TRAC
Train Riders Association of California

1025 Ninth Street Suite 223
Sacramento CA 95814-3516

(916) 557-1667
www.calrailnews.org
president@calrailnews.org

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May 26, 2020
Submitted to:
contact@
alamedactc.org

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

Re: Agenda Item # 8.1, May 28 Meeting
Measure BB Exp. Plan Amendment

Dear Chair Cutter:

The Train Riders Association of California ("TRAC") is a statewide rail advocacy organization that has worked since 1984 to improve passenger rail service in California. TRAC has been involved in passenger rail planning for the Altamont Corridor for at least two decades. We have made presentations to the Valley Link Board and participated in their public meetings.

We write today to urge your Board to defer action on amending the Expenditure Plan for Measure BB until you receive an environmental impact report for Valley Link, which is nearing completion. The Administrative Draft was under review last October, and the Draft EIR is now scheduled for public review in September 2020. TRAC suggests the following reasons for deferral of this agenda item:

1. Without a certified EIR, there is no evidence to support the claim that the proposed Valley Link project will provide meaningful benefits to Alameda County taxpayers. The Commission has a special duty to taxpayers to make an affirmative finding of benefit, under Section 14 of the Expenditure Plan Guidelines:

> **No Expenditures Outside of Alameda County**: Under no circumstances may the proceeds of this transportation sales tax be applied to any purpose other than for transportation improvements <u>benefitting</u> Alameda County. (emphasis added.)

2. From its inception, this project raised serious questions as to whether BART would be able to handle the additional passengers that Valley Link would transport from the Central Valley. The EIR

should resolve that question. If Valley Link were projected to make overcrowding on BART even worse, that would have serious implications as to whether the project could reasonably be judged as benefitting Alameda County residents.

3. An EIR would determine whether Valley Link would result in the construction of any infrastructure or station that would be inconsistent with the land use-constraining provisions of Alameda County year 2000 Measure D. On a related topic, an EIR will provide information on the Valley Link project's compliance with the County's Gateway Policy.

4. As the largest single capital project in Measure BB, BART to Livermore was the marquee project. Because of that special status, it demands special treatment above and beyond the 2/3 majority required for an amendment. This is not some minor project. Amending the Plan to include this project changes the entire profile of the measure, because the voters never gave their support to the Valley Link project. There is no evidence that the voters of the Tri-Valley, which did not support Measure BB, would support Valley Link.

5. Because Measure BB resulted in financial trade-offs between the Tri-Valley and the North County cities through a reweighting of the basic allocation formula for local streets and roads, the entire Expenditure Plan would need to be reopened to assure fairness for all jurisdictions.

6. Other alternative projects, including several that TRAC has advocated for, would potentially be far more cost-effective in providing the service that Valley Link seeks to offer. In particular, the $1+ billion dollar cost of the I-580 relocation is merely a utility relocation, offering no transportation benefit to taxpayers.

Thank you for considering these comments.

Sincerely yours,

/s/ DAVID SCHONBRUNN

David Schonbrunn, President, TRAC