February 6, 2009

Part VII — Misrepresentations outside of the Draft EIS

We understand that federal officials do not wish, and are possibly not even empowered, to involve themselves in local politics. However, the current situation concerning the City administration misleading the public is more serious than is usually the case.

When public support for a project has occurred only because of the voluminous amount of lies and misrepresentations made by the local agency, then it is incumbent upon the federal agency to not approve such a project until the situation has been mitigated. Certainly this would accord with the spirit and purpose of the environmental statutes and the responsibility of the lead agency.

For example, the federal government directs the Office of Management and Budget (OMB) to:

> *provide policy and procedural guidance to Federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information (including statistical information) disseminated by Federal agencies.* '[1]

The NEPA statute and associated laws and regulations are replete with language about "objectivity," "scientific evaluation," and "integrity."

What is the point of the lead agency meticulously ensuring that the integrity of information in the Draft EIS (and the thousands of pages of appendices and technical memoranda) which most of the public will never read, if the lead agency then knowingly evades dealing with the fact that the public has been totally misled about the benefits and disbenefits of the project?

Does the agency want an environmentally destructive alternative chosen over an equally effective, but less costly, and less environmentally intrusive one?

Citizens of the City and County of Honolulu have been consistently misled not only by how the Project will reduce traffic congestion, but also the other purported benefits of the rail transit project, such as the presumption of energy savings, the merits of alternatives, the "success" of Mainland public transportation agencies and the dislike of Oahu residents for new highways.

This has not occurred through the occasional "slip of the tongue" statement but by a deliberate coordinated and continuous barrage of half-truths and deception in public meetings, through millions of dollars of media purchases[2] in TV, radio, newspapers, and in public "bully pulpit" pronouncements by the Mayor, our Congressional delegation, city employees, city transit consultants and their sub-consultants.[3]

City taxpayers and have spent $2.4 million promoting transit through June 30 last year and we expect that when the final report comes in on their spending before the November 4 election, it will add another million dollars to the City total. In addition, the Mayor spent a great deal of his campaign money promoting his rail idea. Others rail supporters, Go Rail Go, Support Rail Transit, and the Carpenters Union between them spent a total of $1.1 million promoting rail in the November 4 referendum.

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1 Public Law 106–554; H.R. 5658). Section 515. See http://www.whitehouse.gov/omb/fedreg/reproducible2.pdf

2 *Mayor, rail supporters outspent opponents.* Honolulu Advertiser. December 9, 2008. http://www.honoluluadvertiser.com/article/20081209/NEWS05/812090355/-1/NEWS05

3 "Proponents and opponents of Honolulu's planned $3.7 billion commuter rail system have saturated Hawai'i airwaves with advertising." http://the.honoluluadvertiser.com/article/2008/Jul/29/ln/hawaii807290361.html

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A major financial support for Go Rail Go was Parsons Brinckerhoff.[4] We do not know their total contribution since half of Go Rail Go's contributions were made before the ballot issue was certified and before that time contributions did not have to be enumerated. Countering the over $5 million spent promoting rail was the puny $100,000 spent by the Stop Rail Now organization.

Examples of these misleading statements are detailed in Appendix D.

The most important of the misstatements are those relating to traffic congestion. The public believes that the "purpose and need" of the Project is to reduce traffic congestion in the Corridor to less than today's unbearable levels and also, *incidentally*, provide improved public transportation.

As evidence of this, 73 percent of residents in a Honolulu Advertiser poll of July 27, 2008, said they agreed with the statement,

> *"We need a light rail system in order to reduce traffic congestion and commute times along H-1"* [5]

Their misunderstanding has been encouraged by our elected officials, their employees and contractors. Their public statements to gain support for rail transit constantly imply, or state outright, that the need is for traffic congestion relief. In his 2008 State of the City speech, the Mayor said, "traffic congestion is the most significant challenge to our quality of life."[6] And in a policy statement, "Our residents … are crying for relief from traffic congestion."[7]

Our elected officials (and the public) know precisely what is needed for "improving transportation conditions."

City accuses us of lies and misrepresentations:

The City Administration's Transportation Director Wayne Yoshioka[8] took the position that the opposition (Stop Rail Now and Honolulutraffic.com) was putting out so many "lies and misrepresentations" that the city had to respond to this 'misleading and false information' with the truth." He added that "most of their statements are not true."

This was the most outrageous action by the City yet. On September 3, 2008, the City Council's Executive Matters Committee discussed a bill that would restrict the use of taxpayer funds for advocacy of rail transit by the Administration.

We responded that all Honolulutraffic.com's information was footnoted and sourced and if anyone is lying it is the city.

Yoshioka was unwilling to specify what our lies and misinformation were but the Committee Chair eventually persuaded him to agree to supply a list of 20 such "lies and misrepresentations" within five working days. Fortunately, all of this is on video. Three weeks later he produced them.

