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Assembly
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ANTHONY J. PORTANTINO
ASSEMBLYMEMBER, FORTY-FOURTH DISTRICT

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STATUS OF BOYS AND MEN OF COLOR
IN CALIFORNIA

August 22, 2012

Mr. Joseph Tavaglione
Chair
California Transportation Commission
1120 N Street
Room 2221 (MS-52)
Sacramento, CA 95814

Malcolm Dougherty
Director
California Department of Transportation
P.O. Box 942873
Sacramento, CA 94273-0001

Gentleman:

I strongly urge you to cease all activity relating to the advancement of the SR 710 extension. The SR 710 Study process has been mired in controversy since its inception. I have personally witnessed actions and activities by proponents of a tunnel option, which have been questionable at best, but more accurately, would be portrayed as biased and tainted. Representatives of the California Department of Transportation (Caltrans) and the Metropolitan Transportation Authority (Metro) have routinely misrepresented important information while hiding the true cost and benefit of this project from the public. A 710 tunnel option would be a project of historic magnitude and tremendous cost to the taxpayers of California. There cannot be even a hint of impropriety or manipulation involved in such a project. Because local planners have ignored the direction of the federal government, their own state traffic protocols, and basic common sense, it is time for leaders to step in and make the bold decision put an end to this project.

In 2003, a letter issued to Caltrans by the Federal Highway Administration (FHWA), along with an accompanying Environmental Reevaluation, required a SEIS for the SR 710 project and suggested that the project should not move forward until other local and regional transportation improvements were completed. The FHWA indicated that, following the completion of these alternative projects, the need for a freeway project should be subsequently reevaluated. The FHWA has gone unheeded and this project continues to move forward even though the local and regional improvements were not completed and/or evaluated.

While serving as Mayor of La Cañada Flintridge, I was given information about a tunnel project which was inaccurate, inconsistent and ultimately was untrue. Prior to any study of a 710 tunnel

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project, the La Cañada Flintridge City Council was given information that was opposite of the information given to other effected city councils. We were also promised a full feasibility study before any environmental document process was to commence. Caltrans commissioned a study by Parsons, which was to have been the promised feasibility study, but was in fact downgraded to a mere "fatal flaw analysis," which only looked to identify "silver bullet" conditions which would prohibit a tunnel from being constructed. Most local government officials were aghast, back in 2005, when Caltrans refused to release the details of the Parson's study RFP for public review. We later learned that it was because someone chose not to conduct the promised, comprehensive scope and instead substituted a request for a cursory report. It is notable that, even in this downgraded analysis, the study indicated that a tunnel project would open to a service level of F – below the minimum level required to construct a project under Caltrans' guidelines.

Sadly, the pattern of mistrust continued when I became the elected State Assemblymember, representing a significant portion of the effected region. Most notably, former Director Will Kempton assured me that the project would not move forward unless a true financial feasibility study was completed. In fact, Director Kempton endeavored to make good on his promise through the initiation of Task Order 5. Unfortunately, within a short time of Mr. Kempton's departure, Caltrans shelved his directive and permanently damaged the public's trust and the agency's credibility. Rather than complete a feasibility study of the project, a "subsurface geotechnical soils analysis" was completed instead.

As more information is revealed about the current Metro SR 710 Study, community after community is coming forward and speaking in a united and heated voice: "We don't want this extension." Never before has there been this much opposition from so many communities. The public backlash has been so strong that some policy makers are endeavoring to split the coalition of communities by suggesting that one route might be more preferable than another. This is planning at its worst.

On top of all of this, even more alarming information has been uncovered by the State Auditor as it relates to Caltrans' complete mismanagement of the 710 corridor. According to the Auditor, Caltrans has entered into financial arrangements without accountability or even contracts. Caltrans has expended millions of dollars on work without justification and frankly misled the taxpayer, completely losing the public's trust. One example has Caltrans paying $4.6 million a year to the Department of General Service without a contract or even a scope of work.

