenario 4 (CC)	Scenario 5 (TDM)
Segment 1	1.31	1.31	1.32	1.28	1.28	1.32	1.31
Segment 2	1.31	1.34	1.34	1.34	1.34	1.35	1.34
Segment 3	1.31	1.35	1.35	1.34	1.35	1.36	1.35
Segment 4	1.33	1.35	1.36	1.35	1.35	1.37	1.37
Segment 5	1.34	1.37	1.37	1.37	1.37	1.39	1.37
Segment 6	1.33	1.34	1.34	1.34	1.34	1.34	1.34
Segment 7	1.31	1.31	1.32	1.32	1.33	1.31	1.31
Segment 8	1.33	1.31	1.31	1.34	1.35	1.31	1.31
Segment 9	1.31	1.32	1.33	1.34	1.34	1.32	1.32

Above Table 5.3 from the Caltrans own I-80 full corridor plan (2022 I-80 CMCP pg. 97) It showing how adding a new toll lane that with tolling free policy for carpooler (HOT2+ and HOT3+) has no effective on lane efficiency thru increased vehicle occupancy-i.e. amount of carpooling. Compare here Scenario 3 HOT3+ column- the proposal for Yolo80 - to “base line” and “existing” column to see that offering toll free use of the managed lane does not

affect travel behavior. Segments 6 & 7 here map to are Yolo80 widening, but this is true of all segments. CTC should ask why we are offering discount for car pooler as cut revenue, increase social equity issues, reduce funds for transit, mitigation and social equity program while differentially advantages groups taking recreational trips to Tahoe.

3. YoloTD Board approved 3 Ride-Free tolling based on 1 slide & 3-minute staff report.



You can listen [here](#) to the 3-minute staff presentation the lead up to YoloTD board choose EIR DEIR/tolling Alternative HOT3+ at the 12/11/23 meeting. It begins at 37 minutes. You will find it rather disappointing: there were no question about is reducing amount of revenue for transit, mitigation or equity by the board later in the meeting after public comment). It also suggests HOV3+ move more people without quantification- which as I-80 CMCP table 5.3 above show is less 3%. And you will see in the staff make a reductionist statement (last bullet) that the HOT3+ tolling alternative is “most consistent” with 12/2021 I-80 goal- but never unpacks what those goals from 3 years ago were or provides a side-by-side comparison of the 6 alternatives against the goals.

Is this due diligence for a project that is costing hundreds of millions of dollars?

“Time Saving” show is from DEIR travel model that does not reflect Induced Demand

Alt #	Description	Long Term Congestion Relief in Horizon Year 2049	Gross Revenue Estimate	Net Revenue Estimate
2a	HOV 2+	Up to 57 minutes time savings	N/A	N/A
3a	HOT 2+	Up to 67 minutes time savings	\$1,200,000	(\$7,690,000)
4a	HOT 3+	Up to 69 minutes time savings	\$20,460,000	\$9,660,000
5a	Express Lane	Up to 60 minutes time savings	\$36,250,000	\$23,860,000
6a	Transit Lane	Up to 40 minutes time savings	N/A	N/A
7a	GP to HOV 2+	Up to 43 minutes <i>increased</i> travel time	N/A	N/A

The “b” alternatives (with Direct Connector) would save even more travel time (13 minutes in the westbound direction)
 Alternatives 2-4 also provide significant travel time savings for the general-purpose lanes (over 30 minutes)

12.11.23

30

Incurious Board choose toll option based on incomplete and erroneous information.

Caltrans did also present the above slide to YoloTD board 12/11/23 comparing the tolling/DEIR alternatives for revenue and time saving as they projected in year 2049 based on their DEIR forecast. See 90 second discussion at time stamp [36:07](#). The slide shows that Alternative 4 (3 free) has 60% less net revenue available for, better transit and equity program than Alternative 5. The slide also shows the time saving but failed to mention their projection are from DEIR is based on SacSim19 travel model that does not take in to account induced demand. It is unreliable as many have noted in the in DEIR comment letters.

Critical thinkers will also note it does not say if the “time saving” is for those in toll lane or the general-purpose lane or note the advertising weasel words “Up to” in that column.

4. Monday 4/8 6pm YoloTD Mtg -I-80 update.

COMMENT: In person at Board of Supervisors in Woodland, :public-comment@yctd.org voice msg: 530-402-2819

Talking point: Public comment questioning the lack transparency CTC helpful. Phone/Email by 4pm:

ZOOM IN Watch and Commenting:

Zoom Link: https://us06web.zoom.us/j/87969227172?pwd=uZtLwJ9uLFC1Aedi-Y5LrMrgxK-ZYg.B3_28oRDmT0rgxlu

Phone Number: (253) 205-0468 **Passcode 105086 Webinar ID: 879 6922 7172**

Agenda: <https://yolotd.org/wp-content/uploads/2024/04/April-Full-packet-FINAL.pdf> OR try:
<https://yolotd.org/resources/agendas/>

Short Range Transit Plan Item 4b consent Consultant agreement: YoloTD is hopefully beginning to rethink its future, which hopefully will mean dramatic growth with mitigation money from I-80 managed lanes.

Yolo County Climate Plan Report. (item 5 6:20) Yolo County climate commission (Chair NJ Mvondo) attempted to get a briefing from YoloTD on I-80 widening but this block by county attorneys.