There is nothing in the list he produced that could reasonably be called a lie or misrepresentation. For example, he states that our comment, "The city admits future traffic congestion will be worse

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4 http://www.honoluluadvertiser.com/article/20081209/NEWS05/812090355/-1/NEWS05
Also see the Campaign Spending Commission Reports: https://nc.csc.hawaii.gov/NCFSPublic/ReportList.php

5 www.honolulutraffic.com/HADV_poll_p9.pdf

6 http://www.co.honolulu.hi.us/mayor/soc2008.pdf

7 http://www.honolulu.gov/refs/csd/publiccom/honnews06/mayorofferscompromiseontransittaximasse.htm

8 Since it is a two hour tape we have provided a time line in hours and minutes below:
0:24 — DTS Director Yoshioka begins testimony on bill 01-189 regarding rail transit advocacy.
1:08 — Corporation counsel begins testimony.
1:32 — Cliff Slater begins testimony.
1:40 — Council begins discussion and with legal counsel.
2:08 — End of proceedings.

with rail than it is today" was, "… a cleverly crafted statement that knowingly uses only part of the information available. The Alternatives Analysis shows that a fixed guideway will reduce future traffic congestion between Kapolei and Honolulu by 11 percent."

This is pure spin. He is not denying that traffic congestion will be worse in the future with rail than it is today, only that it will be 11 percent better than it would be without rail. In fact, he and Mike Schneider of InfraConsult finally admitted we were right during a debate on KHVH radio some weeks later. The crucial four minute clip of this admission is available. We have detailed our responses to this and all his other charges in Appendix D.

The issue regarding spin, lies and misrepresentation is that it has been used to garner support for rail. The culmination was that after all this the City could only get 50.4 percent of the voters to approve the rail referendum. It begs the question of what would have been the support if the City had told the truth.

While strictly speaking these misrepresentations are not part of the NEPA EIS process, these misleading activities by Hawaii government officials are of great import. It is one matter to attempt to ensure accuracy and objectivity in the Draft EIS, but can a federal agency evade evidence of local government actions that seek to undermine the EIS process?

What is the point of following the NEPA process to the letter and spirit of the law when local political authorities and their campaign contributors, consultants and all their employees are conspiring to undermine the NEPA process by spending literally millions of dollars lying about traffic congestion relief, among other matters? When Parsons Brinckerhoff is giving $25,000 to fund Go Rail Go efforts to persuade voters to vote for rail with gross misrepresentations of the facts?

It is one thing that the FTA not involve itself in local political matters but it is quite another when their own federal environmental process is being undermined. It is not being ignored — because FTA is fully aware of what has transpired. Rather, the undermining of the process is being evaded.

Appendix D

Following are a few examples of the many claims of prospective traffic relief offered by the City administration.

Mayor Hannemann, KGMB interview, 10/30/2008, "People are tired of being stuck in traffic and they want solutions."

Bill Brennan op/ed in Hawaii Reporter 6/26/08. "Cities with large, well-established rail systems have significantly .. , less traffic congestion ... A comprehensive rail transit system can reduce per capita congestion delays by half, and even greater reductions probably occur on specific corridors." http://www.hawaiireporter.com/story.aspx?6847fd0b-ddce-41c1-82e9-3dcd7335de50

Mayor Hannemann's 2008 State of the City Address, "I've said time and time again that traffic congestion is the most significant challenge to our quality of life ... the fixed guideway presented the most effective means of relieving traffic congestion and accommodating the anticipated growth in West and Central Oahu.

Mayor Hannemann said, "Our residents, particularly those in Leeward and Central Oahu, are crying for relief from traffic congestion. A mass transit system represents our best near- and long-term solution to this worsening problem and I'd hate to see our efforts derailed because of

disagreements over who-does-what .... any delays in implementing the tax and completing our planning will delay relief for tens of thousands of commuters who are squandering hours of precious time in traffic." City Hall press release: Mayor offers compromise on transit tax impasse. June 21, 2006.
http://www.honolulu.gov/refs/csd/publiccom/honnews06/mayorofferscompromiseontransittaximpasse.htm

This video of Mayor Hannemann and Rep. Neil Abercrombie's city hall "Traffic sucks!" rally held on December 5th, 2005, typifies the grossly misleading statements emanating from our elected officials.
http://mfile.akamai.com/12891/wmv/vod.ibsys.com/2005/0707/4695365.200k.asx

"[Hannemann] said the [rail] system will help all parts of the island, easing traffic overall because 'there'll be less cars on the road. '"
http://the.honoluluadvertiser.com/article/2005/May/12/In/In02p .html

Mayor's Press Secretary: "Slater misrepresents just about everything Mayor Mufi Hannemann, Transportation Services Director Ed Hirata and other supporters of transit have said, from the timing of federal requirements to tax calculations, highway capacity and a rail system's potential to ease traffic congestion."
http://the.honoluluadvertiser.com/article/2005/Aug/10/op/508100321.html

"We're poised to break ground for a long-awaited fixed guideway system that will reduce the time commuters spend in their cars and away from their families ... " Mayor Hannemann, editorial, Honolulu Advertiser, June 29, 2008, Living Green section.

