

MARIN ADVOCATES FOR TRANSIT (A)

16 Monte Cimas Avenue, Mill Valley CA 94941

PHONE: 415 383-9321

August 25, 1997
Hand Delivery

Susan Simpson
Office Chief, Environmental Planning-North
Caltrans District 4
111 Grand Avenue
Oakland, CA 94623-0660

Re: Marin 101 HOV Gap Closure Project DEIS/R

Dear Ms. Simpson:

Our organization wrote detailed EIR scoping comments for this project (which are attached for your convenience] over four years ago. It is disappointing to note that the DEIS/R recently released has failed to address any of our substantive concerns. It is, instead, a document that is grossly inadequate as the basis of support for committing \$150 million for the "Ultimate Gap Closure." Given that such a huge sum is well out of reach for the foreseeable future, we believe that Caltrans has an even higher responsibility than usual to provide decision makers with a detailed factual basis for selecting the most cost-efficient and environmentally benign ultimate project.

Major Investment Study

This is precisely the task of a Major Investment Study. The DEIS/R asserts on page 13 that the Gap Closure project has met the MIS requirement that "a reasonable number of multi-modal alternatives to the project have been reviewed and analyzed in past studies, which find that the particular project ... is preferred." This is clearly incorrect

The DEIS/R falls to identify any past study which performed this analysis. The Ultimate Gap Closure [a specific project alternative proposing both HOV and auxiliary lanes] has not been compared to a transit-only or multi-modal alternative and been found preferable. There is no way that such a conclusion could have been reached, when the recent Sonoma/Marin Multimodal Transportation & Land Use Study concluded that an entire 52 mile Larkspur to Healdsburg light rail system could be built for roughly the same cost as the 4 mile Ultimate Gap Closure Project. It would be contrary to both policy and common sense for the FHWA allow this project to proceed without a Major Investment Study

Despite our request that the results of that Multimodal study be integrated somehow into the DEIS/R, that was not done. Now that Marin and Sonoma counties are proceeding towards implementation of that study, sound decision making would require an analysis of alternatives that include a rail passenger system -- the centerpiece of the study's Preferred Alternative, This is not accomplished by the inclusion of LRT as a sub option in the Ultimate Gap Closure alternative, however. In particular, there is a need to model other alternatives which include both rail passenger service and less extensive highway widening designs. [See recommendations for alternatives below.]

This is essential because right-of-way acquisition decisions will be made soon, on the basis of the full project determined preferable by this DEIS/R. This acquisition will be both very costly and disruptive of homes and businesses in the project area. The Ultimate. Gap Closure is an unaffordable brute force remnant of a bygone era, when what is needed now is an information-rich fine-grained solution. Analysis could well determine that the optimal project would be a design less extensive than the Ultimate Gap Closure. Less right-of-way would then be required. The potential to save upwards of 1100 million of extremely scarce public funds should be reason enough to study other alternatives.

Section 4.2.2. on page 14 failed to identify any circumstances that would dictate that the highway-only alternatives studied in the DEIS/R were the only reasonable modal alternatives. The defeat of the 1990 transportation tax measure, while informative, is hardly a limit on the possibility of future implementation of rail passenger service. That measure proposed a Marin-only rail system, which bears no resemblance to the Sonoma-Marín rail system now under active consideration. The fact that such a system is not currently funded cannot be a bar to study, given that the unfunded Ultimate Gap Closure alternative is suitable for study. The currently-proposed rail system will become a part of the local and regional transportation plans when the political process is completed. Inclusion in alternatives in the current DEIS/R would be appropriate,

Section 4.2.3 on page 15 asks "whether a reasonable range of alternatives was considered in the original study scope and the planning/environmental process." Our organization provided extensive scoping comments, which were essentially discarded. Any scoping consultation alleged with the Marin County Congestion Management Agency was clearly only at staff level, as no public consideration of alternatives to be studied was ever conducted. Although scoping comments were dutifully solicited by Caltrans, the range of alternatives actually studied indicates a clear refusal to enter into the required multimodal analysis. We believe there is a substantial basis for our contention that the DEIS/R should have proceeded with a multimodal approach. We urge Caltrans to fulfill its legal responsibilities so that this project is not delayed by litigation.

