# STATE ROUTE (SR) 37 POLICY COMMITTEE

**9:30 a.m., Thursday, February 2, 2017**
**Novato City Hall**
**901 Sherman Avenue, Novato**

## MEETING AGENDA

1. **CALL TO ORDER AND INTRODUCTIONS** — **Vice Chair David Rabbitt, County of Sonoma**

2. **OPPORTUNITY FOR PUBLIC COMMENT**

3. **SELECT SR 37 POLICY COMMITTEE CHAIR AND VICE CHAIR** — **Vice Chair David Rabbitt, County of Sonoma**

4. **CONSENT CALENDAR**

   A. **Minutes of the November 3, 2016 SR 37 Policy Committee Meeting** — **Kate Miller, NVTA**
   Recommendation:
   Approve SR 37 Policy Committee November 3, 2016 Meeting Minutes
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5. **PRESENTATION**

   A. **SR 37 Road Closures and Recent Flood Occurrence and Cases** — **Dan McElhinney, Caltrans**

6. **INFORMATION ITEMS**

   A. **New Board Member Orientation:** — **Daryl Halls, STA**
   - **SR 37 Policy Committee 2016 Accomplishments**
   - **2017 SR 37 Policy Committee Draft Work Plan**

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   B. **Public Outreach Implementation Plan**
   - **Napa Valley Transportation Authority (NVTA)** — **Kate Miller, NVTA**
   - **Solano Transportation Authority (STA)** — **Daryl Halls, STA**
   - **Sonoma County Transportation Authority (SCTA)** — **Suzanne Smith, SCTA**
   - **Transportation Authority of Marin (TAM)** — **Dianne Steinhauser, TAM**

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   C. **SR 37 Transportation and Sea Level Rise Corridor Improvement Plan** — **Janet Adams, STA**
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**SR 37 Policy Committee Members:**

| Solano Elected Officials | Sonoma Elected Officials | Marin Elected Officials | Napa Elected Officials |
|---|---|---|---|
| Bob Sampayan, Mayor City of Vallejo | David Rabbitt, Sonoma County Board of Supervisor | Damon Connolly, MTC Commissioner | Alfredo Pedroza, MTC Commissioner |
| Jim Spering, MTC Commissioner | Jake Mackenzie, MTC Commissioner | Judy Arnold, Marin County Board of Supervisor | Belia Ramos, Napa County Board of Supervisor |
| Erin Hannigan, Solano County Board of Supervisor | Susan Gorin, Sonoma County Board of Supervisor | Stephanie Moulton-Peters, Councilmember, City of Mill Valley | Leon Garcia, Mayor City of American Canyon |

**D. SR 37 Corridor Toll Revenue and Financial Options** — **Daryl Halls, STA**
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**7. ACTION ITEM**

**A. SR 37 Corridor Project Delivery/Corridor Planning and Evaluating Proposals Policies** — **Daryl Halls, STA**
Recommendation:
Approve policy recommendations for SR 37 Corridor Project Delivery/Corridor Planning and Evaluating Proposals.
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**8. COMMITTEE COMMENTS AND STAFF UPDATES** — **Group Discussion**

**9. FUTURE TOPICS**

A. Legal/Legislation and Finance Plan Policy Recommendations
B. Project Finance Advisory Limited (PFAL) SR 37 Corridor Toll Revenue Analysis and Financial Road Map

**10. ADJOURNMENT**
**Next SR 37 Policy Committee Meeting: 9:30 , Thurs., March 2, 2017 at Touro University in Vallejo**

**State Route (SR) 37 Policy Committee Meeting Minutes**
**9:30 a.m., Thursday, November 2, 2016**
**American Canyon City Hall**
**4381 Broadway Street, Suite 201**
**American Canyon, CA 94503**

## MEETING MINUTES

1. **Call to Order/Introductions:**
Committee Chairperson, Mayor Davis, called the SR 37 Policy Committee Meeting to Order at approximately 9:33 a.m.

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| **POLICY COMMITTEE MEMBERS PRESENT**: | Judy Arnold | Marin County Supervisor |
| | Osby Davis | Mayor, City of Vallejo |
| | Leon Garcia | Mayor, City of American Canyon |
| | Susan Gorin | Sonoma County Supervisor |
| | Erin Hannigan | Solano County Board of Supervisors |
| | Mark Luce | MTC Commissioner, Napa County Supervisor |
| | Jake Mackenzie | MTC Commissioner, City Council, Rohnert Park |
| | Stephanie Moulton-Peters | Councilmember, City of Mill Valley |
| | Jim Spering | MTC Commissioner, Solano County Supervisor |
| **EXECUTIVE DIRECTORS PRESENT:** | Daryl Halls | STA |
| | Kate Miller | NVTA |
| | Suzanne Smith | SCTA |
| | Dianne Steinhauser | TAM |
| **OTHERS PRESENT:** | Janet Adams | STA |
| | Melissa Apuya | Assembly Member March Levine |
| | Patrick Band | Napa County Bicycle Coalition |
| | Shannon Barcel | City of Napa Public Works |
| | Tom Bartee | Assembly Member Bill Dodd's Office |
| | Steve Birdlebough | Sonoma County Transportation & Land Use Coalition |
| | John Bly | Engineering Contractors Association |
| | Adam Brand | SCTA - Counsel |
| | James Cameron | SCTA |
| | Richard S. Cimino | Marin Audubon Society |
| | Jim Cordeiro | Marin Economic Forum |
| | Bernadette Curry | STA - Legal Counsel |
| | Mike Davis | ICF |
| | Ed Diffendal | United Bridge Partners (UBP) |
| | Pat Eklund | Mayor of Novato |
| | Dick Fahey | Caltrans |
| | Linda Figg | UBP - Bridge Engineering (Figg Bridge) |
| | Jean Finney | Caltrans |
| | Rick Fraites | Marin Audubon Society |
| | Maureen Gaffney | ABAG Bay Trail |
| | Molly Ghram | TAM |
| | Bjorn Griepenburg | Marin County Bicycle Coalition |