"Mayor Mufi Hannemann chided Lingle at the rally and said the city needs a rail system to alleviate increasing traffic congestion. U.S. Rep. Neil Abercrombie, D-Hawaii, also blasted a possible veto and said that he and the rest of Hawaii have had enough of the traffic problems. He said commuters are fed up and don't need any more "Lingle lanes" filled with traffic congestion."
http://www.bizjoumals.com/pacific/stories/2005/07/04/daiIy18.html?t=printable

"How does rail transit help reduce traffic congestion? ... Building rail transit now is the most cost-effective way to avoid even more congestion in the future ... This brochure is provided by the City & County of Honolulu as part of the public information program required by the Federal Transportation (sic) Administration." City's 8-page II" x 12" full color glossy brochure inserted in the Honolulu Advertiser, Honolulu Star-Bulletin and the weekly, Mid-Week, circa. October 19, 2008. Combined circulation was about 500,000. To add insult to injury the brochure was marked, "Paid for by City taxpayers."

"The [rail] project shrinks future traffic congestion by more than 20 percent." Mayor Hannemann quoted in the Honolulu Advertiser on November 2, 2008, under a bold above the fold headline, "Study predicts rail to ease traffic 23%". Honolulu Advertiser, November 2, 2008. p. A1

"Rail transit can improve the quality of life for residents across O'ahu by reducing traffic congestion ... and will shrink traffic congestion by at least 21 percent as it matures ... my hope is that this is an action we collectively take for the future — for the generations of children to come who deserve an island home where they can live, work and raise their families free from the grind of constant traffic gridlock." Senator Daniel K. Inouye. *Draft EIS bodes well for transit.* Honolulu Advertiser, November 2, 2008. p. B1.

"What's more, today's rail technology is already proven and successful, like Vancouver's SkyTrain, the Trax system in Salt Lake City, Portland's MAX Train, and the Washington, D.C. Metro. When each of these systems was first proposed, there were questions and concerns raised. But today, they are vital parts of their cities' overall transportation solutions: reducing traffic ... "

Radio commercials repeated this endlessly in the weeks leading up to the November 4 rail referendum. Of course, the facts are that traffic congestion in these cities since they built rail is as bad as other cities – if not worse, according the Texas Transportation Institute.

The Mayor's behavior during the 2008 mayoral candidates' debates exemplified the refusal of city officials and their contractors to admit that traffic congestion will get worse with rail. During the September 9 debate, Dr. Panos Prevedouros asked the Mayor, "Your own city studies show that traffic congestion in the future, with rail, will be far worse than it is today. Is that true? Yes or No?" The Mayor totally dodged this because he knows full well that the answer is "Yes" but the viewers did not know that traffic congestion will indeed get worse with rail. Watch him duck and dive during this video.

Other aspects of misrepresentations by the city during the rail transit debate follow:

The following transcript is of a one-minute City radio commercial that ran incessantly on many Honolulu radio stations in the months leading up to the referendum vote:

> TRANSCRIPT: *"Will mass transit attract riders in Honolulu? Actually, we already know the answer. Honolulu has the fourth highest transit ridership per capita in the nation. People here already know that mass transit, like the bus, is a great way to deal with traffic, parking and save money. So, how about rail transit, which will be even faster and more efficient? Again, we don't have to guess. Look at how people in cities nationwide are responding to fuel costs and traffic hassles. In Portland, San Francisco, New York and Washington, D.C., rail ridership has increased more than five percent in the last year. In Los Angeles, a city that loves its cars, rail ridership is up over fifteen percent. In Seattle, it's up twenty-eight percent. In Charlotte, thirty-four percent. And in Sacramento, rail ridership has increased forty-three percent in just a year. It's too bad we don't already have rail transit. The next best thing we can do is start building it now. To learn more, visit Honolulu Transit.org."*

The above statistics were repeated in the City's newspaper advertising. For example, the Honolulu Star-Bulletin, October 14, 2008.

The following paragraphs show the city's statement numbered and in quotes followed by our comments. Our data is drawn from the American Public Transportation Association (APTA) website. For comparison calendar years 2007 vs. 2006, the file is found at http://www.apta.com/research/stats/ridership/riderep/documents/07q4rep.pdf The latest available data is that of the 1st quarter of 2008 and the file comparing it with the same quarter of 2007 is at:http://www.apta.com/research/stats/ridership/riderep/documents/08q1rep.pdf

#1: "In Los Angeles, a city that loves its cars, rail ridership is up over fifteen percent."

For 2007 versus 2006, total public transportation in Los Angeles was down 1.78 percent, heavy rail was up 2.03 percent, light rail was up 0.81 percent and buses were down 2.53 percent. For the first quarter 2008, heavy rail was up 5.37 percent, light rail was up 1.77 percent and bus ridership was down about 7 percent (two categories). Los Angeles total public transportation was down 4.57 percent.

