

Date: May 28, 2025  
W.I.: 1258  
Referred By: BATA Oversight

ABSTRACT

Resolution No. 186

This resolution authorizes the Executive Director or his designee to sign a recommendation to Caltrans to approve the Richmond-San Rafael Forward - Open Road Tolling and Interstate 580 Westbound High Occupancy Vehicle Lane Project - Project Study Report – Project Report Approval and directs staff to file a Notice of Exemption under the California Environmental Quality Act (CEQA).

Further discussion of this subject is contained in the BATA Oversight Memorandum dated May 14, 2025.

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Re:Richmond-San Rafael Forward - Open Road Tolling and Interstate 580 Westbound High Occupancy Vehicle Lane Project - Project Study Report – Project Report Approval Recommendation and Direction to Staff to File a Notice of Exemption under CEQA

BAY AREA TOLL AUTHORITY  
RESOLUTION NO. 186

WHEREAS, Streets and Highways Code § 30950 *et seq.* created the Bay Area Toll Authority (“BATA”); and

WHEREAS, Streets and Highways Code § 30950 *et seq.* transfers to BATA certain duties and responsibilities of the California Transportation Commission (“CTC”) and California Department of Transportation (“Caltrans”) for the toll bridges owned and operated by Caltrans in the San Francisco Bay Area; and

WHEREAS, in accordance with Streets and Highways Code §§ 30950.2 and 30886, BATA is responsible for the administration of all toll revenues from state-owned toll bridges within the jurisdiction of the Metropolitan Transportation Commission; and

WHEREAS, Bay Area bridges are defined in Streets and Highways Code§ 30910 to include the Antioch, Benicia-Martinez, Carquinez, Richmond-San Rafael, San Francisco Oakland, San Mateo-Hayward, and Dumbarton Bridges; and

WHEREAS, the Bay Area Toll Authority (BATA) anticipates constructing a public improvement on the transition from All Electronic Tolling (AET) to Open Road Tolling (ORT) through its work on the Richmond-San Rafael Forward Open Road Tolling and Interstate 580 Westbound High Occupancy Vehicle Lane Project (Project); and

WHEREAS, the Project will be constructed within the State owned right of way in which a Cooperative Agreement with California Department of Transportation (Caltrans) is required; and

WHEREAS, BATA is implementing the Project Initiation Document (PID), Project Approval and Environmental Document (PA&ED) phases of the work under an executed

Cooperative Agreement with Caltrans (dated October 13, 2023), referred as the PID/PAED Cooperative Agreement; and

WHEREAS, Caltrans delegated the role of California Environmental Quality Act (CEQA) Lead Agency for the Project to BATA, which is responsible for completing any required environmental studies pursuant to the California Environmental Quality Act (“CEQA”) (Public Resources Code § 21000 et seq.) and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.) for the ORT Projects; and

WHEREAS, a Notice of Exemption (NOE) was filed for the Project on February 23, 2024 documenting the determination that the Project was exempt from CEQA under Categorical Exemption Class 1 (c) and Class 2(c) (14 Cal. Code Regs. § 15300 et seq.). Since publication of the NOE, the Project was refined to change proposed HOV lane hours of operation and to install a temporary ORT structure which will be removed once the final ORT gantries are in place; and

WHEREAS, the environmental technical studies analyze the environmental effects of the proposed Project, and still determine that the proposed Project, as revised, is exempt from CEQA under Categorical Exemption Class 1 (c) and Class 2(c) (14 Cal. Code Regs. § 15300 et seq.); and

WHEREAS, Caltrans as a CEQA Responsible Agency reviewed and approved the technical studies along with other responsible agencies, and regulatory agencies pursuant to State CEQA Guidelines § 15073; and

WHEREAS, BATA desires to delegate to the Executive Director of BATA, or his designee the discretionary authority to sign a recommendation to Caltrans to approve the Project Study Report – Project Report (PSR-PR). The PSR-PR serves as both planning and approval document of a public improvement; and

WHEREAS, this resolution does not impact, affect, or change BATA’s discretion or authority to appropriate or approve project funding or to independently review and approve planning or design for the public improvement; now, therefore be it

RESOLVED, that BATA hereby delegates to the Executive Director or his designee the authority to exercise discretionary authority, on behalf of BATA to sign a recommendation to Caltrans to approve the PSR-PR for the Project; and, be it further

RESOLVED, that BATA prepared the environmental technical studies; and be it further

RESOLVED, that BATA finds the environmental technical studies satisfy all the requirements of CEQA and the State CEQA Guidelines; and be it further

RESOLVED, that BATA finds on the basis of the whole record before it (including the environmental technical studies), that there is no substantial evidence that the Project will have a significant effect on the environment and is exempt from CEQA under the Class 1 and Class 2 Categorical Exemptions; and be it further

RESOLVED, that BATA certifies that the environmental technical studies represent the independent judgment and analysis of BATA; and be it further

RESOLVED, that staff is directed to immediately (within five working days): (a) file an NOE documenting these decisions (CEQA Guidelines § 15061 and 15062); and (b) retain a copy of the environmental studies as a public record.

BAY AREA TOLL AUTHORITY

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Sue Noack, Chair

The above resolution was entered into by the Bay Area Toll Authority at a duly called and noticed meeting held in San Francisco, California and at other remote locations, on May 28, 2025.