

Eastside Transportation Association

“Dedicated to improving our quality of life and environment by reducing congestion through increased mobility”

**P.O. Box 50621
Bellevue, WA 98015**

August 12, 2011

Secretary Ray LaHood
U.S. Department of Transportation
Washington, D.C.
Ray.LaHood@dot.gov

RE: Sound Transit East Link FEIS

Dear Secretary LaHood,

The Eastside Transportation Association (ETA) is a private sector group whose membership is concerned with transportation for the areas east of I-5 in the Puget Sound region of western Washington. The area is home to major employers including Microsoft, The Boeing Company, Google, Expedia, Paccar, Symetra and many more in addition to five major hospitals and a combined population of the area exceeding that of the City of Seattle. ETA's membership includes concerned citizens, business representatives and transportation professionals. We support policies that encourage each mode of transportation to operate efficiently and economically to meet growing demands for both personal and freight travel.

The East Link project would connect to the existing light rail system in downtown Seattle and extend the system to Mercer Island, Bellevue, and Redmond. ETA has previously and consistently expressed concern about the cost, transportation impacts and poor projected performance of East Link. Review of the FEIS documents has intensified our concerns. Analysis of the FEIS shows a continuing Sound Transit pattern of misrepresentation apparently designed to mislead the public as to the potential impacts and benefits of East Link. These comments focus on the proposed taking of I-90's 2-lane center roadway for East Link light rail. **There are national implications, setting a precedent of removing valuable roadway capacity for a poor performing rail concept.** The comments are organized under two main headings:

- No alternatives were evaluated for Segment A.
- No low-cost, transportation system management alternative was provided in the DEIS, SDEIS, nor in the FEIS.

1. NO ALTERNATIVES WERE EVALUATED FOR SEGMENT A.

Segment A is the portion of East Link on I-90 between I-5 at the west end and Bellevue Way on the east end. No alternative to the taking of the I-90 center, 2-lane roadway was

provided. In addition to a “No Build” analysis, all branches of government are required to study, develop and describe appropriate alternatives to recommended courses of action. Surely there must be alternatives to taking the Center Roadway of a vital highway facility. Apparently none were ever considered except for a comparison of SR-520 and I-90, and this happened before the NEPA/SEPA analysis.

The following items describe specific issues related to Segment A.

- 1.1. **Constitutional Issue For The Center Roadway Of I-90.** The 18th Amendment to the Washington State Constitution says, “All fees collected by the State of Washington as license fees for motor vehicles and all excise taxes collected by the State of Washington on the sale, distribution or use of motor vehicle fuel and all other state revenue intended to be used for highway purposes, shall be paid into the state treasury and placed in a special fund to be used exclusively for highway purposes.” Because highway user fees were used in construction of the center roadway, taking the center roadway for light rail (a non-highway purpose) would be a violation of the State Constitution.

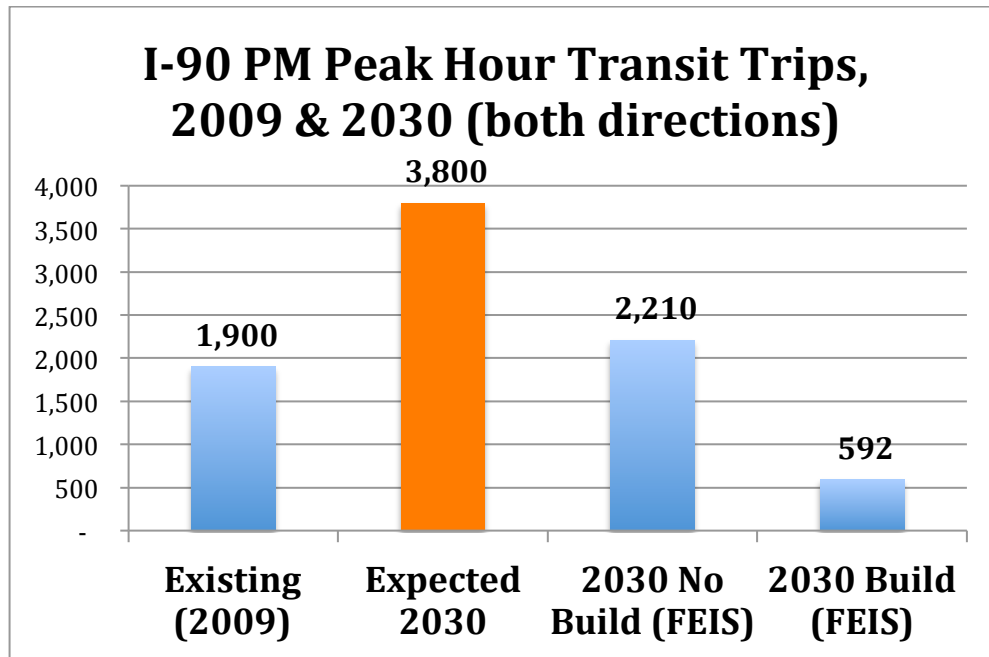
Nine private citizens, including Kemper Freeman, and the Eastside Transportation Association filed a petition in the Supreme Court of Washington seeking a writ of mandamus barring respondent Governor Christine Gregoire from taking any action pursuant to the authorization in the state of Washington’s biennial transportation budget for a valuation of the center lanes of Interstate 90 between Seattle and Bellevue pursuant to the Sound Transit 2 Regional Transit System Plan’s proposal for the eventual conversion of these lanes to a light rail line. In April 2011, the Supreme Court concluded that a writ of mandamus would in any event be premature insofar as no transfer and conversion of the lanes has yet occurred. They did not say that such a taking was or was not constitutional; rather the Court sidestepped the issue.

