

June 13, 2020

The Honorable Toni Atkins  
President pro Tempore  
California State Senate  
Room 205  
State Capitol  
Sacramento, CA 95814

**RE: SB 1373 (Bates) State highways: State Route 241  
as Amended in the Senate May 19, 2020**

**POSITION: Support**

Dear President pro Tempore Atkins:

I am writing to express our full support for SB 1373.

**Why is SB 1373 Needed?**

This bill is necessary to remove from the books a highway that state and regional transportation agencies have decided to abandon due to its devastating environmental, economic, cultural, and societal costs. California Streets and Highways Code Section 541 currently requires that the SR-241 Highway connect to Interstate 5 south of the City of San Clemente.

In the most recent chapter of TCA's anti-environmental actions, TCA and Caltrans scoped several alternatives. *None* of them connected to Interstate 5 south of San Clemente as required by the California Legislature.

One of the new alternatives drove through the middle of San Clemente and its significant open space resources, terminating with the toll road going above its high school parking lot, nowhere near "south of San Clemente." The City of San Clemente, a large San Clemente HOA (The Reserve), and the Capistrano Unified School District were forced to file lawsuits to stop this overreach.

In the end, the majority of the TCA directors voted to abandon the project and stop the SR-241 at its current location - Oso Parkway east of the City of Mission Viejo. We believe that SB 1373 will guarantee the safety of our residents for the future.

**There is Precedent for SB 1373**

Last year, the Legislature approved and Governor Newsom signed AB 29. This bill applied to SR 710, and like SR 241, provided that after both the state and the region have concluded their studies of the alternatives and made a determination that the project would not go forward. AB 29 simply amended existing law to conform with the determined outcome. The Senate Transportation Committee approved AB 29 on a vote of 12 – 0. This set a precedent for SB 1373.

**Enactment of SB 1373 will have a Positive Fiscal Impact on the State of California**

As with AB 29 last year, SB 1373 will provide minor and absorbable costs to the Department of Transportation (Caltrans) and the California Transportation Commission (CTC) related to the removal of specified portions of SR 241.

In addition, SB 1373 will provide significant cost savings for the state. Currently, Caltrans expends approximately \$2 million annually on the current TCA Toll Roads. If the additional stretch of the Toll Road is not built, Caltrans will not have to maintain it. Therefore, SB 1373 will save the state money because it reduces future maintenance costs on SR 241.

As the TCA testified at the May 29 Senate Transportation Committee hearing, the TCA's March 12 decision to abandon the SR 241 Toll Road and support the extension of the Los Patrones Parkway will ensure needed traffic relief until 2050.

**It is a Matter of Trust**

SB 1373 will codify the March 12 decision by the TCA and re-establish the trust between our local agencies that is the result of this Toll Road fight. In the end, on March 12, 2020, the majority of the TCA directors voted to abandon the project and stop the SR-241 at its current location. SB 1373, as amended on May 19 reflects that March 12 decision and lays the foundation so that trust within the community may be restored.

The City of San Clemente joins with Senator Bates and the Members of the Senate Transportation Committee who voted for the measure in their desire to encourage the parties to re-establish trust in regional transportation planning. Keeping SB 1373 moving forward will facilitate that.

We, therefore, respectfully ask for your support of SB 1373.

Thank you for considering our views.

Sincerely,

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cc: Governor Gavin Newsom  
Members, California State Senate  
The Honorable Patricia Bates