



# EARTHJUSTICE

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November 12, 2002

*VIA ELECTRONIC and U.S. MAIL*

Metropolitan Transportation Commission  
Attn: Doug Kimsey  
101 Eighth St.  
Oakland, CA 94607  
Email: [info@mtc.ca.gov](mailto:info@mtc.ca.gov)

Re: Draft RTP Amendment: Strategy to Increase Ridership

Dear Mr. Kimsey:

We submit these comments on MTC's Draft Regional Transportation Plan Amendment (RTP Amendment) on behalf of Bayview-Hunters Point Community Advocates, the Urban Habitat Program, and Our Children's Earth Foundation. These groups are members of *Bayview Advocates*, a coalition whose successful lawsuit (C-01-0750) compels the production of this document. Our analysis is that this document, though purported to be a "Strategy to Increase Ridership," is far from a "strategy" and fails to comply with all the requirements of Judge Thelton Henderson's July 17, 2002 Remedies Order (July Order).

**I. The RTP Amendment does not address the basic requirements of the July Order**

The July Order requires that "In this [RTP] amendment, MTC shall identify and describe all projects it will fund as part of its strategy for achieving the required ridership increase. ***Each project description must include an implementation schedule, estimated costs, and expected ridership gains.*** If any of these projects are not already in the TIP [Transportation Improvement Program], then MTC must further amend the TIP as necessary to allow the projects' funding to proceed." July Order at 20.

The July Order clearly requires that MTC provide for each project identified in the RTP Amendment:

- 1) an implementation schedule
- 2) estimated costs, and
- 3) expected ridership gains.

Far from providing the information required by the July Order, Table 1 of the RTP Amendment provides “year project completed” rather than an implementation *schedule*, and “estimated annual ridership” rather than expected ridership *gains*. In order to fully comply with the Judge’s order, MTC must provide a full schedule for project implementation, including project start, milestones, and project completion timelines. And MTC must clarify what the ridership *increase* will be for each *project*, rather than simply providing an ambiguous and undefined total ridership figure.

**II. The methodology used to project 2006 ridership must be thoroughly explained, supported, and substantiated, and if necessary, MTC must run an updated travel demand model**

Not only does MTC’s methodology appear flawed in its analysis, but MTC also fails to provide an adequate explanation to justify the use of this methodology.

First, the ridership “projection” provided in the RTP Amendment fails to adequately demonstrate attainment of the TCM 2 target because it is based on the now-outdated assumptions of the 2001 RTP. This projection fails to account for the detrimental effects on ridership of recent cuts in transit service, fare increases, and other impacts of the recent economic downturn. The following table outlines recent cuts in service and increases in fares among the major transit operators that will undoubtedly have detrimental effects on rate of increase in regional ridership in the near term. Beyond this table, there is mounting evidence that VTA is headed for financial collapse in the next several years, causing potentially drastic further cuts in service levels. A report distributed to VTA’s Board on November 8, 2002 indicates that VTA may have to increase fares by 10 percent every other year in order to increase revenues<sup>1</sup>.

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<sup>1</sup> See, e.g., November 2002 Report from the Silicon Valley Business Review Team on the Efficiency and Effectiveness Assessment of the Santa Clara Valley Transportation Authority, and November 2002 VTA report: Obtaining Financial Sustainability, distributed by VTA at its November 8, 2002 Board of Directors Workshop Meeting.

<b>Transit Operator</b>	<b>Cuts in service in 2002</b>	<b>Fare increases implemented in 2002</b>
<b>AC Transit</b>	Reduced service on 1 route; 1 route eliminated as of August 25, 2002	11% general fare increase as of September 1, 2002, from \$1.35 to \$1.50
<b>BART</b>	13 of 700 trains removed as of July 22, 2002.	5% fare increase will take effect January 1, 2003
<b>Caltrain</b>	4 of 80 trains removed as of August 26, 2002	10% fare increase as of July 1, 2002 for all fares.
<b>Golden Gate Transit</b>	Service reductions being considered for implementation in March 2003	5.4% fare increase as of July 1, 2002 as part of 5-year fare increase project.
<b>SamTrans</b>	Eliminated 6 routes and reduced service on 20 routes as of August 25, 2002 (out of 66 total routes)	14% fare increase as of August 25, 2002, from \$1.10 to \$1.25
<b>SF MUNI</b>	Limited service reductions in Caltrain Express bus service effective September 3, 2002, due to reduction in Caltrain service. Other service reductions on two SoMa lines in March 2002	No fare changes
<b>VTA</b>	Eliminated 7 bus lines; reduced service frequency (by about 5%) on most lines as of July 8, 2002 (out of 106 routes)	10-15% fare increase as of July 1, 2002, adult fare increased from \$1.25 to \$1.40

Second, the RTP Amendment does not provide any modeling of ridership estimates over the short term; it simply “interpolates” an estimated 2006 ridership level based on the RTP’s 25-year ridership forecast. *See* RTP Amendment at 6 and Figure 6. With this simple “interpolated” result, MTC estimates that ridership will reach 598 million annual boardings (mab) by 2006, which far exceeds the 544.8 mab TCM 2 target mandated by the July Order. Of course, MTC concedes that this estimate is contingent on the RTP projects and investments being implemented on schedule as well as on the underlying economic assumptions being borne out. Indeed, MTC notes that models such as BAYCAST, on which these projections are based, “are less helpful in predicting ridership over very near-term periods, because of the speed with which the forecasting assumptions can change.” RTP Amendment at 6.

