Transportation Solutions Defense and Education Fund

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September 22, 2020
By E-Mail to:
vlee@
AlamedaCTC.org

Pauline Cutter, Chair
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

Re: Valley Link TEP Amendment

Dear Chair Cutter,

TRANSDEF, the Transportation Solutions Defense and Education Fund, has been advocating for an environmental approach to Bay Area transportation for 26 years. For what we believe to be the region's highest transportation priority, a special focus of our work has been on building a speedy new rail system in the Altamont Corridor. MTC has been blocking those efforts since at least 2008, and most recently left the Altamont Corridor Vision project out of the upcoming RTP, presumably because it would compete with Valley Link. What a coincidence that Supervisor Scott Haggerty is calling the shots at MTC as its current chair!

We strongly object to Alameda County's very own Mitch McConnell shamelessly pushing his pet project forward, prior to any reasoned analysis of alternatives, and prior to any analysis of the impact of the pandemic on ACTC revenues. We believe it is not prudent to commit to a major new project at this time.

Attached please find a letter from our sister organization, the Train Riders Association of California, describing the project's lack of merit. This letter will instead focus on the chaotic and unprofessional manner in which the proposed Amendment has been presented to Commissioners. Page citations are to the Board packet.

1. Not since the Oakland Airport Connector has such a worthless and poorly thought-out project come up for public funding. While we suspect that the political culture at ACTC will produce a similar outcome, we feel compelled to add our voices to the many others that object to the hurry-up push for this Amendment. It is deeply unseemly.

2. The project is in a state of flux, without a stable project description, so that Valley Link documents are not consistent with ACTC documents. The project definition has changed since this matter was considered by the Commission in May, but that is not

reflected in documents on the Valley Link website. The Amendment should not go forward without a stable project description.

a. "[T]he TVSJVRRA Board will consider potential IOSs in order to more quickly deliver service in the corridor. Options under consideration include service from Dublin-Pleasanton to Greenville, or from Dublin/Pleasanton to Mountain House. In addition, the TVSJVRRA is considering a Southfront Station in Livermore." (p. 74.)

b. The project scope has changed from "The proposed Phase 1 project will provide passenger rail service between the existing Dublin/Pleasanton BART Station and the North Lathrop ACE intermodal station" (p. 78) to an "initial operating segment, defined as from the Dublin/Pleasanton BART station to the proposed Mountain House station." (p. 67.)

3. Replacing a Greenville Road Station with a Southfront Station would mean that the initial segment of Valley Link would not meet the requirement of AB 758 to connect BART and ACE "in the Tri-Valley." With compliance with AB 758 uncertain, enacting the Amendment would appear to exceed the authority granted by that law.

4. AB 758 called for connecting ACE to BART, not replacing ACE. This project has suffered severe mission creep.

5. Claims made in support of the Amendment are unconvincing:

a. "• reduction of over 99.4 million Vehicle Miles Traveled" (p. 70) sounds impressive until seen in the context of being only 0.2% of total 2015 VMT in the region. This number is mere model noise. More to the point, this miniscule benefit would cost multiple billions of dollars, thereby preventing projects that would offer far greater benefits at lower costs from being funded.

b. "• reduction of over 33,000 metric tons of greenhouse gas emissions per year" (p. 70) sounds impressive until seen in the context of being only 0.04% of total 2011 GHG emissions in the region. This number is entirely insignificant. More to the point, this miniscule benefit would cost multiple billions of dollars, thereby preventing projects that would offer far greater benefits at lower costs from being funded.

c. "• supports advancement of transit-oriented development" (p. 70) is unconvincing. See 6(g) below.

d. "• protects open space" (p. 70) appears to be totally unsupported by evidence. Transportation projects typically don't have such features. If mitigation is needed for what the Project Feasibility Report describes as a station that would be built in the Altamont Habitat Management Unit (p. 5-13), that would not be a "project benefit." It would be a project requirement.

e. "• provides an estimated 22,000 jobs during construction and between $2.6 billion and $3.5 billion in revenues." (p. 70.) The vastly more expensive California High-Speed Rail project "invested more than $5.7 billion in planning and building high-speed rail infrastructure between July 2006 and June 2019, … creating 44,700 to 50,500 job-years of employment … while generating $8.3 to $9.2 billion in total economic output." (2020 Draft Business Plan, CHSRA, p. 25, emphasis added.) Compared to that, the Valley Link numbers appear to be wildly inflated. Note that proper analyses use job-years, rather than jobs. The term seems to have been used incorrectly here.

