

Bricklin, David

7/18/11

Copies of the Seattle Mayor's Office's letter and the Coalition for a Sustainable 520's letter addressed to FHWA and WSDOT were included with this email. Because they are located elsewhere in Attachment 2 they are not repeated here.

From: Dave Bricklin [<mailto:bricklin@bnd-law.com>]
Sent: Monday, July 18, 2011 02:29 PM
To: Solomon, Gerald (FHWA); Larson, Kreig (FHWA)
Cc: Fran Conley <fran@roanokecap.com>
Subject: WASHINGTON STATE ROUTE 520 (LAKE WASHINGTON)

Jerry and Kreig,

Thank you for speaking with me the other day about the SR 520 project in Washington State. I'll be interested in hearing back from you after you have had a chance to check with your field office here. When we spoke, you indicated you didn't have any feedback from them yet. Do you have any idea yet when we'll be hearing from you? Can you make sure we get a response and have a chance to speak with you further about the response before a decision is made on the ROD?

In our call, I mentioned that the EIS provides a confusing array of mobility measures for the various alternatives. I'm attaching a table created by my client that summarizes that. You'll see that while the same parameters were used to evaluate the preferred alternative with the no build alternative (both in 2030 and current conditions), a different suite of parameters were used to evaluate the other alternatives. Some of the parameters used overlapped with those used for evaluating the preferred alternative, but a majority did not. That doesn't make it easy (or even possible) to do a meaningful comparison among alternatives—which is supposed to be the heart of the EIS.

Regarding the funding shortfall, as I mentioned, WSDOT acknowledges a \$2B shortfall (which is why they have shortened the "phase 1" project to stop where Lake Washington becomes Union Bay). As I mentioned, that shortened phase 1 doesn't end at an interchange (as did the phase 1 analyzed in the DSEIS, i.e., three lanes would narrow to two, with no opportunity to exit. Basically, all that is accomplished in moving the current pinch point from the east end of the bridge to just shy of the west end of the bridge (turning the bridge into a maybe the world's only floating parking lot).

I neglected to mention two items that make the funding situation even worse than acknowledged by WSDOT. One, WSDOT forecasts it is "only" \$2B short because it is assuming it will receive something like \$800 million in new federal grants. I'm told that there is no legitimate basis for WSDOT to assume that it is reasonably likely to receive that much in additional federal grants. e.g. only a small amount has been committed to date. Could you get back to me about the reasonableness of that part of their current funding plan?

Also, their funding plan is highly dependent on tolling SR 520 (expected to start later this year). But as the following link mentions, there is a well-funded initiative measure headed to the ballot this fall that would vastly limit the State's ability to toll 520. That hasn't been addressed by WSDOT either. (Here's the link: ! <http://blog.seattlepi.com/seattlepolitics/2011/07/12/eyman-kemper-freeman-gives-1-mil-to-fight-tolls/?plckItemsPerPage=10&plckSort=TimeStampDescending&plckFindCommentKey=CommentKey:5fc0c48e-3201-418a-84d6-cfa89f0882d0>.)

Finally, over the weekend my client sent to Ms. Shepherd initial comments on the FEIS. (Because of the limited time and the volumes of material to review, I expect additional comments will be forthcoming later.) This initial comment letter contains a good synthesis of the major issues. The attachments to the

letter are instructive, too. The financial detail attachment may be overwhelming, but the third page of that file provides a good, quick look at the funding shortfall problem.

The Mayor of Seattle also has submitted a comment letter which, like ours, complains about the short time frame for review of the FEIS and the lack of an adequate analysis of the brand new "partial bridge" alternative in the FEIS. I'm attaching a copy of that letter, too.

Again, thank you for your independent assessment of these issues. I look forward to hearing from you.

David Bricklin

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520 FEIS: trying to find comparable data on transportation

Gp = general purpose, HOV = 3 plus

	Existing	2030 Partial Bridge (phase 1)	2030 no build, no toll	2030 new 4 lanes (Note 3)	2030 no build with tolls	2030 Preferred Alternative
Daily vehicle Demand Volumes	Y	Y	3.	Y	Att 7,Tranp. Disc. Report, 5-8	
Daily vehicle demand by GP/HOV/Transit	Y	Y	3.	Y	Att 7, Tranp. Disc. Report, 5-9	
Daily person demand by GP/HO/Transit	Y	Y		Y	Att 7, Tranp. Disc. Report, 5-9	
Vehicle Demand, midspan,AM peak	Y	Y		Y	Att 7,Tranp. Disc. Report, 5-10	
Vehicle Throughput, mid-span, AM Peak	Y	2.	Y	Y	Att 7,Tranp. Disc. Report, 5-10	
Vehicle Demand, midspan, PM peak	Y	Y		Y	Att 7 Tranp. Disc. Report, 5-11	
Vehicle Throughput midspan, PM peak	Y	Y		Y	Att 7,Tranp. Disc. Report, 5-11	
Midspan vol/hr,vehicle/person, AM+ PM peaks	Y	Y		Y	Att 7,Tranp. Disc. Report, 5-12	
Westbound traffic volumes AM peak,vehicle/person	Y	Y	Y	Y	Att 7, Tranp. Disc. Report, 5-14Partial::FEIS 5-15 -2	
Westbound travel times AM peak, GP/HOV	Y	Y	Y	Y	Att 7,Tranp. Disc. Report, 5-18, Partial = FEIS 5.15-3	
Eastbound AM peak travel times, GP/HOV/transit	Y	Y	Y	Y	Att 7,Tranp. Disc. Report, 5-22	
Eastbound traffic volumes, PM peak, veh/person	Y	Y	Y	Y	Att 7,Tranp. Disc. Report, 5-19	
Westbound traffic vol demand/throughput,PM peak,veh/p	Y	Y	Y	Y	Att 7,Tranp. Disc. Report, 5-26, Partial = FEIS 5.15-4	
Westbound travel times, PM peak, GP/HOV	Y	Y	Y	Y	Att 7,Tranp. Disc. Report, 5-31	
Eastbound traffic vol. demand/throughput,PM peak,veh/p	Y	Y	Y	Y	Att 7,Tranp. Disc. Report, 5-32, Partial = 5.15-5	
Eastbound travel times, PM peak, GP/HOV	Y	1.	Y	Y	Att 7,Tranp. Disc. Report, 5-36	
East and west vehicle trip demand, peak, speed, V/c				Y	See note 3.	
Combined east/west peak period traffic vol,GP/HOV/Transit				Y	See note 3.	
traffic volume, PM peak, east and west: speed, and v/c				Y	See note 3.	
traffic volumes,veh/person, AM peak. Both ways?				Y	Att 19, NO build analysis, Adobe page	
traffic volumes,veh/person, PAM peak. Both ways?				Y	See note 3.	