I-80 update Item 9 about 7:40) will be administrative reports that will give some updates on i-80, but YoloTD staff is notably laconic on what they are doing- only give 2-page report- I note last month only in passing noted the critical \$105mil grant application going before the CTC more than five sentence oral discussion- .not even mentioning the amount. This month's Staff report to board does not mention any reason why it was rejected. One wonder if YoloTD staff is checked out or getting briefing board members behind closed doors and also having documents shared?

5. CTC Back Story 1: I-80 Funding On Hold because of Mistakes were made.

“Flawed” and “Exaggerated” Forecast of Congestion Benefit

By Alan Hirsch

On Thursday 3/21 the California Transportation Commission (CTC) delayed hearing- and thus approving - a \$105 million grant to complete funding phase 1 of I-80 Yolo widening until their May 16th meeting. This is the back story. which went unreported even as the meeting made national and local news as this is precedent setting project. It is uncertain they have project if it is not approved.

CTC reject the funding the project for funding June 28,2023 with Caltrans rating last of it 24 project, and CTC staff rating is 31 out of 51 projects, but somehow was quietly reranked to prioritize it for advanced funding.

The likely reason staff pulled from 3/21 agenda t as was a combination of Caltrans/ YoloTD making such glaring mistake in their application. and the fact the timing of CTC funding before EIR release might have setup legal problem in a likely CEQA lawsuit.

I below I hope to give some context from what I know 2nd and 3rd hand. I write this humbly and acknowledge that the motivation for the hold I suggest is conjecture. Only those internal at CTC staff, especially newish Executive Director Tanish Taylor- know what really drove the decision to put it from the agenda.

California Road Lobby Pushes for Widening

This hold up happened despite show of power from California road lobby: letters of endorsement of the widening were received in join four local state legislators and a full court press from “the road lobby” via a letter from 13 powerful statewide unions and contractor groups. (a list given below) These letter all cited “congestion relief” benefits. Yet, it seem these alleged benefit” are was exactly for that reason the CTC staff held up the application at the last minute: the Inaccuracy of in Caltrans/YoloTD claims of congestion relief--- claims cited for years by YoloTD Executive Director Autumn Bernstein in her numerous presentations to Yolo County groups, repeated in the draft environmental impact report (DEIR) in December, repeated in this a previous CTC grant application, and then repeat in the letters of endorsement for legislators and lobbyists. (Aside: Is this how zombie lies are created?)

The Big Lie of Ignoring Induced Demand

Not surprisingly, the inaccuracies in the application are based on ignoring the accepted phenomena of induced demand. The CTC received 24 letters from UC Davis faculty members the public and particularly California Air Resources Board (CARB) noting Induce Demand was being ignored in their calculations.

The CARB letter was blunt: noting the “flawed” and “exaggerated” promise of congestion relief and ask that a “reasonably accurate” forecast be completed. CARB did not just send a cover letter to the CTC (attached below) but resent their lengthy January DEIR comment letter where they pointed out in detail these deficiencies to Caltrans and ask after years, of asking these have yet addressed in their modeling.

Of the course the stone walling development of a corrected model to include science of induced demand might reveal inconvenient truth: that what Caltrans program of road widening does not work.

The big lie is more convenient.

While CTC can still authorize the funds, even if the induced demands errors are not resolved, they CTC may have want to wanted wait until first Caltrans District 3 certified the analysis - even if flawed- in a final EIR so Caltrans, to as to not make themselves on of the target of a CEQA lawsuit on I-80.

CEQA Lawsuit Will Address Induced Demand Mitigation

What’s changed now is CEQA court case I-80 can now question lack of Induced Demand in model due to SB743 (2011) that has now after 10 years gone into effect. While the suite may not delay construction of adding the extra lane, which may continue as the case winds its way through the courts. It might finally force Caltrans SACOG and YoloTD to admit the inconvenient truth of the science out every other transportation institution worldwide-including UC Davis Institute of Transportation Studies.

The “remedy” for I-80 could be a variety of things: more money for transit mitigation in corridor, decide the new lane will be bus only- or bus and truck only, or toll will be set higher- or 3 plus free policy eliminated, to provide more fund already deficient transit mitigation. (YoloTD Board has

decided to cut toll revenue available to funds generate transit and mitigation by 60% by allowing Tahoe traffic and other with 3+ in a car to get a free pass on tolls.)

Regardless of mitigation negotiated for I-80yolo, this a legally precedent setting project for how to EIR will handle induced Demand VMT mitigation. Its outcome will impact future freeway widening for managed lanes as planned for elsewhere and in the Sacramento region by SACOG.

The final EIR is expect in next the next ten day and it will be interesting to see how and even if Caltrans addresses this error, as well was what economic argument it present that the short-term congestion relief outweigh the permanent GHG and land use sprawl impacts.

What Is Induced Demand?

Induced demand, of course, is the inconvenient but scientific and legally proven traffic phenomena of “build it and they will come.” Induced demand has been measured and reaffirmed in the real world. If you try to decongest a freeway by making it a wider freeway, you encourage more people to drive with the result that the freeway will re-congests. A study of California freeways by UC Davis researcher indicated this rebound in congestion will be in at most 10 years. but often occurs as soon as 24 months. This inconvenient but measurable effect has been tested in court and is so well accepted that it is established in state climate policy, Caltrans policy (CAPTI) and codified into state law (SB743) as part of EIR process.