The legal battle has now moved to Kittitas County Superior Court. The petitioners now include 12 private citizens and the Eastside Transportation Association. Speaking about choosing the Kittitas County Superior Court to place the suit, George Kargianis and Phil Talmadge, counsel for the plaintiffs, said, **“This is not a Puget Sound only issue. What happens in that seven mile stretch and over the bridge affects everyone in the state.”** Counsel explained that Interstate-90 serves as the gateway to Snoqualmie Pass and Puget Sound for all of Washington’s agriculture and commerce. **“We are asking Kittitas County Superior Court to hear our case because the County is the most central in the state and borders Interstate I-90 and linking eastern and western Washington.”**

- 1.2. **Sound Transit Erroneously Claims Higher 2030 Person Throughput On I-90 With East Link.** Sound Transit claims that “Overall, the East Link Project would increase total person throughput by 14 to 25 percent compared to the no-build

condition...¹ Table 5-7 on page 5-18 in the H1 Appendix to the FEIS shows the Sound Transit estimates of throughput with East Link. Sound Transit does not provide any of the assumptions in their estimates. (A public disclosure request has been submitted, but information has not been received). However, using information from the DEIS and other local travel data, we were able to “decode” the Table to uncover person trips by mode. Results are shown in the figure below.

Information prepared from PSRC data for the Regional Transit Task Force indicated a doubling of transit ridership on I-90 by 2030. Doubling the 2009 estimate of 1,900 peak hour transit trips results in an estimate of about 3,800 in 2030. These are shown as the left two bars in the figure below. The two bars on the right are the Sound Transit FEIS estimates for No Build and Build. It appears that Sound Transit has understated I-90 2030 transit trips for No Build and inflated Build. Why should the vastly more expensive light rail serve 168% more riders than No Build buses providing comparable trip times and fewer transfers?



Sound Transit’s 2030 No Build scenario projects I-90 transit at 10% of total persons trips. That is less than the existing 13%². **For Build, 25% of persons are on transit. That is a 168% transit trip increase over No Build. By Sound Transit’s estimates for 2030, transit for the Build scenario would grow at an**

¹ Page 3-42, Chapter 3, East Link FEIS

² See Table 3-2,p. 27/225 in Appendix H1of the FEIS

annual rate 8 times that for No Build. It appears that Sound Transit's East Link achieves a purported "higher person throughput" by grossly inflating transit ridership for Build and depressing No Build ridership. Boosting PM peak hour buses to 87 (both directions), instead of 51 make No Build serve the same number of persons as Build. Apparently, Sound Transit figures were contrived to support a conclusion they wish were true.