6. Arguments put forward in response to opposing comments are unconvincing:

a. "By being able to show a commitment of local funding, the project will be more competitive for regional, state and federal funding." (p. 70.) While true, that does not justify accelerating the approval of local funding before there is public confidence the project should go forward.

b. "Only four of the 21 specifically named capital projects in the TEP had an approved EIR when the TEP was approved by voters." (p. 71.) While that may be true, Valley Link was not approved by voters. The voters' ACTC representatives need the best information available--a certified EIR--to decide whether to substitute this project into the TEP. An especially important part of the EIR which is not now available to Commissioners is the alternatives analysis. Because of the discretion given to the Commission by Guideline #22, the Commission needs to know more about alternatives before proceeding.

c. "Alameda CTC has not developed a 5-year sales tax revenue projection at this point given the large uncertainties regarding the depth and breadth of the recession and the lack of sales tax receipt data received to date." (p. 71.) Given that statement, prudence would suggest not committing to a major new project until that uncertainty is resolved. "MTC's direction is to assume that long-term travel and development patterns do not significantly change as a result of COVID-19…" (p. 71.) MTC has a long and inglorious history of being wrong in its financial predictions. Far better to be prudent than to listen to MTC.

d. "The comment period, per the TEP Implementing Guidelines for a proposed TEP Amendment, is a comment period for jurisdictions." (p. 71.) Given that the TEP was approved by the public, who are funding ACTC, this statement is nothing short of insulting.

e. "An additional evaluation of alternatives will be released as part of the Valley Link Draft EIR." (p. 72.) Our point, precisely, for not proceeding with the Amendment at this time. ACTC has not conducted a public process to determine its highest priorities for use of transit-designated funds under Guideline #22.

f. The data presented on p. 73 to supposedly demonstrate that the project would benefit Alameda County residents has two problems that make it irrelevant: 1.) "Data is based on an extension from Dublin/Pleasanton BART to North Lathrop." That is not the project being considered by the Amendment. 2). "A number of commenters raised concerns that Alameda County residents would not benefit from the project, but instead the project will primarily benefit San Joaquin County residents." (p. 73.) Even if taken at face value, the data indicate two San Joaquin passengers for every Alameda resident. That clearly demonstrates that the project <u>will</u> primarily benefit San Joaquin County residents. "Approximately 57% of the project track mileage is in Alameda County." (p. 73.) This is a cost to Alameda County, not a benefit.

g. We do not believe the fact that "The TVSJVRRA has adopted a Transit Oriented Development (TOD) Policy" (p. 75) eliminates concerns about sprawl inducement by Valley Link. Such policies typically lack any kind of enforcement mechanism. Sprawl would be far less of a concern if there were a policy in place that "Valley Link will not build stations in jurisdictions that have not adopted Station Area plans meeting the agency's minimum density standards."

h. "The $400 million was identified in the TEP for a rail extension in the Tri-Valley. The proposed amendment does not change the geographic distribution of the benefits of the overall TEP." (p. 75.) We disagree. While the BART extension was intended to benefit Tri-Valley residents, there is no showing that the same is true of Valley Link. The staff's argument expressed in section (f) above only referred to generic benefits spread over all Alameda County residents: "The project as defined will benefit Alameda County residents and businesses as well as San Joaquin County." Note the absence of a claim that the project will specifically benefit Tri-Valley residents. The Myth vs. Fact document by Valley Link stated, "Valley Link is vitally needed to support the interconnected economies of the Northern California Megaregion: Both the Bay Area and San Joaquin County." (p. 1.) "By creating a commute option that allows those workers to reach jobs in the Bay Area region without increasing GHG emissions and congesting the area's roadways, Valley Link creates a win-win for both regions that might otherwise be unattainable." (p. 2.) Given the clearly non-local benefits of the project, the entire fiscal structure of the TEP will need to be renegotiated to provide geographic equity in the distribution of the local streets and roads funding.

Given all the reasons stated above, TRANSDEF urges the Commission to defer consideration of the Amendment until 1). there is a stable project description; 2). there is a certified EIR; 3). there is confidence in sales tax revenue projections; 4). a public process has been convened to determine Alameda County's highest transit priorities; 5). sprawl inducement has been definitively addressed by Valley Link; 6). ACTC provides public notice of the potential Amendment and 7). a renegotiated local streets and roads funding formula is adopted.