| | |
|---|---|
| Robert Gurrero | STA |
| Jason Holley | American Canyon Public Works |
| Danielle Keen | City of Vallejo - City Manager |
| John Kenyon | Parsons |
| Mike Kerns | MTC |
| Richard Kerrigan | Project Finance Advisory Ltd. (PFAL) |
| Susan Klassen | County of Sonoma Public Works |
| Steven Lederer | County of Napa, Public Works |
| Doug LeMoine | Laborers Local 324 |
| Eric Lucan | Novato City Council |
| Jesse Malgapo | Councilmember, City of Vallejo |
| Dan McElhinney | Caltrans |
| Peter Miljanich | Solano County |
| Jose Luis Moscovich | PFAL |
| Cynthia Murray | North Bay Leadership Council |
| Chris Neilson | Office of Senator McGuire |
| Nick Nguyen | TAM |
| Alisha O'loughlin | Sonoma County Bicycle Coalition |
| David Oster | Friends of Smart |
| Steve Page | Sonoma Raceway |
| Isaac Pearlman | BCDC |
| Jerry Peters | NCRA |
| Dina Potter | HNTB |
| Kate Powers | Marin Conservation League |
| Barbara Salzman | Marin Audubon Society |
| Lee Sandahl | Legislative Advocates ILWU |
| Rebecca Schench | NVTA |
| Danielle Schmitz | NVTA |
| Coy Smith | Novato Chamber |
| Ken Tam | Sonoma County Regional Parks |
| Victoria Taylor | PFAL |
| Matt Tuggle | Solano County |
| Joy Villafranca | AECOM |
| Joanne Villapando | Vallejo |
| Laurie Williams | Marin County, Novato Watershed Program |
| Doug Wilson | Marin Conservation League |
| David Yatabe | City of Vallejo - Public Works |

**2. <u>Opportunity for Public Comment:</u>**

Maureen Gaffney of the Bay Trail voiced that a class I facility is of paramount importance to the project design. People have been using class I and II interchangeably when speaking of the SR 37 project and it needs to be a class I. SR 37 class I design should include:

- Minimum 12 ft. path
- Barrier from vehicles
- Lighting
- Safety analysis for wind direction
- Routine maintenance and repair and quality connections to other segments of the Bay Trail

Pat Eklund, Mayor, City of Novato - Correct page 9 of the minutes to indicate that City of Novato needs a representative on the Policy Committee if the project is extended to SR 101. Public engagement should go beyond CMAs and should include the cities because the public doesn't know the CMAs.

Doug Wilson - Agrees with Pat Ecklund's comments, more public outreach is necessary; he is impressed with the progress of the project so far but he is concerned about the process moving too fast without having public involvement and discussion about the possibility of a toll.

**3. Approval of the September 1, 2016 Meeting Minutes**

Action: A motion was made by Member Spering and a second by Member Hannigan, the September 1, 2016 SR 37 Policy Committee meeting minutes were approved with Pat Eklund's clarifications regarding page 9.

**4. Information Items:**

**A. Project Finance Advisory Ltd. (PFAL) Transportation Financing Case Studies**

Jose Luis Moscovich, Richard Kerrigan and Victoria Taylor provided an overview on Presidio Parkway, I-4 Ultimate, South Norfolk Jordan Bridge, and George Bush Turnpike Western Extension Case Studies.

Jose Luis Moscovich spoke of the "Feasibility Envelope" - market appetite, funding, engineering - if there is enough flexibility all stakeholders can have their needs satisfied in a P3.

Committee/Public Comments:

Member Hannigan requested the PowerPoint be made available to the committee.

Member Spering encouraged the committee to make a decision on tolling the facility; he would like to see it on the next meeting agenda; he believes even if the project is publicly funded it will need to be tolled.

Director Smith mentioned Dan McElhinney of Caltrans was in the room and wanted to include Caltrans in the discussions because it is their facility.

Director Steinhauser reminded the Committee that they will soon get to see the entire envelope with the work PFAL is doing on the financial feasibility analysis and MTC on the Design Alternative Analysis (DAA), which will help the Committee make a better informed decision on which way to move forward.

Public comment from David Oscar - he stated that he has a background in public financing and feels there is no money in anyone's lifespan to get this project completed without private financing and toll revenue.

PFAL responded to Mr. Oscar's comments stating that all options will be reviewed and analyzed in the feasibility study work they are in the process of completing. Jose Luis Moscovich stated that the environmental parameters surrounding this project could change the scope of public works financing; it could be a demonstration project but we need to go through enough process to decide what role tolls are going to play in the project.

Public comment - Steve Birdlebough of the Sonoma County Transportation & Land Use Coalition stated the region is looking to reduce VMT and this project is not addressing the regional issue. The project should focus on how to reduce VMT and address sea level rise.

**B. Projection of Traditional Public Financing Timeline**

Director Halls presented the SR 37 project timeline using traditional public financing. Construction of the project would not happen until 2088. Director Smith further explained that this example was to provide the Committee members the full spectrum, from traditional financing to full privatization and the traditional approach is not likely to happen.

Committee/Public Comments:

Director Steinhauser provided the example of the Marin-Sonoma Narrows and how the policy group under that project built a strong consensus around their plan so that when funds were made available they were ready to move.

Member Spering responded that he did not want the Committee to be passive with this project because regardless of the sea level rise issue there is currently a very real congestion problem. Bike lanes and VMT reduction are not going to solve the congestion problem for goods movement across the corridor. He noted that the corridor is dysfunctional and needs to move people and goods. He further stated the Feds and State are not going to bring money to the table in any large amounts. Spering requested to see a map of the corridor at the next meeting so adjacent communities could be identified for public outreach. He noted that public engagement needs to be the responsibility of the cities and counties not just the CMAs. Spering proposed to keep an option for Sonoma and Solano to move forward with a two-county JPA in the near-term.

Member Gorin believes the corridor is a priority for the BCDC because of the sea level rise issue and is more hopeful public funds can come to the table. She would also like to see public outreach, specifically regarding a toll.

Member Mackenzie stated it is of prime importance to move together as the 4 North Bay counties underscoring the success of the 4 north bay counties coalition, and believes the sea level rise issue is accelerating the need for the project to move forward.

Member Moulton-Peters would like to work together as 4 counties and have a plan for the entire corridor from SR 101 to SR 80 and then work off phases of the project.

Member Garcia spoke in support of public/private partnership and the economic impact of not doing anything to the corridor is felt greatly in Napa County.

Member Luce stated the project clearly needs a toll and would like it to be commensurate to other Bay Area Bridge tolls. It is important we move forward now because of sea level rise.

Member Hannigan would like to see interim measures such as transportation demand management strategies (i.e. vanpooling, buses, limiting freight times on the corridor) to reduce congestion until more long term solutions like infrastructure improvements are made.

Member Davis stated that SR 37 has never been made a priority for as long as he has been in office and the public finance option is not acceptable. He would like to see the Committee move forward with a decision about tolling.

Member Arnold spoke on the importance of engaging the public in the project and that public/private partnership is the way of the future.