Does Emperor Caltrans have any clothes: Avoiding Cost Benefit Accountability

The CARB letter that allegedly puts the CTC funding on hold began with a simple statement of principal of which there should be no controversy:

“ Major highway infrastructure decisions should be made on the basis of benefits they would be expected to provide to the public and the economy, as well as the impacts they would have.”

The CARB letter then cited specific failures of the benefit analysis:

- ✓ Failed to Include induced demand in the calculation of congestion relief. Without this, the DEIR concludes VMT will actually decrease 3.5% in the out years.
- ✓ Omitted its land use effects. (Sprawl)
- ✓ Used internally inconsistent truck volumes (as much as 565%) between air quality impact, the DEIR body and DEIR’s technical appendixes) so “the application’s claims of project benefits to freight mobility are exaggerated.”

The CARB letter concludes: “These issues (first noted in our DEIR letter) have not been addressed or resolved. We urge you to postpone any decision to advance funding to this project until a ***reasonably accurate*** (emphasis added) analysis of its costs and benefits are available to inform your decision.”

While business also do cost/benefit (risk/rewards) on project to do prioritization of investment, the unlike business, public entities don’t go out of business if “benefits” (or in private sector measured as revenue) are realized in the future. This is why higher level of scrutiny is need on public sector investments.

6. The CARB Letter: Caltrans must do a “Reasonably Accurate” cost/benefit analysis.



Gavin Newsom, Governor
Yana Garcia, CalEPA Secretary
Liane M. Randolph, Chair

March 20, 2024

To: **Tanisha Taylor Executive Director**
California Transportation Commission (CTC)
1120 N St. Sacramento, CA 95814

Dear Director Taylor,

We appreciate the opportunities that we have had to collaborate with the Commission to support the success of California’s 2022 Scoping Plan for Achieving Carbon Neutrality. As the agency entrusted with decisions on major transportation infrastructure investments, the Commission’s decisions carry unparalleled weight. The need to improve travel through the Yolo 80 Corridor presents an opportunity to advance the State’s climate, air quality, and equity goals, and be a model for effectively managing the state highway system.

I am writing to raise issues with the accuracy of the TCEP application for the Yolo 80 project. The allocation of funds to that project is scheduled for a vote by the California Transportation Commission at its March 21 meeting.

Major highway infrastructure decisions should be made on the basis of benefits they would be expected to provide to the public and the economy, as well as the impacts they would have. The central claims in the I-80/US 50 Managed Lanes SB 1 Cycle 4 TCEP Application, including those on travel time savings, travel time reliability, improvements to safety, and economic benefit, are based on the flawed analysis that also underpins the Draft Environmental Impact Report (DEIR) for the project. We detailed a number of issues we found with Caltrans’ analysis of environmental impacts in our comment letter dated January 10, 2024 (attached).

In summary, the transportation analysis underpinning both the DIER and the TCEP application substantially overestimates the intensity of congestion in the no-build scenario, making the build scenarios falsely appear to provide substantial congestion relief (see attached comment letter pages 7-10). In addition, the analysis exaggerates the benefits of the project by omitting its land use effects (see pages 10-11). Finally, truck volumes are inconsistent by as much as 565% between different elements of the analysis, including the TCEP application, Air Quality Report, the DEIR, and the DEIR’s technical appendixes (see pages 12-13). **In sum, the TCEP application’s claims of project benefits to freight mobility are exaggerated. (emphasis added)**

These issues have not been addressed or resolved. We urge you to postpone any decision to advance funding to this project until a reasonably accurate analysis of its costs and benefits are available to inform your decision.

Sincerely,

Jennifer Gress, Ph.D., Chief, Sustainable Transportation and Communities Division
arb.ca.gov

CARB's detailed take on Caltrans flawed congestion forecast.

“II. DEIR uses a traffic assessment that underestimates impacts.

- A. Caltrans chose to assess traffic impacts using a travel demand modeling approach that does not accurately capture the impacts of this project.

Despite having reportedly been advised to do so,¹³ Caltrans did not apply a modeling approach that would more accurately capture the impacts of this project. As a result, the DEIR's traffic assessment likely underestimates the project's impact on VMT. Induced VMT generally manifests over the five years after delivery of a highway expansion project,¹⁴ but the travel demand model Caltrans used for this project shows a different trajectory. On opening year (2029), the model predicts a high amount of induced VMT (about four times what the induced travel studies would predict over the long run), increasing VMT of the entire region approximately 3%. But in the long run, the model predicts the effect of the project would be to reduce VMT by approximately 3.5%.(emphasis added]

The DEIR's own technical appendixes note that static traffic assignment travel demand models, like the one used in the Yolo 80 DEIR, have difficulty with assessment in congested conditions:

Another limitation of the SACSIM19 model is the use of static assignment rather than dynamic assignment of vehicle trips. With congested conditions, static assignment can result in volumes that exceed capacity for the analysis period. With dynamic assignment, trips are rerouted or shifted in time so that capacity is met. If dynamic assignment were used, VMT could be lower if trips are shifted in time to more direct routes or if trips are shifted to different destinations due to congested conditions. VMT could also be higher if longer routes must be used to avoid congested links. (Transportation Analysis Report, Interstate 80/US Highway 50 Managed Lanes, November 2023, page 78)”

7. CTC Funding application was submitted with stealth.

The CTC had previously refused to fund I-80Yolo. It was rejected on June 28, 2023, having been rated 24 out of 24 by Caltrans itself at the CTC meeting. CTC has also been increasingly critical about projects like this one with a massive increase in Induce Demand and has held some.