1.3. **Sound Transit's Egregious Comparison Of Light Rail and Freeway Lanes.**

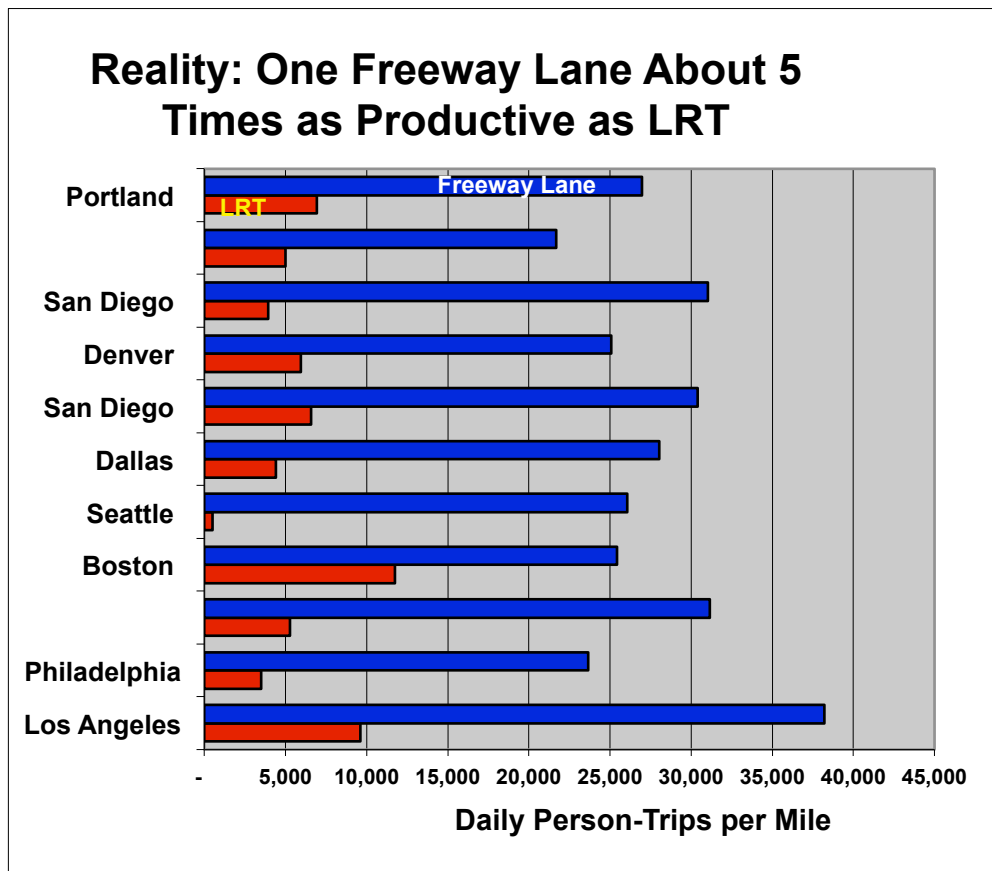
Sound Transit claims that East Link "...would have a peak-hour capacity of up to 18,000 to 24,000 people per hour (equivalent to between 7 to 10 freeway lanes of traffic)..."³ That is a lie, obviously intended to garner public support. It is not true and ST has been told that many times. In fact, it's a lie with national standing because light rail advocates all around the country use it. They develop this by comparing the theoretical crush capacity of light rail with actual results for freeways.

Light rail does not achieve those crush volumes – not even close. Comparison of actual light rail passenger volume with freeway person volume in 11 U.S. urbanized areas shows that freeway lanes are 5 times more productive than light rail, as measured by daily person miles of travel⁴. In peak commute hours, freeways are still 3 times as productive as light rail.

See the figure on the next page.

³ Page ES-14, Executive Summary, East Link FEIS

⁴ Based on 2009 National Transit Database and the Texas Transportation Institute's 2010 Urban Mobility Report (2009 data).