**C. Review of United Bridge Partners Unsolicited Proposal - Response to Questions**

Director Smith presented the staff's response to UBP's responses and at this time there are many gaps in information which makes it hard for staff to provide further analysis. Areas identified as needing more information are:

- legislative and 3rd party approvals
- obtaining property rights
- non-compete clauses outside the relinquished area
- financial commitment to the project
- toll rates

Staff feels it will be unproductive to send letters back and forth but instead would like to delve into each area more deeply; a good starting point is what would be needed for relinquishment. Currently, it is not the Policy Committee that could enter into a Letter of Intent with UBP. A JPA would have to be formed by 2 or more counties.

Committee/Public Comments:

Member Davis asked what the next steps would be if the Committee did not respond to UBP with a letter.

Director Halls stated that UBP answered some questions but there was missing information and until the policy issues have been answered we cannot negotiate. It is important to note that the Committee is not the entity that can enter negotiations with UBP.

Director Steinhauser commented there is a decision process that needs to be followed to get to the answer and the policy questions outlined under the next item will help get the Committee to a decision.

Director Halls commented that the DAA work and PFAL's work will help get the Committee to the answer.

Member Spering asked what prevents Caltrans from negotiating directly with UBP

Director Smith answered legislative authority, it is not currently allowed in State Statute.

Member Spering does not want the process to get in the way of fixing the problem. At the next meeting he would like to have the discussion on a JPA of either 2 counties or 4 counties. He would like each county board to have a presentation and discussion on the prospect of forming a JPA.

Director Halls commented that it will be necessary to work with Caltrans but the creative fixes have not been coming from the State; it's the local agencies that have come up with solutions and partnering with Caltrans.

Director Steinhauser mentioned the State has been much more open to public/private partnerships in the last 10 years.

Member Hannigan stated that the SR37 Policy Committee has been a very educational process and she has appreciated the learning experience. She would like to see a decision tree at the next meeting which provides more clarity on timing and decisions needed to move forward and how Caltrans fits in.

Public Comment - Dan McElhinney of Caltrans thanked the Committee for their leadership on the corridor project and committed Caltrans to moving the project forward. He voiced his support for a P3 option.

Member Gorin commented the 4 counties need to be together and legislators are not going to listen unless there is a united voice from the North Bay. She would also like to see a

decision tree at the next meeting. She also noted that maybe it is worth moving both a JPA and exploring privatization on a parallel path. She urged that public participation and outreach needs to move forward and many of the public that she has spoken to may oppose tolling and privatization but they want it to be fixed now.

Member Davis would like to map out a strategy to move forward to decide on a funding mechanism. He would like to see the following on the next agenda:

1. Toll discussion - decision about whether we are going to toll
2. Policy structure - What body is needed to move the project forward
3. Timeline/Decision Tree - We need a decision tree so we can know when to form a JPA, when to start on legislation, etc.

**5. Action Items:**

**5A. SR 37 Policy Committee Discussion of Public Policy**

Director Halls provided an overview on the staff recommendations for each of the policy questions.

Recommendation:
Approve the policy recommendations for SR 37 Policy Committee Roles and Responsibilities and Public Process.

Committee/Public Comments:

Member Luce stated that Napa County may want to be a part of the JPA even though no segment of the project is in the county because the ramifications of what happens on SR 37, like if the highway were to go away, is dire for Napa County.

Members Arnold and Moulton-Peters agreed that all 4 counties should be in the JPA.

Member Garcia agreed Napa is an important stakeholder.

Member Spering mentioned if a subset of the Policy Committee can deliver faster like Solano-Sonoma than he would be open to that.

Member Mackenzie stressed the 4 North Bay Counties working together is important.

Member Davis emphasized that what Sonoma and Solano does affects adjacent counties so no matter the JPA structure we have to make sure it doesn't adversely affect other counties.

Director Miller noted that the 4 agencies have agreed on the direction so far and she foresees that will continue moving forward. She mentioned NVTA will be taking a SR 37 presentation to the Napa County Board of Supervisors in December and she will report back to the Policy Committee on the outcome of the meeting.

Public Comment - Pat Eklund voiced her concern that the questions exclude feedback from the public on toll/no toll and/or public/private partnership and wants the public included in the roles and responsibilities.

Member Davis noted the public was included in item 1.3 of the recommended roles and responsibilities.

Public Comment - Steve Birdlebough - the public needs to have a voice, no transit agency has service over the corridor. The Committee needs to address solutions to reduce VMT.

Member Gorin asked staff to come back with a plan for opportunities for public engagement.

Director Miller commented that a SMART east/west connection could be a transit solution.

Action:
A motion was made by Member Hannigan and seconded by Member Mackenzie the Roles and Responsibilities were approved unanimously.

**5.B SR 37 Transportation and Sea Level Rise Corridor Improvements Scope of Work and**

Director Halls presented the DAA to the Committee. The Committee was successful in obtaining funding from MTC for a Project Initiation Document equivalent. MTC estimated this effort will be $800,000. Caltrans will also be contributing $75,000 to assist in the Public Outreach for this effort.

Recommendation:
Approval SR 37 Transportation and Sea Level Rise Corridor Improvements and Public Outreach Scope of Work

Action:
A Motion was made by Member Gorin and seconded by Member Mackenzie and approved unanimously.

**6. Committee Comments and Staff Updates:**

Director Halls thanked both Member Kimsey and Member Davis for their public service.

Member Garcia welcomed everyone to American Canyon.

Member Davis appreciates the hard work of the Committee and encouraged the Committee to explore public/private partnerships to move the project forward.

Action:
A formal recognition was made by Member Mackenzie and seconded by Member Gorin thanking both Member Osby Davis and Member Steve Kimsey for their service on the Committee.

**7. Future Topics**

A. Map of neighboring cities for public outreach purposes
B. Decision Tree for policy decisions and timeline
C. Toll Discussion

**8. ADJOURNMENT 11:27 am**

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# SR 37 Policy Committee 2016 Accomplishments

1. Financial Model Presentations:
   - ✓ Caltrans – California Public Private Partnership Regulations for Large Capital Improvements
   - ✓ Bay Area Toll Authority – Financing Bay Area Bridges and Toll Administration
   - ✓ United Bridge Partners – Full Privatization Financing Options

2. Existing and Potential Transit Options Presentations:
   - ✓ SR 37 Express Bus Service
   - ✓ WETA Ferry Service
   - ✓ Passenger Rail Service

3. Procured Project Finance Advisory Limited (PFAL) Consultants for Financial Expertise in Public and Private Financial Options

4. Presented 6 State and National Transportation Lessons Learned Case Studies (PFAL)

5. Developed SR 37 Corridor Fact Sheet and White Paper for Fund Advocacy

6. Obtained funding from MTC for Project Initiation Document (PID) Equivalent Study– SR 37 with match funding from four North Bay County Congestion Management Agencies

7. Scoped out PID Equivalent: Transportation and Sea Level Rise Corridor Improvement Plan

8. Adopted 25 Corridor Policy Questions and Considerations

9. Developed Public Outreach Scope of Work

10. Developed Traditional Public Financing Timeline

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# SR 37 Policy Committee Draft 2017 Work Plan

1. Public Outreach Implementation
2. Affordability Analysis and Financial Road Map – PFAL Work Products
3. Conclude Policy Recommendations
4. SR 37 Transportation and Sea Level Rise Corridor Improvement Plan: MTC and 4 North Bay CMAs
5. Identify initial project/projects and phasing plan for implementation
6. Identify financial approach for first phase of project.