draft 7/13/11

Note 1:" travel times ...similar to no build FEIS" 5.15-6

Note 2: 5.15-2 "Traffic results from Phase 1 would be similar to SDEIS Phased Implementaion Scenario". No, but we need to find SDEIS data.

Note3. Attachment 19 has a number of different documents, without an index or page numbers. Starting at Adobe page 47 is

"SR 520 Four Lane Transit Optimized Concept Tolling Sensitivity Analysis Technical Memorandum"

The purpose is to have free flow for Bus and HOV on a new 4-lane highway, with wider shoulders.

Adobe page 55 starts analysis of results at various toll levels, including a \$4 toll which is close to that currently planned, but the data will be very hard to compare to any other data.

On the last page here is a list of documents in Attachment 19

Existing
 2030 Partial Bridge (phase 1)
 2030 no build, no toll
 2030 new 4 lanes (Note 3)
 2030 no build with tolls
 2030 Preferred Alternative

I-5 transportation numbers

Express Lanes travel times AM peak	Y	Y	Y	Att 7,Tranp. Disc. Report, 5-24
Main lanes travel time AM peak	Y	Y	Y	Att 7,Tranp. Disc. Report, 5-26
Express Lanes travel times PM peak	Y	Y	Y	Att 7,Tranp. Disc. Report, 5-38
Various commutes travel time, general purpose	Y	Y	Y	Att 7,Tranp. Disc. Report, 5-39

Local transportation numbers

Montlake area AM peak traffic vol (both directions)	Y	Y	Y	Att 7,Tranp. Disc. Report,6-4
Montlake area PM peak traffic vol (both directions)	Y	Y	Y	Att 7,Tranp. Disc. Report,6-5
Montlake Area AM and PM LOS	Y	Y	Y	Att 7,Tranp. Disc. Report,6-7
Traffic vol Montlake/LWB /520 intersection AM pek	Y	Y	Y	Att 7,Tranp. Disc. Report,6-16
Impact of bridge openings	Y	Y	Y	Att 7,Tranp. Disc. Report,6-17
Montlake area LOS during construction, AM and PM	Y	Y	Y	Att 7,Tranp. Disc. Report,6-19
Montlake Area AM and PM LOS	Y	Y	Y	Att 7,Tranp. Disc. Report,6-17

I-90 transportation numbers

I-90 and 522 volumes with and without tolls				Att 19: No Build Analysis, p5
I-90 and 522 volumes with and without tolls				Att 19: No Build Analysis, p8
I-90 and 522 volumes with and without tolls				Att 19: No Build Analysis, p9
There may be more in tolling analyses in Att 19				

What's in Attachment 19?

draft 7/13/11

Attachment 19 has 572 pages, 18 documents, with no index.

	pdf page	
I-90 Sensitivity Analysis	3	WSDOT, February 2011, analysis impacts of tolls on SR 520 and I-90 Financial and Transportation. Summary on pdf p 35
Att. A: Tolling Committee 2-bridge scenarios	37	Tolling Implementation Committee November 2008
Att. B:Toll Traffic and Revenue report	41	WSDOT (?) 2009; toll configuration, rates, vehicles
Transit Optimizing Sensitivity Analysis	45	WSDOT, April 2011, aims at bus free flow, tests tolls and gives vehicle results
Light Rail Transit History	65	WSDOT, Oct. 2010 history of I-90 light rail decisions
Appendix A	73	Trans Lake Washington Project 2001 study of multi modal alternatives
Appendix B	223	Sound Transit 2001 memo on Trans Lake Transit Recommendations
Appendix C	229	Trans Lake Wash Project 2002 Summary of HCY Screening, Recommendations
Appendix D	367	Trans Lake Wash Project 2002 study of HCT on SR 520
Appendix E	441	Sound Transit Staff Report on I-90 LRT
No Build toll sensitivity analysis	451	WSDOT Feb 2011: Analysis transportation impact if "No Build" were tolled
Appendix A	471	Demand Model Results
Light Rail Transit Ridership Analysis	479	WSDOT NOV 2010: " confirm... regional LRT decisions" Updates 520 model
Appendix A	503	Overview of Decisions supporting I-90 for Light Rail
Appendix B	511	Station to Station Travel Times Provided by Sound Transit
Appendix C	515	Metro's assumptions about 2030 bus service affecting 520
SR 520 Toll Sensitivity Analysis	533	WSDOT June 2011:history, some estimates of 520/I-90 diversion,demand
Attachment A	565	Tolling Implemen Com. 2009, scenarios for tolling 520 only