Alternatives

The following statement from page 3 demonstrates how the function of the environmental review process has been subverted "Controversy over certain elements of the project, primarily which side of the existing highway would be widened and the possible impacts on the NWPR transit corridor were considered significant enough to justify the

preparation of an Draft Environmental Impact Statement/Report (DEIS/R)." However, the resolution of these two controversies is invisible to the reader, because it was accomplished outside the analysis in the DEIS/R. In other words, the DEIS/R assumes the very things it initially set out to determine.

Alternative 1 (b) on page 18 discusses how the East and Symmetrical Widening Options were withdrawn after study. However, that study was precisely what the DEIS/R was designed to document. These Options should have been processed as formal alternatives, to show how the conclusion was determined and to allow for public comment, which is one of the fundamental reasons for the environmental review process.

Alternative 2(c) on page 19 discusses how the option of using part of the NWPR right-of-way for Southbound Only HOV Lane was dropped from further consideration. Totally missing from the discussion was any reference to study of the impact of the project on the NWPR transit corridor, allegedly a reason for preparation of the DEISIR. The alternatives analysis assumes that the Ultimate Gap Closure will eventually be built, thus requiring the acquisition of right-of-way. However, should the alternative we are proposing below be determined to be optimal, there would not be a need for additional right-of-way beyond the 2400 linear feet considered in this alternative. Thus, this option would need to be studied as a formal alternative, with a rail operations study to determine whether there is a potential need for a second track (as a siding) in that vicinity. If the close proximity to the single bore tunnel and residences should make such double tracking impossible, substantial cost savings (and home savings) could be achieved by eliminating the relocations there.

Alternative 5 on pages 19-20, the reversible alternative to the Southbound Only HOV Lane, "was rejected as a fundable phase of the Ultimate Project." However, it clearly should have been considered as an alternative to the Ultimate Gap Closure. The sharp peaking characteristic of Marin's traffic pattern -- southbound in the A.M. and northbound in the P.M. [see pages D-2 & D-3 of the Traffic Study Report] - - means that a second HOV lane would be an expensive waste of space during the off-peak hours. The various techniques -- moveable barriers and fixed barriers should be compared, along with an evaluation of the traffic operations of an HOV system without the auxiliary lanes that are a key component of the Ultimate Gap Closure.

Tables D-4 and D-5 after page 86 indicate that the auxiliary lanes produce an insignificant improvement in 2010 A.M. Peak Period maximum delay, going from Southbound HOV Lane Only (28.9 minutes) to Ultimate HOV Lane without LRT (28.8 minutes). This tiny time savings after spending roughly \$100 million more to complete the Ultimate Gap Closure should give pause to the rush to certify this DEIS/R. A more deliberate analysis could produce major savings.

One reversible alternative that should receive special attention is the single lane reversible HOV lane alternative. Such a lane would require about 6 feet more right-of-way width than the Southbound Only HOV Lane configuration, to provide room for a fixed barrier and 2 foot shoulders. The DEIS/R should determine whether that width can be

made available without the substantial property acquisitions required by the Ultimate Gap Closure.

Rather than summarily dismissing such an alternative as substandard for not providing a shoulder for a breakdown lane, the DEIS/R should instead evaluate the probable frequency of breakdown incidents on this 4 mile stretch of freeway, using Caltrans statistics of breakdowns per lane-mile per year. A political decision will then need to be made on the basis of this analysis as to whether the likelihood of, for example, two breakdowns per year in this reversible lane would be an acceptable tradeoff for a savings of \$100 million dollars, the delivery of the northbound HOV function at least ten years earlier than planned, and the elimination of the horrible disruption of downtown San Rafael to be caused by the building of a new northbound viaduct.

It should be noted that, in the rare instance of a breakdown in the reversible lane, a tow truck would be able to drive to the far end of the reversible lane and travel in reverse down the lane to the stalled vehicle. An electronic sign at the other end of the reversible lane could notify drivers to avoid the lane because of the backup. The vehicles in the queue stuck in the lane would be inconvenienced for no more than an hour. Our county needs to determine how much it is willing to pay for a road shoulder to prevent this minor problem.