#2: "In Seattle, [rail ridership] it's up twenty-eight percent."

This is a statement that is accurate but misleading. For 2007, Seattle's light rail was up 3.8 percent and commuter rail commuter rail (*real trains, long distance between stops*) is up 27 percent, but it is a minor issue since it carries just 1.5 percent of all public transportation in Seattle. The primary reason for the great increase in this minor commuter rail line is that there have been extensive increases in commuter rail service during the past two years. See: http://en.wikipedia.org/wiki/Sounder_commuter_rail

#3: "In Charlotte, [rail ridership is up] thirty-four percent."

> Charlotte's rail line did not open until November 2007 and so there is nothing to compare it to. The supposed 34 percent increase is a pure figment of someone's imagination.

#4: "And in Sacramento, rail ridership has increased forty-three percent in just a year."

> For the year 2007, Sacramento's rail was up 1.41 percent over the prior year. For the first quarter of 2008 rail was up 3.12 percent.

The above statements are not only inaccurate but they mislead citizens into believing that recent increases in gasoline prices have driven motorists to public transportation far more than they actually have. The national experience is that the first quarter of 2008 shows a 3.3 percent increase in boardings over the year earlier quarter. Some cities were up slightly more, while others experienced declines.

Source: http://www.apta.com/media/releases/080602_ridership_report.cfm

The City repeated these data in ads placed in local newspapers in 2008, for example, in the Honolulu Advertiser, October 13, 2008. p. *A9.* And since our local newspapers will print the City's official line without any research whatsoever this gets repeated, as for example, in the main editorial of May 15, 2008.

InfraConsult LLC is a consultant to the city whose management is comprised of former Parsons Brinckerhoff employees. They run the "Public Outreach Program" for which they hired Elisa Yadao for $500,000 as its program manager.

Dr Prevedouros had written a paper on 20 reasons why we should choose bus technology. That was criticized by InfraConsult's Managing Director, Michael Schneider, and below we comment on his criticism. The more egregious of his misleading comments are shown below as EXCERPT followed by OUR COMMENT.

> EXCERPT: *"Virtually every city in the U.S. with a population over 750,000 people has both buses and some form of rail technology in operation, construction, or in the advanced planning stage… Every major city in the world, whether a "capital city" or not, has some form of rail system. The size of the rail system planned for Honolulu is appropriate for the community's size."*

OUR COMMENT: The spin here is to use the term "city" whereas all normal discussions of rail systems use "metro area" or "urban area," which are contiguous urban areas almost regardless of political division. Thus, the San Francisco Bay Area contains all of the contiguous urban areas within the Bay Area. Portland's urban area consists of Portland and the surrounding counties.

When we review Honolulu's size relative to other metro areas we find that we are the 56th largest in the U.S. and that if we were to build any kind of rail line we would be the smallest in population size. In fact, most of the metro areas larger than Honolulu do not have rail lines.[9]

The next largest city that has a totally grade-separated rail line powered from a third rail, usually termed 'heavy rail,' is Miami whose population is more than four times that of Honolulu.

The other issue of appropriateness is that of cost. The cost of the proposed Honolulu rail line is out of all proportion to the population and tax base. The table on page 24 hows the relative local tax burden falling on Oahu taxpayers as compared to other communities. Honolulu will likely receive only about 18 percent of capital costs from federal funding.

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[9] List of the 60 largest U.S. Metropolitan Areas from the 2000 Census. Some three more metro areas have added rail since the chart was prepared but that does not change the statement.

As the primary consultants, Parsons Brinckerhoff has been active in spreading misinformation about rail on various radio programs.

For example, on this radio program, Parsons Brinckerhoff's Steve Hogan discussed transit with Dr. Prevedouros, UH Professor of Traffic Engineering, on the Rick Hamada Show on KHVH 830 AM for an hour on May 12, 2008. The full discussion may be heard on the podcast made of it.

During *the radio program Hogan said that it took six lanes of freeway to have the same carrying capacity as rail transit.*

Our comment: A single lane of busway on the New Jersey I-495 carries 32,000 passengers on buses per hour during the peak hours.[10] This lane carries more passengers per hour than any rail line in the U.S. with the sole exception of one line of the New York City subway. So it is nonsense to talk about rail having more capacity than Bus/Rapid Transit.

Further, Parson's Brinckerhoff's own *HOV Manual* says:

> *"(This) comparison of person moving capacities for various U.S. rail and HOV projects...appears to cut through the myth that HOV facilities (e.g. busways) do not have the person carrying equivalent of rail lines. Both modes can serve the person carrying capacity needs of about any corridor in North America."*[11]

Hogan then argued that there was no space to put the HOT lanes in Honolulu.