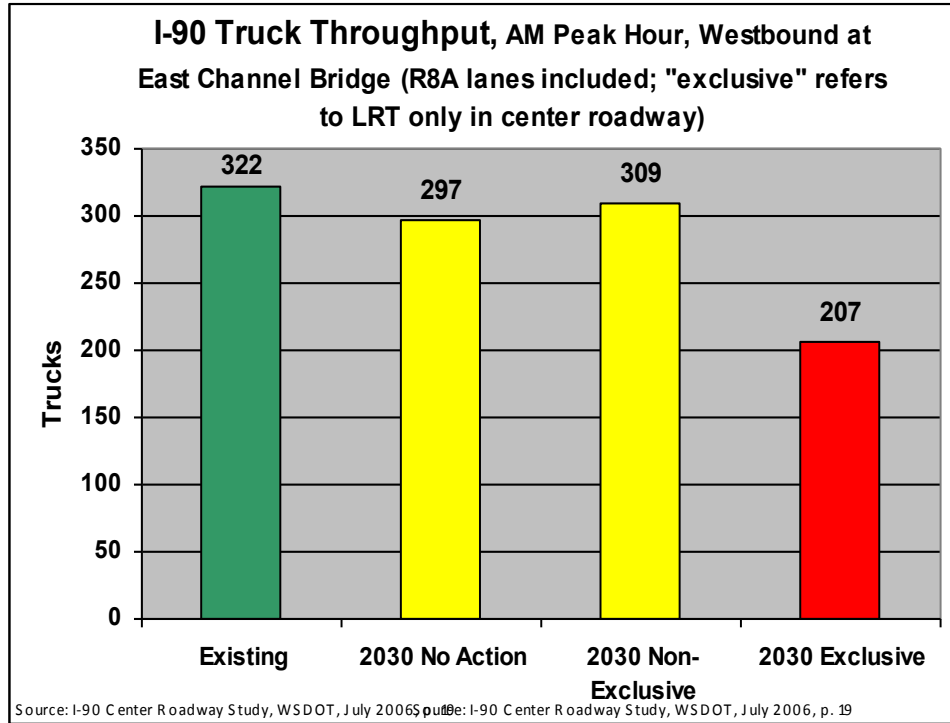


1.4. **East Link Does Not Maintain The Same Number Of Traffic Lanes.** The FEIS claims “Truck freight companies will not lose capacity on I-90, because at completion of light rail the projects will maintain the same number of general purpose and HOV lanes that exist on I-90 today.”⁵ There are 8 existing lanes (3 in each of the outer roadways and 2 in the center roadway). The I-90 Two-Way Transit and HOV Operations Project (R8A), which received a Record of Decision in 2004, will increase the lane count to 10 by restriping the outer roadways. By taking the center roadway, East Link will reduce the lane count to 8.

1.5. **Sound Transit Claims Higher Truck Volumes On I-90 With East Link.** Sound Transit claims “The East Link Project would have an overall slight beneficial impact on trucks traveling on I-90. As people choose to use light rail, the travel time of trucks during the morning peak hour are comparable and improve by an average of 5 minutes in the afternoon compared with the No Build Alternative.”⁶ However, as shown below, WSDOT’s 2006 center roadway study showed a reduction in truck volumes.

⁵ Source: Sound Transit’s East Link Truck Mobility Fact Sheet, Winter 2009

⁶ See p. 8-1, Chapter 8, FEIS Appendix H1.



1.6. The Approved Mission Of The Center Roadway. From the 2004 Record of Decision: "Alternative R-8A will provide HOV lanes on the outer roadways. It will retain the existing reversible operations on the center roadway, with both lanes operating in the same direction, westbound in the AM and eastbound in the PM."

1.7. Questionable Traffic Speed Improvements on I-90 with Light Rail. Sound Transit claims improved general-purpose traffic speeds with light rail compared to No Build.⁷ First, this seems unreasonable with the required added vehicle traffic in the outer roadways operating with the narrower lanes and added weaving with the R8A two-way transit project. Second, this claim is in conflict with the I-90 Center Roadway report prepared by WSDOT in 2006. That study indicated a 13% increase in general-purpose travel times with the "exclusive" (light rail) use of the center roadway. Using the same model, Sound Transit claims the opposite: with light rail, general-purpose travel times decreased by 15%.⁸ Is this another case of forcing the models to produce Sound Transit's desired result?

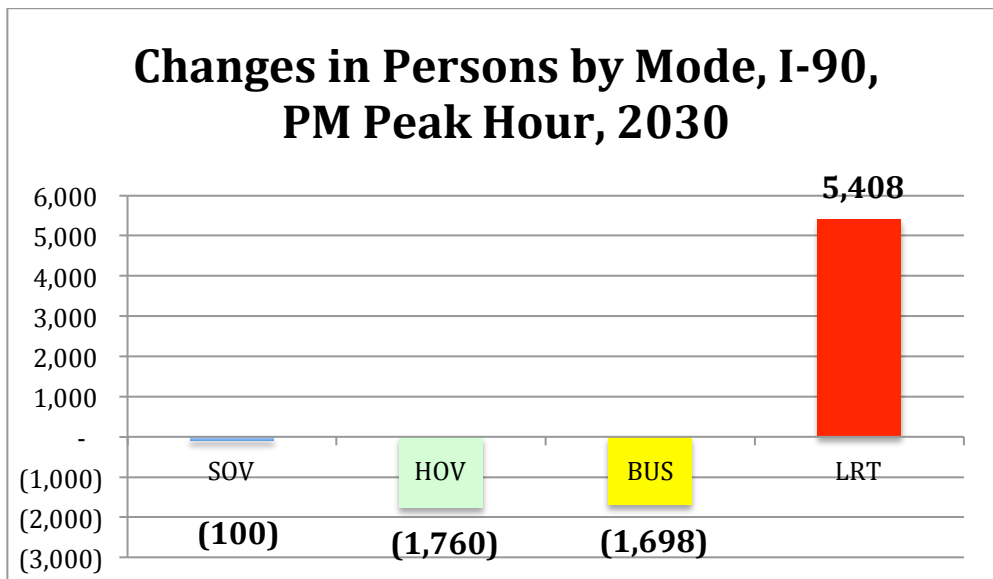
⁷ See p. 3-48 and Table 3-23 in Chapter 3, FEIS, Appendix H1