While some percentage of HOV traffic might want to exit the reversible lane in Central San Rafael, this is not the problem that it might otherwise be. Signage would inform drivers, so those with a Central San Rafael destination would not use the reversible lane. However, the rest of the HOVs would find the reversible lane to be an express lane to the other end of the current HOV Gap. This should increase the travel time differential between HOVs and SOVs, thus providing further incentive for carpooling.

Alternative 6 on pages 20-21, the Transit Only alternative, is dismissed with the comment "As part of a multi-modal transportation system, it an [sic] important element, but it is not intended to take the place of a fully developed HOV lane system, Therefore it was rejected as a viable alternative." While offering lip service to the usefulness of transit, the DEIS/R fails to evaluate multi-modal transportation alternatives. The statement above fails to critique whether the extensive auxiliary lane system proposed as part of the Ultimate Gap Closure is an irreplaceable part of "a fully developed HOV lane system." Again, a multi-modal system including passenger rail and HOV lane[s], without auxiliary lanes may prove to be far, more cost effective and environmentally benign than the Ultimate Gap Closure.

Marin Advocates for Transit requests that a single reversible lane be evaluated as part of an alternative that includes the implementation of the rail component of the Final Preferred Alternative of the Sonoma/Marin Multimodal Transportation & Land Use Study. In conjunction with Alternative 2(c), it should be determined whether a future rail system is likely to utilize the full width of the rail right-of-way in Segment 3, and whether it would be prudent to make part of that width available for freeway widening, so as to eliminate the need for other right-of-way acquisition there. One aspect that should be

specifically studied is whether eliminating the auxiliary lanes from the full project will encourage a shift in the mode split towards increased transit use. The reason Major Investment Studies are required is to identify precisely this kind of opportunity to optimize the effectiveness of the investment of public funds.

Specific Comments

Section 1.4 on page 3 identified the temporary impacts from construction as an adverse impact of the Project. However, we were unable to find a discussion of these impacts within the DEISIR. Construction on Marin's "main street" is certain to be very disruptive. In particular, the building of a new northbound San Rafael viaduct would have profound effects on local traffic circulation and parking, which would in turn have socioeconomic effects. These impacts must be analyzed and mitigations identified.

Section 6.12.4 on page 41 misstates the composition of the Northwestern Pacific Railroad Authority, the joint powers authority that owns the rail right-of-way north of Bellam Blvd. in San Rafael. The GGBH&TD owns the track south of that point. The members of the JPA are the GGBH&TD, the County of Marin and the North Coast Railroad Authority,

Section 6.17.3 on page 68 states that the only pollutant that needs to be studied for transportation projects at this time is CO. This project should have a network-wide effect on VMT, because of the growth-inducing effect of eliminating a major system bottleneck. As it is well known that PM10 particulate levels are directly proportional to VMT, the increase in VIVIT attributable to this project should be identified, along with the corresponding air quality impacts.

Section 7.10.1 on page 88 and Section 12.0 on page 112 treat the Ultimate Gap Closure alternative as if it were identical with the Gap Closure project which is part of local and regional plans. The DEIS/R should document its implication that the auxiliary lanes included in the Ultimate Gap Closure are included in those plans and their respective modelling - - or differentiate the Ultimate Gap Closure from approved plans.

Section 7.10.2 on pages 88 makes the grossly misleading statement that "The study has found no growth inducement impact from the proposed project alternatives." Clearly, it didn't look very hard. First, the statement hides the fact that the study analyzed only residential growth inducement. Second, since Proposition 13, cities have had major disincentives to residential growth. In Marin, especially, residential growth is not the issue. Third, the HOV Gap has been a major transportation system bottleneck, acting as a serious impediment to commercial growth. Elimination of the bottleneck will permit growth to occur that would not otherwise be possible,. This is obviously growth inducement.