Our comment: Parsons Brinckerhoff designed the Managed Lane Alternative and included it in the Alternatives Analysis with maps and engineering drawings showing that it fit.

Hogan later tried to belittle the multiple on/off ramps Dr. Prevedouros has proposed for the HOT BRT alternative by saying that on the Tampa Expressway there's no stopping after you get on, until you get off at the other end.

Our comment: The fact is that the Tampa Expressway has multiple on/off ramps and a map of them may be seen on the on/off ramps page. The Expressway's Director of Planning sees no difficulty with having even more on/off ramps.

Then Steve Hogan argued that rail is more fuel efficient than autos on HOT lanes.

Our comment: Only when New York City subways are included using weighted averages do rail transit lines show as more energy-efficient than cars. See the arguments on this issue on page xxx

The efficient systems, such as New York, have a great deal of traffic going in both directions in their core areas in the off-peak while the energy-inefficient systems, such as Miami, tend to be those that are highly directional during the peak hours — full going from suburbs into town in the morning and empty going back out, with the opposite being true in the afternoon while there is little traffic during the middle of the day.

For a meaningful assessment of what Honolulu is likely to experience we must look at the experience of those modern systems built since 1970.

The average rail line is less energy efficient than the automobile (3,496 for cars and 4,329 for light trucks and SUVs) according to the U.S Department of Energy as shown and described in the chart to the left[12] and in other DOE publications.[13]

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10 Transportation Research Board's Highway Capacity Manual. Table 1-13.

11 Charles A. Fuhs. *High Occupancy Vehicle Facilities.* Parsons, Brinckerhoff. December 1990.

12 http://www1.eere.energy.gov/vehiclesandfuels/facts/favorites/fcvt_fotw221.html
http://www.carkeys.co.uk/road_test/hyundai/14074.asp

13 http://cta.ornl.gov/data/tedb27/Edition27_Chapter02.pdf Tables 2.12 & 2.13

While it is still possible that Honolulu's prospective rail line could be more efficient than an automobile this is not likely. It is especially unlikely when the target year for discussion is 2030 and automobiles are getting far more fuel efficient every year and trains are not.

Then Hogan said that even in Tampa the Expressway would today cost 3.5 times what it originally cost to build.

Our comment: There are multiple construction cost indices, such as the Corps of Engineers Civil Works Index for Roads and Bridges, covering Florida from 2003-2008 and none of them show anything higher than a 50 percent increase. In addition, the Figg Bridge Corporation has been recently estimating new facilities in Florida similar to the Tampa Expressway and their current projected costs are less than a 50 percent increase from what the Expressway actually cost. A 350 percent increase is nonsense; it is simply Parsons Brinckerhoff's attempt to justify the preposterously high projected cost of $2.6 billion that Parsons Brinckerhoff used for the MLA.

Anyone believing that Parson's Brinckerhoff's employees are reasonable and objective in informing the public about rail transit and the Managed Lane Alternative should hear the PODCAST of this Rick Hamada Show.

City brochure misleads

The city's widely distributed May 2008 Transit brochure is grossly misleading.. The city prints thousands of these transportation brochures and distributes them to a city wide mailing list in addition to placing it on their website www.honolulutransit.com. Following are our comments on the City's May transportation brochure (takes time to download).

Front page: Top reasons for rail:

> *EXCERPT: Good for MOBILITY -- One train can move 300 people which equals 6 buses or 300 cars! That means one rail line equals 6 lanes of cars.*

OUR RESPONSE: We dealt with this canard in earlier pages.

> *EXCERPT: Good for the ENVIRONMENT -- It's sustainable - rail can be powered by alternative energy like solar, wind or H-power. This means less air and water pollution and fewer green house gas emissions.*

This is a typical environmental appeal which has no substance in fact. As proof of that, there is no mention of these potential power sources in either the Draft EIS or its supporting technical documents. It is another case of spin being good enough for local consumption but not valid enough for submission to the FTA.

> *EXCERPT: Good for the ECONOMY -- The rail project will create 90,000 person years of employment or 11,000 direct and indirect jobs annually. And, building a reliable, dependable, efficient transportation system encourages healthy economic growth.*

OUR RESPONSE: 82 percent of the capital cost and 100 percent of the operating losses will be funded with local dollars. No mention is made of the downside of incurring higher taxes and higher City debt to justify a make-work project.

> *EXCERPT: Good for COMMUNITIES -- Rail encourages managed, orderly growth along the route. Planning where and how communities expand means we can keep the country country.*

OUR RESPONSE: It really means Transit Oriented Development, or heavy subsidies for developers, which has been the case in every other TOD; the subsidies are needed to entice people to live in so-called "vibrant" communities. No mention is made about the subsidies needed and their effect on local taxes.

EXCERPT: "[Houston] Metro says ridership on its light rail system has doubled in 20 months."