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# SR 37 Public Presentations by County

**A. Napa Valley Transportation Authority (NVTA)**

- April 20, 2016 - NVTA Board Meeting
- June 8 and November 2, 2016- Citizen Advisory Committee
- Ongoing project status updates – NVTA Technical Advisory Committee
- December 20, 2016 - County Board of Supervisors
- March 7, 2017 – American Canyon City Council

**B. Transportation Authority of Marin**

- December 8th San Rafael Chamber Leadership Institute
  - January 3rd National Association of Remodeling Industry
  - January 19th- Rotary Club of Ignacio
  - January 26th Transportation Authority of Marin Board
- October 14th - Novato Rotary
- November 4th – Novato Breakfast Club
- June 1st - Marin Conservation League
- March 13th- North Bay Leadership Council
- Ongoing project status updates - TAM Board Meeting (4th Thursday of the month).
- Upcoming presentation - Marin County Board of Supervisors

**C. Sonoma County Transportation Authority**

- August 9, 2016 – Sonoma County Board of Supervisors
- January 24, 2017 – Sonoma County Board of Supervisors
- Ongoing project status updates – SCTA Board Meeting and Citizens Advisory Committee

**D. Solano Transportation Authority**

- October 12th and December 14th, 2016 – STA Board Meeting
- Ongoing project status updates – STA Technical Advisory Committee
- Upcoming presentation:
  - Solano County Board of Supervisors
  - Vallejo City Council Meeting
  - Vallejo Chamber of Commerce
  - City County Coordinating Council (4Cs)
  - Solano Economic Development Corporation

**Future Regional Meetings:**

1. SF Bay Conservation and Development Commission (BCDC)

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**January 17, 2017**

To: Becky Frank, Senior Transportation Planner, District 4 Office of Transit and Community Planning

From: Joan Chaplick, Principal, MIG and PPEC Contract Manager

Subject: Proposed Approach for Developing the Public Outreach Plan for the SR 37 Transportation and Sea Level Rise Corridor Improvement Plan (SR 37 TSLRCIP)

**Project Overview:**
Caltrans, in partnership with the Napa Valley Transportation Authority (NVTA), the Solano Transportation Authority (STA), the Sonoma County Transportation Authority (SCTA), the Transportation Authority of Marin (TAM), and the Metropolitan Transportation Commission (MTC), will participate in a State Route 37 Design Alternative Assessment to expedite the delivery of improvements in the State Route (SR 37) Corridor to address the threat of sea level rise, traffic congestion, transit options and recreational activities.

The purpose of the Design Alternative Assessment (DAA) effort is to evaluate a range of improvement strategies for SR 37 between US 101 and Interstate 80. To help the public and stakeholders better understand the DAA, the project has been renamed the SR 37 Transportation and Sea Level Rise Corridor Improvement Plan (SR 37 TSLRCIP). The process for public input will also seek public opinion regarding potential funding mechanism for the project. The four North Bay County Congestion Management Agencies, as part of the SR 37 Policy Committee, requested funding from Caltrans for public outreach assistance. Caltrans will provide assistance through the Planning Public Engagement Contract (PPEC) with MIG developing a Public Outreach Plan for the project. The effort has a one year time frame and starts in early January 2017.

**Public Outreach Plan:**
The public outreach plan will be designed to achieve the following outreach objectives:

- Bring participants up to date on the substantial technical, planning and stakeholder coordination activities that have occurred to date
- Create public awareness of the partner agencies efforts to address congestion along the route
- Educate the public about the related issues and funding options
- Provide opportunities for public input
- Share key findings and inform the public about next steps

The outreach plan will be designed to respond to the four distinct phases of the planning process.

**Phase 1 (prior work):** This phase acknowledges the work done over the past 2-3 years and includes the two planning studies and extensive stakeholder coordination done to date. This effort yielded the MOU and policy committee. The policy committee continues to attract a growing number of participants. The outreach plan for phase 1 will focus on creating messaging to describe this work and convey the substantive progress achieved through Phase 1 efforts. Phase 2-4 build on this work.

**Phase 2:** This phase covers activities from January to May 2017 and will focus on objectives and strategies designed to increase public awareness of the planning process.

**Phase 3:** This phase covers activities from June to September 2017and focuses on the first round of community input opportunities.

**Phase 4:** This phase covers from October to December 2017 and includes the second round of community input opportunities, the draft and final plan and next steps in the process.

The outreach plan will include:

- Guiding Principles for outreach
- Goals, objectives and strategies that focus on:
    - publicizing outreach activities,
    - educating stakeholders and the public, and
    - engaging participants in the process
- Target audiences
- Outreach methods (general and for targeted audiences)
- Performance metrics
- Social media strategy
- Process graphic and schedule
- Roles and responsibilities for agency partners

MIG assumes the plan is designed for implementation by the agency partners. Materials and activities will follow a consistent format while allowing some tailoring to respond to the needs and interest of each partner.

# State Route 37 Transportation and Sea Level Rise Corridor Improvements

## Project Background

The Metropolitan Transportation Commission (MTC) is working in partnership with the Napa Valley Transportation Authority (NVTA), the Solano Transportation Authority (STA), the Sonoma County Transportation Authority (SCTA) and the Transportation Authority of Marin (TAM) to plan and expedite the delivery of improvements in the State Route (SR 37) Corridor to address the threat of sea level rise, traffic congestion, transit options and recreational activities.

Work on the corridor to date includes an updated Caltrans Transportation Concept Report completed in January 2015, a UC Davis Stewardship Study completed in 2012 and a State Route 37 Integrated Traffic, Infrastructure and Sea Level Rise Analysis (Phase 2 of the 2012 Stewardship Study) completed in 2016. In addition, a four county Policy Committee was created by a Memorandum of Understanding (MOU) in December 2015. The Policy Committee has been meeting every other month since it was formed.

The Caltrans funded Phase 1 and Phase 2 of a Stewardship Study lead by UC Davis. The study included extensive stakeholder involvement where concept designs and cost estimates have been developed by AECOM. Details of the Stewardship Study and related resources can be downloaded at http://hwy37.ucdavis.edu/resources. The Policy Committee, formed by MOU between the four counties, is to guide the intentions and strategies of the parties involved including outlining respective roles, responsibilities and a potential funding strategy for the SR 37 Corridor.