Given that I-80Yolo's public opposition has grown dramatically since June, including many substantive negative comments on Draft Environmental Impact Report (DEIR or EIR) in January. Thus, secrecy would work to advantage of project proponents at Yolo Transportation District (YoloTD) and Caltrans District 3 to not notify the public of their plans to go before the CTC again.

So, while application to the CTC for funding no doubt has been underway for many months by co-applicants YoloTD, SACOG, and Caltrans there has been no public discussion to reapply for funding plan at a single YoloTD board meeting, or even a legal approval of this new \$105 Mil grant application. YoloTD staff did not even mention the grant application until 4 days after it was already listed as one item on the 163 item CTC agenda, and even then YoloTD staff did not publicly share any detail with own board at the 3/11 YoloTD Board meeting.

The secrecy of application was helpful to freeway proponents as it had the effects of reducing public opponent of the project: It allowed YoloTD Chair/ Davis Mayor Josh Chapman to say- unchallenged at the 3/5 Davis council meeting that a Davis Council position against the freeway would influence no decision making on any government process. When the CTC agenda came out just three days later, this statement was shown to be incorrect. It is unknown if Chapman, also Chair of the YoloTD had been briefed by his staff and knew of submission of the application the day before the council meeting. The dating on the PDF file I have received indicates it was submitted to the CTC March 4th.

YoloTD Executive Director Autumn Bernstein in emails has claimed she did not do anything wrong in not bringing this CTC grant application to attention for public at a board meeting as a) she claims it was a Caltrans, not a YoloTD grant application - this even though YoloTD is listed as co applicant in numerous places on the grant b) and anyway, she was operating legally under Board approval to obtain a CTC grant 18 months earlier (10/10/22- resolution 2022-17). A review of this resolution shows it was for a different amount, for a different tranche of funds, and its approval of grant application was the one submitted and rejected by the CTC June 28, 2023. It's unclear if any or all of YoloTD board members knew- or approved -- of this plan to reapply or felt comfortable the 10/22 resolution covered the new application. While it is not illegal for government staff to brief individual board member(s) in one-on-one behind closed doors on such things, if in a series of meetings staff felt it received approval to reapply for grant without a new resolution that would be a circular meeting that is illegal under California Open Meeting (Brown) Act.

YoloTD reapplying to CTC without public notice seems to contradict YoloTD Values of transparency. Like many government bodies, YoloTD seem to treat “transparency” as meeting the Brown Act equal minimum disclosure – and even that minimum is set as interpreted by their own lawyers.

8. Road Lobby Power Play: Signers of Letters in Favor of Yolo80 Widening at CTC

California Road Lobby – 13 signatures

Mark Watts, Transportation California

Mathew Cremins, International Union of Operating Engineers

James Thuerwachter, California State Council of Laborers

Ron Rowlett, Nor Cal Carpenters

Jon Switalsky Rebuilding SoCal Partnership

Mitchael Quigley California Alliance for Jobs

Todd Bloomstein, Southern California Contractors Association

Emily Cohen United Contractors

Peter Tateishi, Associated General Contractors

Robert Dugan California Construction and Industrial Material Association

Brad Diede American Council of Engineering Companies, California

Russell Snyder California Asphalt Pavement Association

Mathew Conarro, Western Regional Association of Pavement Preservation

Joint letter from 4 Legislators

Bill Dodd state senator Dist. 3

Cecelia Aguilar-Curry Assemblymember Dist. 4

Kevin McCarty, Assemblymember Dist. 6

Stephanie Nguyen, Assemblymember Dist. 10

Megaregion Working Group (MTC/SACOG/SCJOG)

Gary Singh, Chair Mayor of Manteca

Others:

Ronald Kott Solano Transportation Authority Board Chair

9. How even you can see if the final EIR is out.

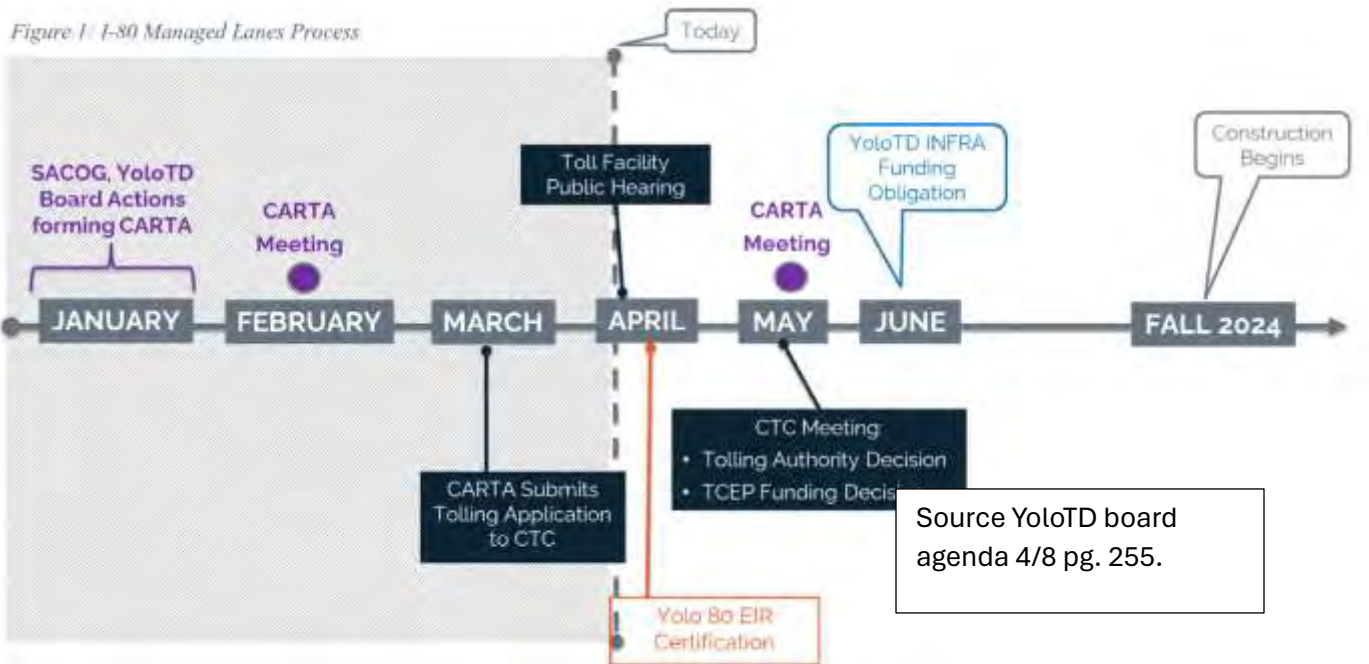
Thought I have received informal promise a press release at the issue the final I80 EIR, there is no legal obligation for those in power to do so, and Caltrans offices sometime drop things, so this is how you can check yourself at the state clearing house.

I80Yolo project “SCH” Number 2021060117

Official name: I-80 Corridor Improvement Project 03-3H90

Targeted search for I80Yolo doc: <https://ceqanet.opr.ca.gov/Project/2021060117>

10. Updated I-80 Timeline --to my best understanding.



(blue= 3/29 updates) yellow: 3/19 updates

Please share corrections & additions .

I hope to add links to historical document in the future.

Historical Timeline (adding documents links as locate them)

Note YoloTD has another timeline on their website with date and other historical milestones beginning in 2021. : <https://yolotd.org/planning-projects/freeway-roads/>

2017 Caltrans completes I-80 Transportation Concept Report.

2019 Mace Mess manifests itself with a) removal one lane south Mace Blvd. to add bike lanes) WAZ cell appl sending people off I-80 in Dixon , down Tremont Road and up south Mace to avoid backup thru Davis. resident can't bet across Mace to shop or make local trips due to ¼ mile long line of cars. [Davis Mace Project webpage:](#)

2019 March Caltrans turn on ramp metering lights Mace and Chiles that backup transit on local road. Petition to "fix the mace mess" started by local resident. .

Nov 19, 2019, Caltrans & Public Works presentation to Davis Council & angry public shown how freeway user optimize their travel time by using rural road and cut thru Davis on Mace & I-80. Caltrans also installs and turn on new ramp metering lights that backup traffic onto Mace local streets. <https://www.davisenterprise.com/news/local/focus-remains-on-i-80-project-to-alleviate-traffic-congestion/>

2020 Councilman Lucas Frerich, chairs, SACOG

2/16/21 City Of Davis sign on to support project widening by based on close door meeting of Councils Legislative Policy committee. Councilmember (now Sup) Lucas Frerich is on this committee, is also City rep to YoloTD & Chair of SACOG in this period.

3/21 YoloTD submits \$125 million construction funding grant application

ghost written by Caltrans District 3 for the federal Infrastructure for Rebuilding America (INFRA) program. Per AmyLee thesis (pg. 143) this was written by Caltrans District 3 and YoloTD signed as given no time to review or modify. This was after Caltrans HQ refuse to support it. Amy Lee calls District 3 a "Rogue Agency". Every Yolo County City quietly submitted a letter of support without engaging publicly or seeing the actual proposal.

6/7/21 Notice of Prep NOP for EIR with 8 alternative express and hov2+, HOT2+, HOT3+ 100% tolled express lanes, transit only, and connector, covert existing HOV2+ revised 8/17/21 very minor changes. In Final Alt NOP 10/22 dropped #8 connector and changed #7 to no build conversion from HOV to HOT3+

June 30, 2021, Press Release:- Federal Starter Funding \$86m INFRA for HOV secured for YoloTD when Caltrans HQ objected to project. (See thesis by Ame Lee page 144). **Press Release)** Hardwired to freeway auto-widening widening. Davis Vice Mayor/SACOG Chair Lucas Frerich mentioned prominently in press release. <https://www.davisvanguard.org/2021/07/86-million-approved-to-upgrade-the-i-80-corridor-in-yolo-county/>

Summer: 2021, New Leadership at YoloTD Premature/surprise retirement of YoloTD Exec Director Terry Bassett and hiring of Autumn Bernstein as new Exec Director. This is Bernstein first government employment in hi level role- she implements social equity program for Managed lanes in on 101 in San Mateo as a consultant. This firing/hiring done by a series of unnoticed (i.e. illegal) closed door board meeting This clearly left bad feeling with Bassett who did not show up at board meeting to get his retirement award for 25+ year of service at Yolobus.