The very fact that the Southbound Only HOV Lane alternative has been selected as the preferred alternative by the City of San Rafael and the County of Marin is a testament to the recognized need for the Gap Closure - - to facilitate growth. Fair, Isaac, Inc., a large Marin County employer in the process of building a major headquarters complex

in downtown San Rafael, requested those jurisdictions to select the alternative, a decision that would not ordinarily occur until after certification of the environmental document. The firm was clearly concerned that a downtown site would have serious operational problems without the carefully targeted highway improvements of the Southbound Only HOV Lane alternative.

Figure 9 on page 99 proposes sound walls S675, S661, S655 and S633 on what appears to be the east side of the NWP right-of-way. It would be desirable to reach an agreement with the GGBH&TD to build such sound walls on the western side of the NWP right-of-way, so as to eliminate the need for the public to pay for a second sound wall when trains run on its new rail system. This would have the added benefit of reducing reflected noise by increasing the separation between parallel sound walls. In addition, SOVs stuck in traffic will receive visual inducement to patronize transit when they see the train speed by.

Section 7.13 on page 106 states that the project implements TCM 20, which calls for the development of HOV lanes. The DEIS/R should note that there is no such regulatory support for the inclusion of auxiliary lanes in the Ultimate Gap Closure.

Section 7.14 on pages 107-8 brings out the central flaw in the modeling conducted for this DEIS/R. The modeling predicts that traffic will flow more freely after freeway widening, thus improving the air quality and wasting less energy. Experience has proven that such a capacity expansion will induce additional travel demand through the conversion of latent demand to active demand, thereby creating more future congestion, pollution and energy consumption. Latent demand is that travel demand that is unsatisfied because individuals postpone, reschedule or cancel trips to avoid congested roadways. In addition, capacity expansion induces auto-dependent sprawl growth, which itself will cause more future congestion. The Energy Impact Study stated on page 9: "The proposed HOV Gap Closure project would improve freeway operations in the mixed flow and HOV lanes." What it should be asking is "For how long would freeway operations remain improved?"

Besides the fundamental problem with modeling discussed above, the modeling produced some inexplicable results that are either actual errors, or need extensive explanation. A \$150 million project ought to be accompanied by statistics that carry a high level of confidence. Such is not the case with this project. On page 107, there is no explanation of why the air quality is significantly worse for the Southbound Only HOV Lane alternative for the year 2000. Table D-2 in the Traffic Study Report shows only 385 bus riders leaving Freitas Parkway in the morning, but 2660 return in the evening. Could the discrepancy be all casual A.M. carpoolers? Or are the model inputs of poor quality? HOV projections on page H-1 of the Traffic Study Report are 50% lower than existing HOV volumes. Does this produce confidence? isn't more work necessary here? Similarly, on page J-6 of the Traffic Study Report, the maximum delay for NB traffic is radically reduced by the addition of LRT. However, there is no change for SB delay, Is there any explanation for this? Are both model results correct?

The statement in Section 12.0 on page 112 that "Included in the analysis for the Final Environmental Impact Report for the CMP is closing the gap in the HOV lanes from Lucky Dr. to N. San Pedro Rd.," should be expanded to indicate whether auxiliary lanes were modeled. The following statement is problematic: "Because U.S. 101 is operating near capacity and would be difficult to widen, the jurisdictions involved have decided to allow development in St. Vincent-Silveira, Hamilton and Bel Marin Keys Unit 5 only in conjunction with the construction of McInnis Parkway" [emphasis added]. Since the Countywide Plan eliminated McInnis Parkway from the transportation network and construction started at Hamilton, there is no evidence that this statement is still true.

Marin Advocates for Transit appreciates this opportunity to comment on this vitally important project. We hope that these suggestions assist you in delivering a legally sufficient document. Please contact us at the address or phone number above if any additional information is desired.

cc: FHWA Administrator
Congresswoman Lynn Woolsey
Transportation Sales Tax Steering Committee

Sincerely,

A handwritten signature in black ink that reads "David Schonbrunn". The signature is written in a cursive, flowing style.

David Schonbrunn
Member, Steering Committee