The purpose of this Design Alternative Assessment (DAA) is to evaluate a range of improvement strategies for SR 37 between US 101 and Interstate 80. The outcome of this DAA shall form a set of alternatives to be included in the future Project Approve & Environmental Document (PA&ED) phase of the State Route 37 Project.

Exhibit 1 provides a map of the corridor vicinity, including identification of the three (3) segments along the corridor based on their characteristics.

Exhibit 1 – Project Vicinity and SR 37 Study Segments

## Detailed Description of Work

The DAA shall identify and evaluate a range of operational strategies to help improve both regional mobility and impacts due to sea level rise. Evaluations of the different alternatives shall be conducted from congestion relief, system performance, safety, design feasibility, and cost perspectives. Based on available information from recent studies and survey data, Segment B of the corridor between SR 121 in Sonoma County and the Mare Island in Solano County appeared to be the most critical segment due to traffic congestion and vulnerability to sea level rise inundation.

The work is to be done in two phases. The first phase is to complete a high level corridor wide evaluation of when improvements need to be done and what concept level improvements need to be done as a result of inundation due to sea level rise. The corridor wide evaluation will define an approximate timeline for when these series of improvements need to be completed and prioritize the three corridor segments based on expected timeframe of inundation of water. The second Phase will then focus the detailed traffic analysis, design work, and recommendation of alternatives on the priority segment, presumably Segment B.

**Corridor Study Limits:**
State Route 37 from US 101 to I-80 in three Segments (A, B and C) consistent with UC Davis Study. As part of a corridor study, the traffic analysis shall include portions of the adjacent segments to the priority segment such that the operational effects on the system can be captured fully. Similarly, the design work should include geometric transitions between the proposed alternatives and the adjacent segments, also as part of a corridor study. The DAA effort will focus on the priority segment (presumably Segment B - to be confirmed).

**Traffic Analysis Scenarios and Study Time Periods:**

- Existing: AM Peak, PM peak and Weekend peak
- Near-Term No Project: AM Peak, PM peak and Weekend peak
- Near-Term With Project Alternatives: AM Peak, PM peak and Weekend peak

Near-Term is defined as the approximate opening year of probable operational improvements.

In addition, a high-level long-term (such as Year 2040) traffic analysis shall be conducted for corridor wide recommended alternatives.

The SR 37 is a key commute corridor during weekdays connecting Solano, Napa, Marin, and Sonoma counties. It is also a heavily used recreational corridor during the weekend. While traffic analysis will be conducted on both weekday and weekend conditions, this DAA would prioritize improvements for weekday commuter needs.

## Scope of Work

**Task 1. Meetings**

CONSULTANT shall meet regularly with staff from NVTA, SCTA, STA, TAM and MTC who will provide project direction. There will be up to twelve (12) Technical Advisory Committee (TAC) meetings with NVTA, SCTA, STA, TAM, and MTC, including a kick-off meeting. Weekly phone meetings shall be held with the project manager. In addition, CONSULTANT shall recommend a number of focused meetings in order to review key deliverables and make decisions over the course of the assessment. On an as-needed basis, the CONSULTANT may also participate in up to two meetings with Caltrans, and/or the SR 37 Policy Committee, once the draft alternatives are developed.

Task 1 Deliverables

Deliverable 1.1 – 1.12: TAC Meeting Minutes

Deliverable 1.13 and 1.14 (as needed), Meetings with SR 37 Policy Committee, and/or with Caltrans

**Task 2. Data Collection and Assessment**

CONSULTANT shall collect data and other relevant information as available from recently completed and on-going studies in the project vicinity, including the following:

1. Traffic circulation
2. Hydrological
3. Caltrans Right of Way and Access Control Rights, Railroad Easements, Utility Easements
4. Levee Ownership and maintenance expectations of all levees currently protecting SR 37, either directly or indirectly
5. LiDAR data collected in 2010
6. Existing Wetland boundaries

In addition, MTC will provide INRIX speed and travel time data. The CONSULTANT shall seek out other traffic data sources include PeMS and Caltrans census counts.

The CONSULTANT shall assess the available data and determine the need to collect supplemental traffic data.

Supplemental traffic data collection may include:

A. Mainline counts along SR 37
B. Floating car survey on SR 37
C. Intersection turning movement counts at the SR 37 and SR 121 intersection, SR 37 and Lakeville Highway intersection, and at the Mare Island interchange
D. Vehicle occupancy counts on SR 37 (expected to be provided by MTC)
E. Origin-destination data (expected to be provided by MTC)

Near-term and long-term traffic forecast shall be obtained from the Napa-Solano Activity-Based Model, and checked with MTC's Travel Model One for reasonableness. Model files will be provided to the CONSULTANT, which will be used to develop traffic forecast under Task 5.

In addition, the CONSULTANT shall conduct a limited number of ground surveys at key locations (assume up to 5 locations) to confirm levee and/or dam elevations, in relation to the LiDAR survey results. This work will include contacting property owners to obtain rights of entry for survey work as needed. At locations where LiDAR results are found in error, top of levee profiles will be required. Additional information related to the available Lidar survey can be found using the following web links:

http://sonomavegmap.org/

https://coast.noaa.gov/dataservices/Metadata/TransformMetadata?u=https://coast.noaa.gov/data/Documents/Metadata/Lidar/harvest/sfbay2010_m584_metadata.xml&f=html#Data_Quality_Information

Task 2 Deliverables
Deliverable 2A: Traffic Data Assessment Memo
Deliverable 2B: Assessment of Hydrological Analysis for Sea Level Rise and 100-year Storm Event
Deliverable 2C: Identification and Mapping of Caltrans Right of Way with Current Roadway
Deliverable 2D: Levee Ownership Survey
Deliverable 2E: Existing SR 37 Roadway and Surrounding Levee Elevation Mapping Based on Available LiDAR Data
Deliverable 2F: Assessment of Preliminary Wetland boundary Survey
Deliverable 2G: Assessment of Preliminary Environmental Resource/Constraint Map (identification of wetlands, endangered plants and species) within the potential limits of corridor improvements
Deliverable 2H: Supplemental Traffic Data
Deliverable 2I: Supplemental Ground Survey Data

**Task 3. Development of SR 37 Corridor Plan and Confirm Priority Segment**
Based on an analysis of all data available under Task 2, the CONSULTANT shall develop a high level assessment of the corridor (to be called the SR 37 Corridor Plan) between I-80 to US 101.