The overwhelming facts are clear, regardless of which route is chosen:

- This project would be one of the largest public works projects in California history at a time of limited resources and far greater priorities for our state.

- The impetus for this project is based on 1950's planning, not contemporary goods and people movement ideas of the 21st Century.

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- Proponents of this project have repeatedly tried to circumvent local control by misusing the legislative process.

- Local transportation agencies are expending millions of dollars on a project of historic magnitude without even knowing how much the project will cost and how many cars will use it. Would you let a contractor begin an addition to your house without knowing how many square feet were going to be constructed or how much it would cost? Why are we spending millions of dollars to further a project without knowing how much it will cost?

- New Jersey was planning a similar tunnel from New Jersey to New York, though it was smaller in circumference and at least a mile shorter than the options that are being discussed for the 710. That tunnel came out with a budget estimate of $10 billion and New Jersey ended up cancelling the project.

- This project violates Caltrans own traffic standards, which prohibit construction of a project that would be operated at less than a Level of Service E. Caltrans own study has determined that this project would be a Level of Service F on its first day in operation.

- For decades, planners have made unsubstantiated statements about possible air quality benefits of this project without producing one study to bolster those claims. In fact, the instant gridlock of a completed tunnel would seem to bolster the opposite result.

- Independent studies have determined the significant harm freeways have on the lung capacity of young children who live or go to school nearby. Significantly increasing traffic on the 710 freeway and connecting freeways, which abut many schools, should alone be enough to put the brakes on this project. California law prohibits the acquisition of a school site within 500 feet of a busy roadway unless the air quality at the site does not pose a health risk to pupils or staff. This same legislation indicates that it is the intent of the Legislature to protect school children from the health risks posed by pollution from heavy freeway traffic and other non-stationary sources in the same way that they are protected from industrial pollution. Why then would a state agency continue to investigate a project that would significantly increase freeway traffic, and its accompanying pollution, along freeways and roadways that are known to be located within 500 feet of several school sites?

- This project has been suggested as a Public Private Partnership. How can such an option even be contemplated without knowing the cost, benefit and use? Frankly, it can't. The lack of such basic and significant information continues to point to the "build at all cost" mentality of those promoting the 710 tunnel.

- The public outreach component of the 710 Tunnel has been extremely controversial. It has been cursory, poorly conceived and poorly delivered to the public. Its lack of bi-lingual and bi-cultural outreach in minority, immigrant and low income communities has raised serious social and environmental justice implications. Its cursory nature and the appearance that the consultants are not incorporating the feedback and desires of the community in a manner that

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impacts the study alternatives has enraged and frustrated the majority of citizens who have tried to participate in the process.

- The recently completed state audit of the 710 corridor should give every reasonable policy maker incentive to put the brakes on the 710 tunnel. We should be launching further investigations, not spending more dollars advancing an ill-conceived project.

Today you have the opportunity to stop a project that I and many others believe will negatively impact our region, does not solve a transportation problem, violates Caltrans own traffic protocols and is moving forward on missing information and a faulty process. It is a project of historic magnitude that will drain precious resources and scar California for decades.

For these reasons, I respectfully request that you stop any and all activity that furthers a project which extends the 710. Please, let's not read about "LA's Own Big Dig Disaster" a decade from now, when we have the opportunity to prevent it today.

Respectfully,

Anthony J. Portantino
Assemblymember, 44th Assembly District

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cc: Hon. W. Bogaard, Mayor, City of Pasadena
Hon. M. Cacciotti, Mayor, City of South Pasadena
Hon. S. Del Guercio, Mayor, City of La Cañada Flintridge
Hon. F. Quintero, Mayor, City of Glendale
Hon. A. Villaraigosa, Mayor, City of Los Angeles
Hon. J. Huizar, Councilmember, City of Los Angeles
Hon. A. Najarian, Councilmember, City of Glendale
Hon. C. Davis, President, Crescenta Valley Town Council
Hon. C. Smith, Chair, Historic Highland Park Neighborhood Council

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