December 2021 YoloTD Board agrees on goals for I-80 widening (after 3/21 INFRA grant application locked in highway widening)

Jan 10, 2022, YoloTD Board meeting workshop on Induced Demand & managed lanes. with Amy Lee and Jamie Volker. Don Saylor new Chair. Board asked not a single question of UC Davis ITS presenters re: induced demand, but many about how can use toll revenue from managed lane. <https://yolotd.org/resources/agendas/>

1/31/22 Full Corridor -80 CMCP draft released (full corridor plan from Carquinez Bridge) Study showing Cap Corridor rail upgrade is 15x more cost effective than road widening, and HOV lanes make trivial impact on throughput. Final CMCP issued 1/23 with same conclusions. Comparing full I-80 CMP by district 3 & 4 vs District 4 bay area "I-80 East CMCP" (ending at Dixon) show how Yolo Causeway was setup to be bottleneck.

2022 05 YoloTD publishes flier calling road widening with toll lane a "sustainable." solution.

10/10/22 YoloTD Ok's MOU Caltrans project on condition to transfer INFRA fund. Add study of conversion of existing Managed lanes in NOP alt. . (will get FHWA to modify grant to can be used for managed lane)

Fall2022 Caltrans finally beings EIR

10/21/22 New NOP with Minor Revised Alterative in NOP DER 1) drop HOV/HOT connector at 50/80 split,2) change no build existing lane conversion from HOV2+ to HOT3+' Added Needs/purpose section with ref managed lanes, VMT management, transit ramp features, air quality. Multimodal facilities, effect disadvantage community west sac.

June 6, 2023. First time Davis council has robust discuss on I-80Yolo. Davis council unhappy lack transit EIR alternative but agrees to partner with Caltrans to get mitigation \$ (becomes a carbon-VMT offset in exchange money DT and Nishi.) 20 citizens show up and object selling out city CAAP. Council object lack of transit EIR alternative. Josh Chapman and YoloTD Bernstein say city can't change course of project/ add alternative even though DEIR won't be out of 5 months) (Note in December the DEIR nixes Davis as carbon offset, but keeps city in for \$5 mil to help a Nishi/Promenade developer 'just because')

June 28, 2023, CTC nixes funding Yolo80 for \$103m. July 1release date DEIR nix as no longer need to meet CTC requirement. Caltrans rates project 24 out of 24.

July 1, 2023, Withdraw DEIR release promise date due is undefined time due to CTC not funding in June.

Sept 2023 Jeanie Ward Waller, a Caltrans Deputy director turns whistleblower on I80 yolo project. state a) road maintenance. funds illegally used by Dist. 3 to start widening b) piecemeal approach to (-80 (see I-80 CMCP) Rumor DEIR release held up in Gov'r office. In Dec. head Dist. 3 retires.

Nov 13 2023 DEIR Released for public review and comment.

Nov 28 and Dec 13th Caltrans has two DEIR open houses announce with extensive press/TV coverage. These consist not of presentation and Q&A, but only ~24 Caltrans selected story board that summarize what they think is essence of DEIR—feature congestion relief benefit. Copies of actual DEIR not available for examination. Input is taken only on handwritten forms.

Dec 4th, 2023, Caltrans finally make copies of DIER available at public libraries Technical appendix still not on-line.

Dec 11, 2023, YoloTD board OK's DEIR and chooses DIER alternative 4 HOT3+. At the meeting Executive director Autumn Bernstein states, even though Caltrans is the nominal legal "lead agency" YoloTD can withhold money to fund the project if Caltrans does not make the "right decision" ([her words](#)). YoloTD Board decision for Alt 4 as "right" one effectively cut toll revenue available for mitigation and improved transit by 60%. Board discussion of all this takes 16 1/2 minutes.

Jan 9th, 2024, City of Davis submits critical letter on DEIR. as do NRDC, PCL, ?Sierra club, CARB, ECOS, others.

Jan 12, 2024, Close Input on DEIR and alternatives (deadline was extended to this date)

Feb 11 YoloTD Forming a regional tolling agency with SACOG: I-80 is pilot of plan to add managed lane through Sac Region. SACOG staff project and being to hold board meetings for new authority. Prepares CTC application.

March 21 San Jose: CTC \$105m grant request pulled and to be reheard May 16th (to replaced \$103m denied in 6/28/23 by CTC)

Future Meetings and Milestones with Links

April 1? CARTA Tolling authority app submitted to CTC.

Early April? ~~Late March Release~~ final EIR by Caltrans (Caltrans is not obligated to announce- just post only at the state clearing house). No public review of this document or public hearing regarding Caltrans adequately addressing deficiencies from , DEIR comment letter or and public input. **Caltrans has informally promised a press release.**

April 5th Release EIR response state agency not public to accelerate approval

“Caltrans has received several hundred comments on the Yolo 80 Managed Lanes EIR and is working to provide responses. Caltrans expects responses to comments from governmental agencies to be released by April 5th and the final EIR, including responses to all comments, to post the week of April 15th” (this is from YoloTD agenda packet 4/8 pg. 255, The early release doc to gov agencies (and not public) is expected to accelerate final certification process that normally must allow 10 days. I have no confirmation if this happened)

April 8th YoloTD Board meeting Agenda item TBD Agenda when issued

<https://yolotd.org/resources/agendas/>

April 9th Hearing on forming CARTA Tolling agency for managed lanes in West Sacramento