⁸ See Table H-1 "History of I-90 Agreements and Studies", Appendix H of Appendix H1, East Link FEIS.

2. NO LOW-COST, TRANSPORTATION SYSTEM MANAGEMENT ALTERNATIVE WAS PROVIDED IN THE DEIS, SDEIS, NOR IN THE FEIS.

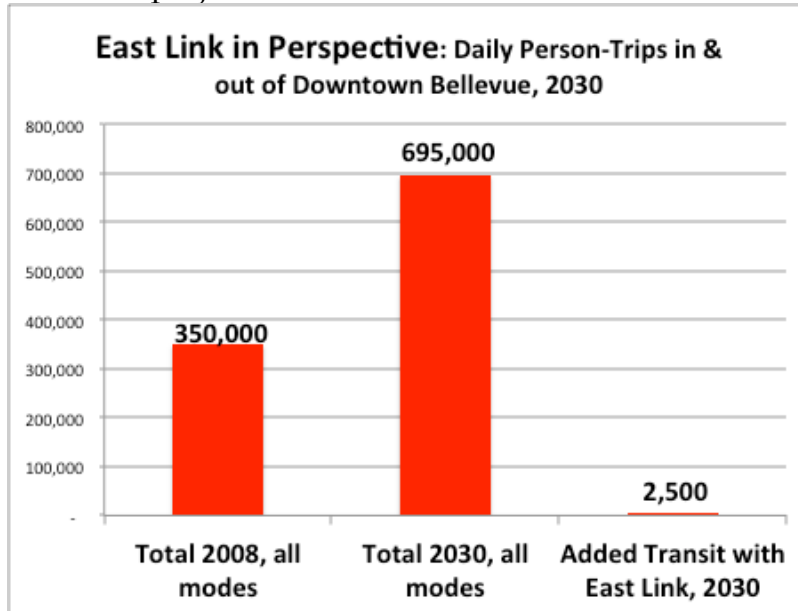
In addition to No Build, all branches of government are required to study, develop and describe appropriate alternatives to recommended courses of action. The range of alternatives should be representative of the range of choices to permit intelligent comparative evaluation. In analysis of person throughput on I-90,⁹ there is no acknowledgement that a well-designed BRT system could far exceed the East Link capacity and do so in seated comfort, and while also providing for other high-occupancy vehicles in the center roadway. The FHWA process for permitting the access changes to I-90 required for light rail require a complete consideration of a TSM alternative. This would probably be defined as express buses using I-90 the way the lanes are configured now. Sound Transit eliminated TSM in 2005, before the EIS scoping for East Link began in 2006.

2.1. **Most East Link Riders Are Projected To Switch From Buses and High-Occupancy Vehicles (HOV).** Light rail advocates, including Sound Transit, sell the concept as attracting riders out of their cars. In fact, slightly less than 2% of the projected East link ridership would switch from single-occupant vehicles (SOV). By Sound Transit figures, 64% would switch from more efficient HOVs and buses. Only about 1,800 of projected 5,400 East Link riders would be new transit riders, and those may be mythical.