OUR RESPONSE – The American Public Transportation Association shows ridership on Houston's light rail was up 6.29 percent 2007 over 2006 and up just 3.08 percent for the 1st Quarter 2008 over the same quarter in 2007. Some doubling.

"The Dallas DART is up 9%. In Los Angeles - a city that loves its cars - rail ridership is up over 15%. In Seattle it's up 28%, in Charlotte 34%, and in Sacramento, rail ridership is up 43% in just a year. Across the country rail ridership is up 11.2%." City advertisement, "Paid for by City Taxpayers," in the Honolulu Advertiser, October 13, 2008. p. *A9.*

Since our local newspapers will print the City's official line verbatim without any research whatsoever, these untruths are repeated, for example, in the Advertiser main editorial of May 15, 2008.

Stop Rail Now's so-called "Lies and Misrepresentations"

This refers to the discussion on page 38 when the City accused Stop Rail Now and Honolulutraffic.com on statewide television of disseminating "lies and misrepresentations." When they finally presented the list to the City Council they called it "Inaccuracies."

The City's listing of our sister operation Stop Rail Now's supposed "lies and misrepresentations" are in larger type bold-faced and flush left. The City's response to our comments is shown underneath each of them. Our responses are shown underneath each of the items but are in small type and indented. We have listed here only those "lies and misrepresentations" attributed to Stop Rail Now.

This exchange took place before the Draft EIS had issued and so our comments related to that time and the Alternatives Analysis.

The following retains the City's original format:

Inaccuracies

Stop Rail Now Ad

Sunday, September 14, 2008 • Honolulu Advertiser· Page A25

1. "The recent GET Tax increase and federal funds will be insufficient to fund rail."

Through the financial plan in the Alternatives Analysis, adequate funding sources have been identified for the approved Kapolei to Honolulu route. The financial plan also includes almost $1 billion in contingencies. The financial plan was thoroughly reviewed by transportation experts with the Federal Transportation Administration (FTA) prior to its release.

There are five reasons for believing the funds will be insufficient:

First, the projected revenues from the GE tax hike will most probably fall short over the 15-year life of the tax given the current state of our economy. They will certainly be no more than that shown as the lower of the three growth scenarios, the "Trend Forecast," in the AA, table 5-4 & 5-7.

Second, the Alternatives Analysis (AA) financial plan, Table 5-8 and the Financial Feasibility Report (FFR) p. 4-4, calls for $1.2 billion in federal funds for the 20-mile option using the Trend Forecast for GE tax revenues.

The fed does not deal in inflation adjusted dollars only nominal dollars. There is no likelihood of us receiving $1.2 billion. In fact, the only FTA assurance that we have in writing is the minutes of an OMPO Policy Committee Meeting (see http://oahumpo.org/PC/pc2004/pc04mm0323.html) where Mr. Rogers, head of FTA's Region IX told the Committee that, "The FTA program office is looking to limit any New Starts funding to no more than $500 million per project." The minutes were accepted as true by the Committee members. This is the only written assurance from the FTA of us getting anything.

An email of 10-7-2008, from the FTA's Paul Griffo to us, reads as follows: "It is far too early to tell whether Honolulu's proposed rail project will receive New Starts funding. The project hasn't yet been accepted into the New Starts Program. "

Third, the plan does not call for operating losses to begin until 2019 (www.honolulutraffic.com/FFR.pdf , p. B-4.). However, according to city officials, plans call for operations to start in 2012. If operations do begin earlier it will increase the subsidies shown in the financial plan.

Fourth, the capital cost estimate for the 20-mile line is about one billion understated and the 28-mile by $2 billion. See www.honolulutraffic.com/costunderstate4.pdf for a discussion of the 1992 rail project, the Miami Metrorail and the San Juan Tren Urbano all adjusted for construction inflation and location.

Fifth, there will likely be change orders and other cost overruns. The average of the most recent FTA evaluation of New Starts Actual versus Projections and Costs showed average cost overruns of 40 percent.

That the "financial plan was thoroughly reviewed by transportation experts with the FTA prior to its release" is no assurance to anyone who has the slightest acquaintance with the FTA's record. The last two rail lines to open, Charlotte and San Juan, both went over 100 percent over projected costs.

2. "For the beginning 20-mile line we are unlikely to get all of the supposed $900 million in federal funds."

The Federal Transit Administration would not have allowed the City to continue with the project if it were not a reasonable estimate. In fact, in the Alternatives Analysis, it was assumed that federal funds would total $700 million. If we receive more, it will be a bonus.

Congressman James Oberstar, chair of the U.S. House Transportation and Infrastructure Committee has twice told the local media he strongly supports this project and mentioned $900 million as a reasonable figure.

2. Dealt with above.

3. "This amount together with the operating subsidy will take at least a 40 percent hike in property taxes."

This is a scare tactic. The subsidy for rail could be funded without any increase in taxes, property or otherwise.