April 11, Joint CTC/CARB/HCD meeting Petaluma Agenda link: <https://catc.ca.gov/meetings-events/joint-carb-meetings>

April 12? (10+ day later) Certify EIR and officially choose alternatives. Note: Caltrans CTC application of 3/4/24 pg. 31 “Project readiness: Final CEQA and NEPA document are anticipated to be executed by 4/5/24” .CTC grant application is hard wired for Alternative 4 - HOT3+ YoloTD Board has made it clear 12/11 the only alternative they will fund. . Likely Caltrans will make a finding of “overriding consideration” to build the project alt 4 despite climate change impact (Economic, legal, social, technological, or other benefits- CEQA code section 21081)

April Mitigation plan: YoloTD Board & others OK'ed contracts with Caltrans for permanent VMT mitigations promised in EIR. This is likely with YoloBus, Unitrans, TDM/ and Microtransit/transit operators. It is unclear if Final EIR must include plan to actually funding for this -- beyond initial startup funding. CEQA issue: Unclear if adding Transit in corridor can be counted as mitigation as any increase transit is corridor- taking cars off I80, will be offset by new auto travel via induced demand.

May 13, 2024 YoloTD board meeting; sign contract(s) for I-80 VMT mitigation? Agenda when issued <https://yolotd.org/resources/agendas/>

May 16, 2024, Thursday CTC may fund \$105m grant - Submitted for March but pulled. Zoom, in person and written comments accepted. Zoom and written public comments. Also expect to approve new tolling agency for managed lanes. From YoloTD agenda 4/8: On March 8, Caltrans District 3 submitted a \$105 million grant application to the CTC's Trade Corridors Enhancement Program (TCEP) for 3/21 meeting. If awarded, the funding will close the funding gap for Phase 1 of the Yolo 80 Managed Lanes project and enable construction to begin in fall 2024. The CTC is also expected to act on this grant application at the May CTC meeting.

May 16th CTC mtg OK's CARTA toll authority plan. [CTC California Transportation Commission agenda when posted May 5](#) Accept I-80 pilot for SACOG regional toll lane authority. (at Orange CA)

Mid-May: 30 days CEQA Lawsuit Notice Deadline: Notice of CEQA lawsuit challenging certification of final EIR. Lawsuit may attempt to stop construction, but this may require bond. YoloTD has already lawyered up in 2023 in anticipation of this lawsuit and their legal council is advising YoloTD board.

June 14 YoloTD board meeting final go/no to fund phase project . \$86Mil INFRA money signed over to Caltrans aka "FHWA Form Sheet". Up until this vote they can stop Caltrans, according to YoloTD Executive director Autumn Bernstein Agenda when issued <https://yolotd.org/resources/agendas/>

August/Sept: Caltrans goes out to bid on phase I of widen based on detailed plans for project.

September 30, 2024, Deadline to sign with a contractor to begin phase I construction= to be finished 2028 or 2029.

Fall 2024: I-80 Begin Search funding phase 2: **may be mute if depending on alternative chosen and its cost with ~~3/21~~ 5/16 CTC funding .** YoloTD begins work to lobby congress, FHWA and CTC to find missing \$200m to \$300Million to complete 17 mile widening. Unclear timing or when all construction will be completed. mid 2030's?

2028: end construction phase 1.

11. References/Past article w/key Links

Could adding tolling to an existing lane increase VMT?

FAQ [How will SB 743 reduce housing costs throughout California?](#)

Councilman Arnold calls \$465mil I-80 Widening "Insanity." Former Caltrans Director of Media Relations & Davis Mayor's Remarks on I-80. <https://www.davisite.org/2024/01/arnold-calls-465mil-i-80-widening-insanity.html>

Link to Caltrans HQ VMT Reduction Branch at HQ: with policy documents

Caltrans: "Rethinking How We Build So Californians Can Drive Less"

<https://dot.ca.gov/programs/esta/sb-743>

I-80 Whistleblower: Caltrans Steamrolls Enviro-Laws to Widen Freeways Caltrans needs to enter 21st Century.

Local angle Whistleblower <https://www.davisvanguard.org/2023/10/politico-story-whistleblower-terminated-for-complaining-about-environmental-impacts-of-freeway-expansion-project/>

Statewide Implications: [Editorial: California's transportation spending doesn't match its climate promises,](#)

Did Caltrans Master Plan for I-80 corridor violate CEQA by Piece Mealing widenings? Caltrans failure to study the corridor wide needs ducked enviro reviews, negated transit alternatives. wastes billions? : <https://www.d.org/2023/10/did-caltrans-piece-meal-plan-for-i-80-corridor-violate-ceqa-ignore-davis-impacts-.html>

Sac Bee op Ed on I-80

The widening of I-80 increases congestion in Sacramento & works against California's climate goals <https://www.sacbee.com/opinion/op-ed/article280482349.html>

Caltrans' Own Charts Show Expanded Transit More Effective than Road Widening to Speed Travel

<https://www.davisvanguard.org/2023/10/guest-commentary-caltrans-own-charts-show-expanded-transit-more-effective-than-road-widening-to-speed-travel/>

Researchers, activists sound alarm on highway widening

https://www.davisenterprise.com/news/state_government/researchers-activists-sound-alarm-on-highway-widening/article_1f18af46-2602-5ad4-b0dc-70c5314f0c5e.html