Sincerely,

/s/ DAVID SCHONBRUNN

David Schonbrunn,
President

Attachment
TRAC Comment Letter on Valley Link Feasibility Report

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Train Riders Association of California

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July 28, 2019

By Email to:
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valleylinkrail.com

Scott Haggerty, Chair
Tri-Valley - San Joaquin Valley Regional Rail Authority
1362 Rutan Court, Suite 100
Livermore, CA 94551

RE: Draft Feasibility Report

Dear Chair Haggerty:

The Train Riders Association of California, TRAC, has been actively promoting improved passenger rail transport for more than two decades. We offer the following comments on the Valley Link Feasibility Report ("Report"), from that informed context.

First, we wholeheartedly agree that there is a crying need for excellent rail transport in this Corridor. We are disappointed to have to conclude that the Valley Link project, as defined here, is not what the Corridor needs.

1. The proposed project fails any reasonable test of cost-effectiveness. In a world of unlimited resources, this project could succeed. In the current fiscal climate, however, this project cannot compete on its merits. The major problem is that moving the freeway is essentially a utility relocation, adding an extraordinary amount of cost while providing no direct transportation benefit.

2. The project's fundamental goal of connecting ACE to BART is deeply flawed:

    - First, BART has no surplus capacity. It is currently overcrowded, with no relief on the horizon. BART sent an August 16, 2013 scoping letter on ACEforward, stating "Also, as the backbone of the regional rail system, BART is anticipating capacity constraints in certain locations. While such constraints exist without the ACE-forward Program, the Program could contribute to the cumulative worsening of capacity issues."

- It is well-known that passengers resist transit transfers, which results in sub-optimal ridership for projects that require them. This project inherently requires a transfer, making it less desirable as a travel mode.

- BART is slower and noisier than modern conventional-gauge rail vehicles. BART is unable to provide express service--it is limited by its design to stopping at every station.

- A higher percentage of Central Valley residents have destinations currently served by ACE than are served by BART

3. The current plans for this project include no land use component. As a result, it will have tremendous growth-inducing negative impacts. This project would facilitate sprawl in the Central Valley, in precisely the same way BART resulted in the suburbanization of the East Bay. Auto-dependent communities drive much more, resulting in increased GHG emissions and VMT from the 75% of trips that are not work-related. While the project offers superficial sustainability elements, these are completely overwhelmed by the sprawl inducement.

4. The housing price comparison on PDF page 96 ignores the peculiar American practice of externalizing the costs of providing transportation to job centers, treating it separately from the price of seemingly affordable housing. If the cost of this project were built into the cost of all new homes in the region through Mello-Roos financing, housing in the Valley would not seem so inexpensive.

5. The table on PDF page 151 shows that the rail alternative costs 2.4 times more than the bus alternative on a per-passenger basis. Contrary to the equivocal statement on PDF page 175, "... high capacity rail alternative <u>appears</u> to be the better mode to meet that demand" , (emphasis added), it would be economically preferable to use as many articulated buses as needed, since that would cost only a tiny fraction of the rail alternative: "... the scale of investment required for this alternative pales in comparison to rail." (*Id.*)

6. The claimed VMT reductions in Table 7 on PDF page 164 are insignificant. They are only 0.1% and 0.2% of total VMT. Any honest modeler will admit these numbers are far below the noise level in the model. That means the project's claimed GHG reductions are equally insignificant.

7. There is no institutional need for yet another rail agency. The project's new stations east of Livermore were initially proposed by ACEforward. Nothing in the Report provides a compelling reason why ACE should not be the implementer of those new stations. Additionally, nothing in the Report establishes a need for <u>both</u> the existing ACE stations and the proposed new stations.

8. The low-cost Alternative TRAC proposed in our scoping letter was not considered in the Alternatives Analysis. Putting track back on the segment of the Iron Horse Trail

that connects the ACE mainline to the Dublin-Pleasanton BART station is undoubtedly the most cost-effective method of linking ACE to BART. The cost of replacing the trail's right-of-way is miniscule in comparison to moving a freeway.

Thank you for this opportunity to comment on Valley Link.

Sincerely,

/s/ DAVID SCHONBRUNN

David Schonbrunn,
Vice-President for Policy