⁹ See p. 3-42 of the FEIS, for example),

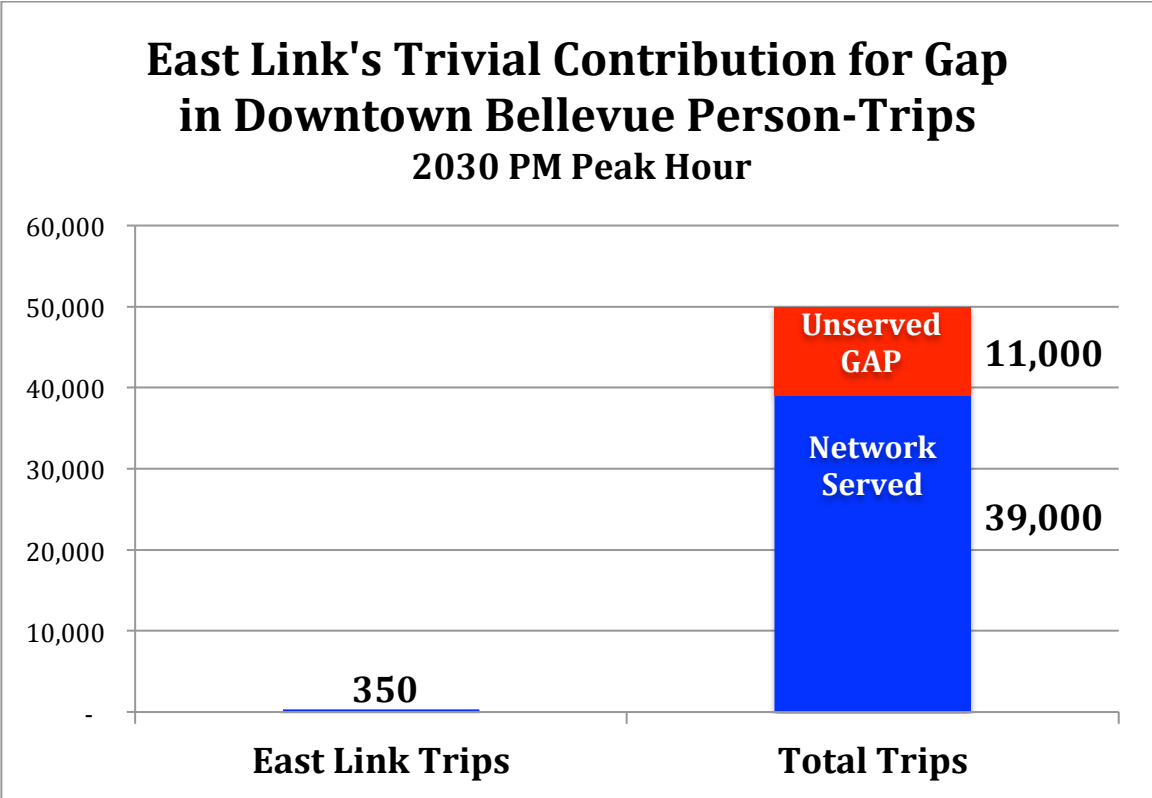
2.2. **Sound Transit’s Grossly Optimistic Assertion That “Light Rail Would Support Increased Density In Bellevue And Redmond... Consistent With Regional Land Use Plans...”**¹⁰ Consider the example of downtown Bellevue. Travel demand is projected to grow at an average +3.2% per year from 2008 to 2030, reaching 695,000 daily person trips in 2030.¹¹ Sound Transit figures indicate that 2,500 daily transit trips would be added by the East Link project (most would be previous bus riders). That 0.4% contribution is so small as to be insignificant; East Link would serve only 1.5 months of growth. At a cost of \$3 billion or more (in 2007\$) for basically zero contribution to downtown needs, this East Link project will be a shameful waste.



During the 2030 PM peak hour, downtown Bellevue’s roadway network could only serve about 78% of this trip demand, leaving an un-served gap of about 11,000 person trips. East Link could serve only about 3% of this gap. See the figure below.

¹⁰ Page 3-9, Chapter 3, East Link FEIS

¹¹ Source: BKR Documentation Report, City of Bellevue and Sound Transit, Feb 2010



2.3. Vanpools Could Outperform East Link. In 2003 there were about 1,300 vanpools in operation in King, Pierce and Snohomish Counties. In that same year, a Vanpool Market Action Plan, sponsored by WSDOT indicated market potential for almost 10,000 vanpools in the same 3 counties.¹² Only about 420 of these would be needed to carry the same number of riders as East Link in the PM peak hour (peak direction). Vanpools in this region are nearly self-supporting financially. Unlike the publically subsidized, huge capital costs and operating deficits of East Link, vanpools require little public subsidy.

¹² Puget Sound Vanpool Market Action Plan, WSDOT, July 2003

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink that reads "Dick Paylor". The signature is written in a cursive style with a large, looped initial "D".

Richard Paylor, Chairman
Eastside Transportation Association

A handwritten signature in black ink that reads "Bill Eager". The signature is written in a cursive style with a large, looped initial "B".

Dr. William R. Eager, Research Chairman
Eastside Transportation Association