



# Fact Sheet

## City of San Clemente Toll Road Lawsuit



### The City Council objects to any toll road option that would divide a community

The San Clemente City Council is concerned about adverse impacts associated with the proposed alternative alignments 13, 14 and 17 as depicted on maps prepared by the Transportation Corridor Agencies (TCA) and which are being studied as part of the 241 toll road extension. These routes would decimate existing open space and residential areas, if approved. On July 28, 2017 the City filed suit against the TCA, seeking to broaden the process of solving South Orange County transportation challenges beyond TCA's resolve that the extension of the 241 toll road is the only solution.

### What does the City's lawsuit seek to accomplish?

The City's lawsuit **DOES NOT CHALLENGE** the TCA-Save San Onofre Coalition's Settlement Agreement, but challenges the collateral Protective Agreement that binds TCA and Caltrans to a solution that would be ruinous for San Clemente, San Juan Capistrano and all park land. That Agreement was executed without public notice or consultation, including any consultation/collaboration with San Clemente, the member city most affected.

It also challenges a process that occurred outside the TCA boardroom where – without the consent and, we presume the understanding of the Board -- committed

TCA, through a process of elimination, to a course that would:

- Urbanize open space, biological, mitigation, and recreational assets in San Clemente, San Juan Capistrano, and other communities that since the 1920's were set aside to mitigate the impacts of urbanization, including (ironically) transportation projects like this.
- Violate voter initiatives in San Juan Capistrano and San Clemente that protect ridgelines and open space.
- Take from private property owners' common areas of their HOA's that are shared for trails, view sheds, and open space amenities in those private communities.

### The City's lawsuit requests:

- The TCA Board instruct staff not to study any more what has been designated off agenda as routes 14 and 17.
- The TCA abandon any approach that involves pushing freeways through South County open space until it can explore – in partnership with agencies with broader transportation authority – alternatives to so-called solutions with such devastating consequences.

### Bottom Line

You shouldn't start a freeway until: (1) you know where it's going to end and (2) you've analyzed the environmental and socio-economic consequences of that terminus. Thus, Los Patrones Road should not be converted to a toll road without CEQA/NEPA compliance.

#### Fast Facts

**41.7%**

Open space in San Clemente

**7.8**

Square miles of open space out of City's 18.7 total

**72%**

Voters approved San Clemente Open Space Ordinance (Measure V) to deter over-development