Our statement related to the full Locally Preferred Alternative (LPA) and included operating losses. We estimate that the City's projected cost of the Full Corridor Alignment at $5.1 billion in 2006 dollars (AA, table 5-1) is $2 billion understated (see www.honolulutraffic.com/costunderstate4.pdf) and to that must be added the airport spur bringing the total to $7.5 billion. This will take more than a 40 percent hike in property taxes. See http://www.honolulutraffic.com/railfunding13.pdf which is a spreadsheet using an earlier estimate of $6.4 billion that resulted in a 40 percent hike in property taxes. If the City wishes to disagree, they should be specific.

4. "Automobiles are on average more energy efficient than modern rail lines."

According to the U.S. Department of Energy's 2007 Data Book, rail uses 36 percent less energy per passenger-mile than cars and trucks.

This attempt to confuse the average of rail lines with the *weighted* average of all rail lines, which includes New York, is quite deliberate. They know that New York City's energy efficient subways provide 57 percent of the nation's rail transit ridership and dominate the *weighted* average. We should be comparing ourselves to rail technologies similar to what we would be getting. In fact, whether you take just modern rail lines, or all rail lines including New York City, but use a straight average instead of a weighted average the automobile still comes out ahead with Btu's per passenger mile of 3,445 versus rail's 4,337. They know we are right on this. See this web page: http://www.stoprailnow.com/nwsubenergyuse.pdf.

5. "The city admits future traffic congestion will be worse with rail than it is today."

This is a cleverly crafted statement that knowingly uses only part of the information available. The Alternatives Analysis shows that a fixed guideway will reduce future traffic congestion between Kapolei and Honolulu by 11 percent.

This is pure spin. He is not denying that traffic congestion will be worse than today only that rail will reduce congestion by 11 percent from what it would be without rail.

6. "The city's own Parsons Brinckerhoff studies forecast that with rail, rush hour traffic will be 37% greater than it is today."

This is another cleverly crafted statement that uses only part of the information available. With the expected increases in population and employment in the future, rail transit promises the greatest reduction of this increased congestion.

More spin; he is still not denying that congestion will be worse with rail than it is today.

7. "Bus Rapid Transit and autos on High Occupancy Toll 'HOT LANES' is [sic] the most cost-effective way to reduce congestion and thus reduce pollution and energy use."

This statement has no basis in fact. The Alternatives Analysis compared the costs per users of Managed Lanes and the 20-mile fixed guideway and found that the Managed Lane is between $63 and $50 per user, while the fixed guideway is about $21 per user.

In addition, Managed Lanes would provide approximately 2 million hours of user benefits per year. The 20-mile fixed guideway would provide approximately 12

million hours of user benefits per year. Page 6-6 of the Alternatives Analysis states, "The Fixed Guideway alternative is approximately four times as effective at providing transit user benefits per annualized incremental dollar cost as the Managed Lane alternative."

Our statement refers to the detailed findings of the UHCS Study, which the city has made no attempt to refute. All they have done is personally attack Dr. Prevedouros who led the study. Failing any significant analysis of the UHCS Study by the City we will continue to quote it.

GETTING IT RIGHT

Misinformation about rail

Below are inaccurate statements about rail transit and HOT lanes taken from their source websites. The statements are grouped by category: traffic congestion, financial plan-costs, Managed Lanes-HOT lanes, ridership, travel times, Environmental Impact Statement, population, train speed, route, environment, downtown and Phileas buses.

TRAFFIC CONGESTION

"You may be even more outraged to find that it has never been our elected officials intention to improve traffic congestion." (stoprailnow.com)

One of the goals from the beginning has been to reduce traffic congestion and improve **corridor mobility, which includes reducing travel times and improving travel time reliability.**

Nowhere in the AA is there any sign of intent to reduce traffic congestion below current levels, only to "increase urban mobility" by which they mean by public transportation.

These excerpts from a letter sent by DTS Director Melvin Kaku to Cliff Slater on June 20, 2006, show that the City did not have congestion reduction as a main requirement:

"Projects with the purpose of providing roadway mobility for automobiles and commercial vehicles are outside of the authorization of Act 247; therefore, they will not be considered for the Honolulu High-Capacity Transit Corridor Project …

"While the transit system will reduce the number of drivers on congested roadways within the corridor, the corridor is expected to continue experiencing growth in travel demand. The transportation corridor between Kapolei and the University of Hawaii at Manoa will continue to experience substantial traffic congestion; however, congestion in the corridor is expected to decrease somewhat after the system opens, and grow at a reduced rate after that time because of automobile trips diverted to transit."

All the City hopes to do is to use rail to reduce congestion to levels below what they would be if we did nothing. The AA table 3-12 shows that present peak hour levels on the regular H-1 freeway lanes are 10,960 vehicles. If we build rail the city forecasts 17,414. That will mean a considerable increase in traffic congestion relative to today's levels. If we do nothing (No-Build Alternative), the demand will only increase to 18,049.