YoloTD Chair vs UC Davis Transportation Professors on I-80 Widening: Climate Science Wars Come to Davis <https://www.davisvanguard.org/2023/07/guest-commentary-climate-science-wars-come-to-davis/>

UCD Research: Caltrans' pattern of science denial on Induced Demand

<https://www.davisvanguard.org/2023/05/guest-commentary-be-wary-of-caltrans-pattern-of-science-denial-on-ghg/>

LA Times: A Caltrans executive questioned I-80 freeway expansion. Then she was demoted

<https://www.latimes.com/california/story/2023-10-13/caltrans-whistleblower-says-demoted-block-freeway-expansion>

Did Caltrans Piecemeal Plan for I-80 corridor violate CEQA, ignore Davis impacts? Caltrans' failure to do corridor wide EIR negated transit, wastes billions and did not call out cut-through traffic impacts In Davis <https://www.davisite.org/2023/10/did-caltrans-piece-meal-plan-for-i-80-corridor-violate-ceqa-ignore-davis-impacts-.html>

Links to the teach-in video and the materials and presentations provided by speakers and panelists can be found here on the [Davis Futures Forum web page](#). The Program and Handout [is included](#) and has a calendar of next steps and links to foundational EIR's & Transportation Impacts Doc (SB 743)

Selected docs below: Click here for more: <https://opr.ca.gov/ceqa/sb-743/>

Induced Demand calculator: <https://ncst.ucdavis.edu/research-product/induced-travel-calculator>

VMT technical manual: https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf

VMT reduction documents: <https://dot.ca.gov/programs/esta/sb-743/resources>

Caltrans HQ itself acknowledges science of Induce Demand: Widen a freeway and it just recongests -- but local Caltrans districts don't get it. <https://dot.ca.gov/programs/esta/sb-743>

12. Coda: Yolo Mobility: Get newsletter/ next meeting

To continue receiving (or be removed) from the Mobility I-80 newsletter:
Just send an email to Alan@yolomobility.org with “Subscribe YM” or “Unsubscribe” in the subject line. ***Thanks for caring about the future for the planet. Alan Hirsch***

From: [Shishpal S. Rawat](#)
To: California.Transportation.Commission@CATC; Public-Comment@yctd.org
Subject: \$10 Tolls for I-80? Hearing on New Tolling on I-80
Date: Monday, April 8, 2024 8:47:24 PM

EXTERNAL EMAIL. Links/attachments may not be safe.

Hello

“I write concerning policies for the new I-80 CARTA Toll Authority.

- A. We need hearings in Davis too- where causeway commuters live, not West Sac.. And not at rush hour.
- B. Three-Go-Free toll lane policy favors recreation travel to Tahoe over commuters. This makes no sense.
- C. If Toll level are estimated by staff up to -\$4/mile- i.e. \$10- to \$40 - at crunch time, how can this be equitable?
- D. I don't trust YoloTD and Caltrans Calculations as everyone knows they ignore **induced demand** in their computer models.

Essentially we need to promote alternate modes of transportation, not just add lanes that get filled almost immediately and are no help to commuters.

Shishpal Rawat

125 Mesquite Ct

Folsom,

CA 95630

From: [Juliette Beck](#)
To: California.Transportation.Commission@CATC
Subject: Comment on 1-80 CARTA Toll Authority
Date: Tuesday, April 9, 2024 1:57:27 PM

EXTERNAL EMAIL. Links/attachments may not be safe.

Dear Chairman,

I have been raising my family in Davis for the past 15 years and am a strong advocate for climate and environmental justice. We are very concerned that the Yolo Transportation District and Caltrans Calculations on the 1-80 project ignore induced demand in the computer models.

Toll lanes have very significant equity impacts. We would like to have hearing in Davis too, where causeway commuters live.

As currently structured, the "Three-Go-Free" toll lane policy factors recreational travel to Tahoe over commuters. This is fundamentally unjust.

Please ensure that a social equity program is developed prior to any further decision making on this project.

Thank you,
Juliette Beck

2131 Bueno Dr.

Davis, CA 95616

Good evening, Madam Chair, Commissioners

Norbert Dall, THE COASTS OF THE CALIFORNIAS PROJECT

For better or worse, I-80 is one of the 7 major gateways from inland northern California, and much of the nation, to the California coast

Maximized public access to the coast *for ALL the people* is a constitutional right of all Californians. All public agencies are required to act accordingly. The federal Coastal Zone Mgt Act requires it.

80 - including through Yolo County - was proposed, built, and exists as a California FREE-way, not the foundation for a toll road.

First, building new freeway lanes over wetlands, or of any sort, is not the answer to traffic congestion or for enhancing mobility.

Second, the proposal before you would mete out environmental justice by toll gate - an unconstitutional act when it comes to coastal access *at the same time that you are also considering various road use charges and other toll roads, such as on Highway 37.*

Absent a comprehensive - AND environmentally just - transportation plan for the 80 corridor that avoids these cumulative adverse effects on regional and national coastal access FROM the start, the proposal before you falls on California constitutional, as well as state and national coastal program, grounds.

Thank you.

Norbert H. Dall

Co-Investigator/Co-Author, *On the Coasts of The Californias Project*

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State of California

STREETS AND HIGHWAYS CODE

Section 149.7

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.

(Amended by Stats. 2015, Ch. 687, Sec. 2. (AB 194) Effective January 1, 2016.)