This Corridor Plan is intended to set forth the corridor wide approach for what and when improvements are needed to be completed along the corridor due to sea level rise inundation. A key outcome of the Corridor Plan is the identification of a priority segment, or portions of a segment, where additional detailed analysis and design will be performed under Task 4 and Task 5. Note that the 2016 UC Davis State Route 37 Integrated Traffic, Infrastructure and Sea Level Rise Analysis identified Segment B as the initial priority because it was the most vulnerable to sea level rise impacts. However, the UC Davis analysis acknowledged potential errors with LiDAR data and lack of levee ownership and maintenance along the corridor. This task will confirm that finding. Operationally, Segment B has a two-lane cross-section and is one of the primary causes of traffic congestion along the corridor, while both Segments A and C have a 4-lane cross-section. This task will also confirm that finding.

Following the identification of the priority segment, the CONSULTANT shall also identify potential concept level improvements that may be needed for the remaining segments (or portions of the segments) within the corridor – presumably Segment A and Segment C – taking into consideration areas that are most vulnerable to sea level rise, when sea level rise impacts would occur, and when the improvement will need to be in place. The CONSULTANT shall identify project improvements, costs, and likely delivery schedule.

The CONSULTANT shall also conduct a qualitative assessment of a "No Project" scenario reflecting if and when the SR 37 corridor becomes inundated and has to be closed. The CONSULTANT shall assess the impact of the road closure to adjacent east-west routes, detailing their characteristics and the potential for them to accommodate SR 37 traffic. The 100-year storm events, sea level rise projected elevations as recommended by the San Francisco Bay Conservation and Development Commission (BCDC) will also be considered in this assessment.

Task 3 Deliverables
Deliverable 3A: Draft SR 37 Corridor Plan
Deliverable 3B: Final SR 37 Corridor Plan

**[Note: Task 4 and 5 shall proceed concurrently in a coordinated fashion.]**

**Task 4. Alternative Development for the Priority Segment**
The CONSULTANT shall identify improvement strategy concepts to the priority segment and perform detailed design and analysis. Concepts of improvement strategies to be considered include the following, but are not limited to:

- Near-term operational improvement: Add a third median lane in Segment B as a contra-flow lane, and/or contra-flow express lane in the peak direction of travel, via movable or fixed barriers, at existing roadway elevation
- Add a third median lane in Segment B as a contra-flow lane, and/or contra-flow express lane in the peak direction of travel, via movable or fixed barriers
- 4-lane Segment B, considering no net wetland fill
- Express bus service
- Commuter parking opportunities
- Shoulder running lane opportunities
- Interchange/intersection reconfiguration alternatives at 37/121 and 37/Mare Island
- Corridor bicycle facilities

Several options have been considered so far for raising the roadway in order to address sea level rise, including berm/embankment, box girder causeway, and slab bridge causeway.

The DAA shall assess the value of different alternatives from congestion relief, system performance, safety, design feasibility, sea level rise adaptation, environmental feasibility (wet land, tidal marsh, natural habitat, etc.), and preliminary cost estimates. For example, it should take into account potential CEQA impacts such as to birds/other species and wetlands and permitting requirements, as well as potential traffic impact at key intersections such as SR 37/101 interchange.

The alternative development process shall also accomplish the following:

- Maintaining the existing rail line, with consideration of not precluding future rail line improvements due to Sea Level Rise
- Preliminary analysis of a zero net wetland impact due to improvements, or strategy on wetlands impact approvals by the BCDC, the Water Board and Army Corps.
- Impacts to adjacent lands (flooding) if the existing Segment B levee is partially removed as part of the Project.

Task 4 Deliverables
Deliverable 4A: Draft Priority Segment Alternative Development Memo
Deliverable 4B: Final Priority Segment Alternative Development Memo

**Task 5. Traffic Forecast and Operations Analysis**
Based on a 12-month schedule assumption, CONSULTANT shall propose appropriate traffic operations analysis tool(s) for the study.

Near-Term Conditions:
For all project alternatives to be developed as part of Task 4, the CONSULTANT shall apply a growth rate to develop traffic forecasts for the study corridor and conduct traffic operations analysis. Results of the near-term conditions analysis will be used to inform project alternative recommendations.

Long-Term Conditions:
Following the identification of a short-list of recommended alternatives to advance into further project development, the CONSULTANT shall develop long-term traffic forecast (such as Year 2040), and conduct a high-level traffic analysis. Results of the long-term conditions analysis would be used to inform the useful life of recommended alternatives.

Task 5 Deliverables
Deliverable 5A: Draft Traffic Forecast and Operations Analysis Memo
Deliverable 5B: Final Traffic Forecast and Operations Analysis Memo
Deliverable 5C: Traffic Operations Analysis Input and Output Files

**Task 6. Design Alternative Assessment Documentation**

A draft DAA technical memorandum shall be prepared for stakeholder review. The memo shall document the results of Tasks 2 to 5, including an executive summary, assumptions, alternative development and screening process, analysis methods, performance measures, and 6-Page cost estimates. In addition, the appropriate phasing of recommended design concepts, and packaging of the individual elements where appropriate, shall be included in the memo. The DAA documentation shall also include a Purpose and Need statement for the priority project. A final DAA memo addressing all written comments shall be prepared.

Task 6 Deliverables
Deliverable 6A: Draft Design Alternatives Assessment Technical Memo
Deliverable 6B: Final Design Alternatives Assessment Technical Memo

Draft Task Order Schedule

| Deliverables | Due Date * |
|---|---|
| Deliverable 1.1 – 1.14: Meeting Minutes | TBD |
| Deliverables 2A – 2I: Data Collection and Assessment | February 2017 |
| Deliverable 3A – 3B: SR 37 Corridor Plan | May 2017 |
| Deliverable 4A – 4B: Alternative Development for Priority Segment | August 2017 |
| Deliverable 5A – 5C: Traffic Forecast and Operations Analysis | September 2017 |
| Deliverable 6A – 6B: Design Alternative Assessment Documentation | November 2017 |

* Assume notice to proceed by December 2016. Assume Task 5 can proceed concurrently with Tasks 3 and 4.