FINANCIAL PLAN-COSTS

"Even if Honolulu receives $900 million in federal aid, all of it will be spent in foreign countries or on the mainland. No federal funds will ever reach Oahu." (stoprailnow.com)

This statement is absurd. The largest cost elements of the project are the construction of the guideway, stations and maintenance facility and associated costs for utility relocations and street repaving. All of this work, of course, will be done on-site in Honolulu, as will most of the professional service activities.

> Stop Rail Now finds no record of us saying this. However, it may well be true it is just that we have not researched this issue.

The City cannot afford rail because it will cost $150 million a year to operate and maintain." (stoprailnow.com)

The estimated annual operating and maintenance costs for a fixed guideway are approximately $60 million. The cost of operating and maintaining a bus and rail system will be less than the cost of carrying the same number of riders on a bus only system.

> We can find no record of us having said this. However, it may well be true; we have yet to research it.

MANAGED LANES-HOT LANES

"Engineers for the Tampa elevated toll lanes say an elevated toll road can be built in Honolulu for less than $1 billion." (stoprailnow.com)

According to an e-mail from Linda Figg, whose firm designed the Tampa project, "We (Figg Engineering) have not done any "detailed engineering studies" of what estimates of probable construction costs would be for the elevated structure."

"We simply took those actual cost figures (from Tampa) and escalated the costs to today's time and included the escalations that might be anticipated for construction in Hawaii. The values that Cliff Slater is referencing look like the ball park figures that we determined from that back of the napkin review."

> What they precisely said was that they could not believe that it would cost as much as one billion dollars. Figg Bridge does other work in Hawaii and is familiar with geotechnical and labor conditions. They are also familiar with the proposed route of the HOT lanes proposal. Given that they are not going to perform "detailed engineering studies" for the city for free, their comments are valid and we think reasonable.

"In the 2006 AA, 10-mile Hot Lane performed only a little worse than 20 miles of rail line." (stoprailnow.com)

The fixed guideway is projected to reduce traffic congestion by about 11 percent in the study corridor. The Managed Lane-HOT lane option reduces future traffic congestion by about 4 percent. The fixed guideway is a more cost-effective solution per user benefit than Managed Lanes-HOT lanes (AA, table 6-1).

> We can find no record of this poorly written sentence coming from us.

HOT lanes pay for themselves with toll revenues and federal funds." (various)

Toll revenues would fund only about 20 to 25 percent of the cost of HOT lanes. No other funding sources have been identified.

> We see no reason why toll revenues cannot provide half of the $900 million capital costs and FHWA the other half. Even if FHWA did not fund it, the local taxpayer load $450 million is so incomparably small relative to rail transit that the city could have the state legislature amend Act 247 to allow its use for HOT lanes and still be able to terminate the tax in about four years.

POPULATION

"The rail project is totally out of line for the size of our community." (stoprailnow)

Honolulu is fifth densest among cities with populations of 500,000 or more. We are the only one without a rail system.

> More spin. No one compares "cities" but rather metro areas — contiguous urban areas with logical linkage for sharing urban transportation. Rather than San Francisco the federal government reviews the whole Bay Area. The USDOT's listing of metro areas has Honolulu as the 56th largest and most of the 55 that are larger than us have no rail.
>
> In addition, rail transit's cost per capita for Honolulu is at least seven times the next highest cost per capita among all metro areas and ten times the average.

TRAIN SPEED

"Train is not rapid." (stoprailnow.com)

Rail will achieve a top speed of 55 mph or greater between many stations.

> More spin. We, of course, only deal with average speeds from origin to destination. The city claims they will average 30 mph but that will be a reach and be, more likely, 25-28 mph. In any case, 30 mph is not rapid in comparison to uncongested highway speeds of 60 mph such as the HOT lanes would provide.

ROUTE

"Virtually everyone will have to use buses to get to rail stations. (stoprailnow.com)"

Rail stations will [be] accessible by automobile, bus, bicycle paths and walkways. In the transit corridor, 23 percent of the population and 38 percent of the employment will be within a 10-minute walk of a rail station.

> We do not find it credible that 23 percent of the corridor population will be within a ten minute walk from a station. We will ignore for a moment that a quarter mile is considered by the feds to be the maximum that people will walk to station or bus.

However, we have not made a detailed study of this and if the city has, we will be happy to review it with them and concede that they are right should that turn out to be the case.

"They are delaying the theoretical opening until 2019." (stoprailnow.com)

The projected opening is 2018.

The City's AA Financial Feasibility Report, Table B-4, shows that operating and maintenance costs for the 20-mile project begins in 2019, while the full length system begins in 2020 (Table B-5).

ENVIRONMENT

"The noise from steel on steel is an environmental blight." (stoprailnow.com)

Rail decibel levels are about the same sound as a city bus.

Yes buses are noisy. However, rail has a particularly annoying sound that at 79 decibels @ 50 feet coming by every 1½ minutes, in addition to buses and other ambient noise, makes the situation far worse.