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# DELIVERY OPTIONS

**1. Traditional**

- **Revenue:** non-tolled facility
- **Facility Ownership:** public
- **Contract:** traditional inter-agency agreements
- **Funding:** only public funds (local/state/fed grants)
- **Delivery Method:** Design-Bid-Build (DBB)

**2. Public-private partnership (P3)**

- **Revenue:** tolls, sales tax
- **Facility Ownership:** public
- **Contract:** long term lease with private partner (e.g. 30 to 50 years)
- **Funding:** mix of public funds (local/state/fed grants) and private funds (equity & debt)
- **Delivery Method:** Design-Build-Finance-Operate-Maintain (DBFOM), DBFM and DBF

**3. Public-Public**

- **Revenue:** tolls, sales tax
- **Facility Ownership:** public
- **Contract:** Cooperative Agreement e.g. Bay Area Toll Authority (BATA)
- **Funding:** publicly financed (e.g. revenue bonds), grants
- **Delivery Method:** DBB, DB

**4. Privatization**

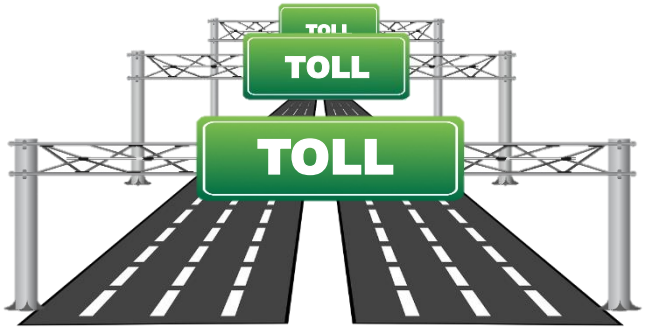
- **Revenue:** tolls
- **Facility Ownership:** private
- **Contract:** Acquisition & Development Agreement
- **Funding:** 100% privately financed (equity & debt)
- **Delivery Method:** full private responsibility for asset

Goals/Objectives: Roles & Responsibilities

Determine "Best Value" approach via Value-for-Money Assessment

Industry/Market Feedback

# TOLLING CONCEPTS



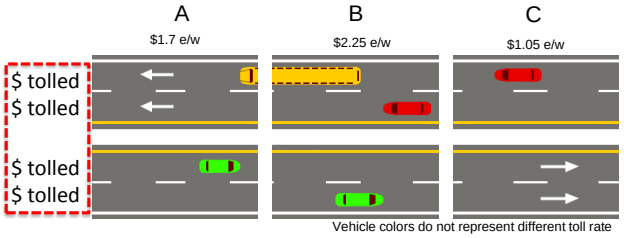
"Toll Road"

**Three toll locations**
Toll charge per mile travelled

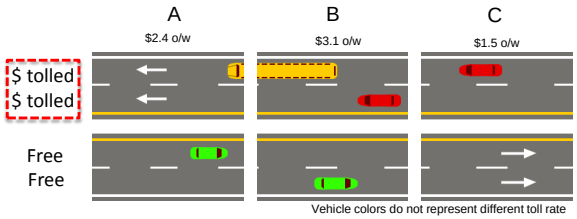
"Toll Bridge"

**One toll location**
Toll charge per "crossing"

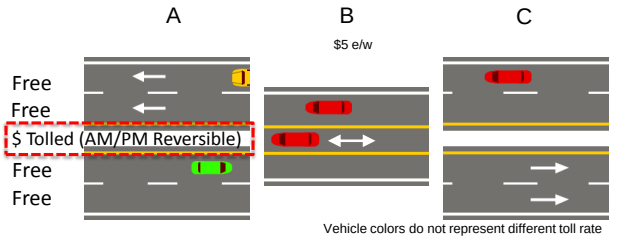
**1. Four lanes tolled, $5 each way**




**2. Two lanes tolled, $7 one direction**




**3. One reversible lane tolled, $5 each way**




e/w = each way; o/w = one way

# SR 37 Policy Committee
# Project Delivery Policy Recommendations:
# Project Delivery/Corridor Plan

## Policy Questions: Project Delivery/Corridor Plan – January 2017

**Note that previously detailed considerations regarding the unsolicited proposal received have been folded into larger policy categories, as outlined below.**

**The following policy questions were derived by the SR 37 Policy Committee over the previous 6 months:**

1. Which entity will be responsible for various phases of the project (i.e. PID, Environmental, Design and Construction? How will the proposer address Right of Way and property condemnation? What role does the SR 37 MOU Group have in the process, if any?
2. What provisions does the proposer provide to ensure qualified employees and contractors throughout the life of the project?
3. Who will be the CEQA/NEPA lead?
4. What level of control should the local agency or JPA maintain? For example, should toll collection for the entire alignment and possibly revenues from other sources (development fees, etc.) be the responsibility of the local agency or JPA?
5. Will the flyover at SR121/SR 37 intersection and the Mare Island Interchange enhancements be considered for Phase 2 staging?
6. How does a proposal address SR 121 and Mare Island intersections?
7. What are the metrics used to assess sea level rise in regards to when Phase 2 will be initiated for construction? How will the existing facility be replaced if sea-level rise occurs quicker than the anticipated 2040 date?
8. Aside from the bike lanes proposed, what other modes of transportation are being conceived as part of this proposal, such as rail, bus transit, and pedestrian?
9. What is the traffic revenue being assumed by this proposal?

## Recommendations:

**I. Corridor Plan**

1. **SR 37 Policy Committee** acts in an advisory role for the development the SR 37 Corridor Plan
    i. Corridor Plan will identify independent, but inter-related projects within the corridor that will address adaptation to Sea Level Rise and Congestion.
    ii. Corridor Plan will identify the implementation schedule for the SR 37 Corridor due to Sea Level Rise and Congestion.
    iii. Specific components or improvements along the corridor would be grouped into independent projects based on the timing of when the improvements

must be made to address Sea Level Rise and Congestion; or grouped based on necessity due to geometric conditions of planned improvements and the effect they have on the corridor components.

iv. The Corridor Plan should address logical termini for each project and related components. For example, should a bike facility be part of the project, it will have to consider the ultimate network connection and have a logical end point.

v. The Corridor Plan will identify initial sea level rise metrics which will inform the implementation schedule for projects that address Sea Level Rise.

vi. Corridor Modes, such as transit, and rail only options will have to be evaluated as part of the environmental document. Bicycle and Pedestrian needs will be assessed throughout the corridor. The projects that build new or reconstruct large sections of the corridor need to evaluate non-auto facilities as part of the project. Additionally, these projects need to address bike continuity along the corridor. The Corridor Plan will initiate this planning.

2. **Four North Bay County Transportation Authorities,** in coordination with Caltrans and the Metropolitan Transportation Commission, the four North Bay county transportation authorities will provide staff support for evaluating and considering the corridor adaptation strategies and timing of necessary improvements to address Sea Level Rise and congestion.

**II. Implementation of Corridor Projects**

1. **SR 37 Policy Committee** would be the forum for consideration and input into the Environmental Decision process. They will be kept informed as to the progress of the corridor projects as they are being implemented through the phases of the project (environmental, design, right-of-way, construction).

2. **Four North Bay County Transportation Authorities,** Caltrans, and other relevant agencies would take the lead for the implementation of the projects. Each project is likely to be unique, thus the actual partnerships and leads within the partnerships will vary depending on which agency is best suited to implement a specific project. However for all projects, at least one of the transportation authorities would be a primary partner. These lead agencies would provide regular financial and schedule updates to the SR 37 Policy Committee MOU Group. Should a project cross county lines, then one agency would take the lead with an agreement between the primary partners or a JPA could be formed to implement the project if the facility is relinquished to more than one county by Caltrans.

3. **CEQA/NEPA, Design, Right of Way and Construction** leads would be determined based on the specifics of an individual project. The Project Lead would be a public agency or JPA. If the project is on SR 37, which is owned and operated by Caltrans,

then Caltrans would be the lead for CEQA/NEPA and will have a role to play in the other phases too – either as lead or oversight. A local agency may be best suited to be the implementation agency with Caltrans oversight.

4. **Toll Facilities/Toll Collection/Operations** should be administered by responsible agencies with proven track records of successful administration (i.e., Caltrans, Bay Area Toll Authority (BATA)).

**III. Corridor Financial Plan**

1. **SR 37 Policy Committee** should develop a Preliminary Financial Plan based on the Corridor Plan. This Preliminary Financial Plan would identify potential funding resources for each component of the corridor.
2. **SR 37 Policy Committee** will consider public and private financing, tolling, and traditional transportation funding sources as part of the Preliminary Financial Plan.
3. **SR 37 Policy Committee** will oversee tolling policies if the Policy Committee is the financing lead. If the corridor financing lead is a regional agency (e.g. BATA), then that agency would oversee the tolling policies with input from the SR 37 Policy Committee. If a private venture is financing lead then the review and approval of tolling policy would be from the SR 37 MOU Group, a JPA made up of two or members of SR 37 MOU group, BATA, and/or the State.

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## Policy Questions: Proposal Evaluation Criteria

1. How does the SR 37 Policy Committee intend to evaluate and approve any unsolicited proposal to determine if this proposal is acceptable or not?
2. Which requirements (i.e. statutory, regulatory and goals) and evaluation factors (i.e. environmental, technical and financial) will a proposal be evaluated?

## Recommendation:

1. The SR 37 Policy Committee will act in an advisory role to the implementing agency that has the authority to advance any project proposal to toll or improve the SR 37 facility.

## SR 37 Policy Committee Overall Private and Public Financial Policy Questions Discussion and Staff Recommendation Dates

### Introduced at September 1, 2016 SR 37 Policy Committee Meeting
### Staff recommendation at November 3, 2016 SR 37 Policy Committee Meeting

**I. SR 37 Corridor Policy Committee Role and Responsibilities**

1. What role should the SR 37 MOU Group have in soliciting, responding and negotiating financial proposals?
2. What role should the SR 37 MOU Group have in sponsoring tolling legislation for the corridor?
3. What role should the SR 37 MOU Group have in the corridor design and environmental process?
4. What role should the SR 37 MOU Group have to provide oversite and implement projects on the corridor?
5. When should the JPA be formed? Consideration should be given to the feasibility and possible membership, roles and responsibilities to establish a JPA. If established after an "agreement" has been negotiated with the Proposer, how would this impact the long term success of the project and relationship? Should a JPA be responsible for the full SR 37 corridor or the segment in the proposal?
6. What role will the public agencies play in setting toll levels?

**II. Public Process**

1. How will the proposer ensure an open transparent process in setting toll rates, project expenditures and profit?

### Introduce at November 3, 2016 SR 37 Policy Committee Meeting
### Staff recommendation at February 2, 2017 Policy Committee Meeting

**I. Project Delivery/Corridor Plan**

1. Which entity will be responsible for various phases of the project (i.e. PID, Environmental, Design and Construction? How will the proposer address Right of Way and property condemnation? What role does the SR 37 MOU Group have in the process, if any?
2. What provisions does the proposer provide to ensure qualified employees and contractors throughout the life of the project?
3. Who will be the CEQA/NEPA lead?

4. What level of control should the local agency or JPA maintain? For example, should toll collection for the entire alignment and possibly revenues from other sources (development fees, etc.) be the responsibility of the local agency or JPA?
5. Will the flyover at SR121/SR 37 intersection and the Mare Island Interchange enhancements be considered for Phase 2 staging?
6. How does a proposal address SR 121 and Mare Island intersections?
7. What are the metrics used to assess sea level rise in regards to when Phase 2 will be initiated for construction? How will the existing facility be replaced if sea-level rise occurs quicker than the anticipated 2040 date?
8. Aside from the bike lanes proposed, what other modes of transportation are being conceived as part of this proposal, such as rail, bus transit, and pedestrian?
9. What is the traffic revenue being assumed by this proposal?

**II. Proposal Evaluation Criteria**

1. How does the SR 37 Policy Committee intend to evaluate and approve the unsolicited proposal to determine if this proposal is acceptable or not?
2. Which requirements (i.e. statutory, regulatory and goals) and evaluation factors (i.e. environmental, technical and financial) will the merits of a proposal be evaluated?

## Introduce at February 2, 2017 SR 37 Policy Committee Meeting
## Staff recommendation at May 4, 2017 SR 37 Policy Committee Meeting

**I. Legal/Legislation**

1. Can a local agency sign a Letter of Intent (LOI) if they do not own the facility? What are the legal and financial risks if local agencies sign an LOI but legislation fails to pass in order to transfer the facility? What obligation does a LOI bind the JPA should legislation not be successful?
2. What legislative actions are necessary for charging a toll without a free alternative given the current facility is free? Which agency will be responsible to sponsor any required legislation for the corridor?

**II. Finance Plan**

1. What provisions are included for toll revenue sharing? For example, if there is a revenue threshold that is exceeded, how will the revenue be split with the proposer and local/state agencies?

**Introduce at March 2, 2017 SR 37 Policy Committee Meeting**
**Staff recommendation at the July 6, 2017 SR 37 Policy Committee Meeting**

**I. Contract/Agreement**

1. What provisions will the proposer have in time of extreme events such as earth quakes or flooding? How does the proposer demonstrate their ability to reestablish corridor operations after a force majeure event?
2. Are there special provisions provided in the event of special circumstantial corridor closures which may limit toll revenue collection (e.g. enforcement and construction/maintenance activities)?
3. What financial provisions are included to address financial risk sharing between the proposer and local agencies?
4. What provisions does the proposer have in place if SR 37 is relinquished to them and they default resulting in the need to the corridor back to Caltrans or the MOU Group? What happens if the facility is transferred to a private venture and the challenges are too great resulting in bankruptcy or insolvency during any phase of the project? Does the facility get transferred back? And to whom the local agency, JPA or Caltrans? What provisions should a private venture provide if the project happens to be relinquished back to the local agency after all phases of the project is constructed?