Third, in the “recent events” section (RTP Amendment at 4), MTC acknowledges FY 2000/01 as the “peak” of transit ridership, and estimates that ridership for FY2001/02 may have declined as much as 6% to 7% from the previous year due to reduced congestion on freeways, economic factors, and 9/11 effects. However, in projecting ridership beyond FY 2001/02, MTC apparently projects that these effects will no longer apply. Instead, MTC projects that ridership will begin to increase again at the same rate it grew between 1998 and 2001 – one of the most dramatic economic booms in recent history. *See* RTP Amendment at Figure 6.

Finally, rather than model an accurate ridership projection using current, updated economic and travel assumptions (including increased fares, decreased service for several operators, and current economic data), MTC makes an “off-model” adjustment to the ridership forecast. This adjustment, depicted in Figure 6 (RTP Amendment at 9) and described at page 6, appears flawed in several obvious ways.

1. The “high estimate” projection is simply based on a straight line drawn between current and projected ridership levels in 2025. This estimate does not take into account the relative timing of project completion and the relative contributions of different projects to the total ridership increase. For example, the MUNI 3<sup>rd</sup> Street extension is projected to be operational by 2006 and carry over 12 million riders<sup>2</sup>. *See RTP Amendment at Table 1.* Such a significant increase in ridership (the largest single ridership-increasing project listed in this Table) should appear as an increase in the slope of the graph line starting in 2006. However, the ridership increases attributed to this project are averaged over the entire time span, and there is no reliable, substantiated projection for ridership in 2006 or any other year because these years are, admittedly, “interpolated” from the 25-year RTP forecast. *See RTP Amendment at 6.*
2. MTC’s “low estimate” for ridership was calculated using a modified travel demand forecast. While this forecast is based on a “previously prepared 2005 travel demand forecast”<sup>3</sup> from which MTC “extrapolated” 2006 ridership, it still shows the same optimistic trend of steadily increasing transit ridership – despite a purportedly anomalous and marked decline in 2001/02. *See Figure 6, page 9.* MTC’s assumptions for even this “low estimate” appear to project an immediate and progressive recovery from the current economic downturn. We know of no reputed economist who has predicted such a dramatic economic recovery. This estimate also fails to incorporate any declines in ridership that will undoubtedly arise from increased fares and decreased service levels on many major transit operators as described in the table above.
3. The project list and ridership estimate that MTC relies on to make its projection of meeting the TCM 2 attainment deadline is effectively undermined by its own admission that without running the regional travel model, it is impossible to project *regional* ridership increases, as the July Order clearly requires. MTC claims, “The ridership estimates for individual projects are *at best related only indirectly to regional transit ridership.*” RTP Amendment at 6. Additionally, MTC admits that its ridership prediction in the RTP Amendment does not account for “synergies between transit operators, the impact of boarding one system to boardings of another, and in general the regional impacts of individual projects.” *Id.* Thus, MTC concludes that the most accurate way to project 2006 ridership (without re-running the travel demand model with current assumptions, which MTC dismisses because “federal law does not mandate that MTC project [transit usage] more frequently than once every three years” [RTP Amendment at 6]) is to “start with existing forecasts and to make reasonable adjustments to these

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<sup>2</sup> *See* Comment I above. It is not clear whether the 12 million riders on MUNI’s 3<sup>rd</sup> Street Light Rail as described in Table 1 are “new” riders or “total” riders.

<sup>3</sup> MTC must clarify what travel demand forecast was used to calculate this estimate, and what assumptions were used in preparing that forecast. Because the *rate* of increase in ridership for the “low” estimate is the same as that for the “high” estimate, we can only conclude that the economic and level-of-service assumptions that were used in this forecast are similar to those used for the “high” estimate.

forecasts in light of current events and very recent trendline data.” RTP Amendment at 7. This methodology does not fulfill the requirements of the July Order, which requires the RTP Amendment to “specify” how MTC will achieve the TCM 2 increase, not to approximate it. *See* July Order at 20.

### **III. MTC fails to support its basis for the baseline ridership calculation**

The Court adopted MTC’s figure of 473.7 million annual boardings (mab) as the 1982-83 ridership baseline. It therefore set a target ridership level of 544.8 mab by November 9, 2006. July Order at 16 and 20.

Additionally, the Court noted that “When measuring ridership for purposes of compliance with this order, MTC may only include the types of ridership it included in determining the 1982-83 ridership to be 473.7 million. In particular, if MTC did not include paratransit riders in calculating 1982-83 ridership, it may not include such riders in calculating any future ridership data to be reported to this Court.” July Order at 14-15.

Judge Henderson’s July Order makes it clear that MTC must clearly demonstrate that the inclusion or exclusion of paratransit riders in annual ridership calculations be consistently reported from 1983 through the present. Figure 5 in the RTP Amendment fails to clarify whether paratransit riders are consistently included or excluded; in fact, Footnote 2 to this figure indicates that twelve years of data (FY 1988/89 to FY 1999/00) “include paratransit riders.” RTP Amendment at Figure 5. This footnote leads us to conclude that some years of data reported by MTC to the Court include paratransit riders while others do not, which clearly conflicts with the July Order.

### **IV. Specific project comments**

We have concerns about several of the specific projects MTC relies on to provide a projection of achieving TCM 2, based on MTC’s own admission that there has been no modeling with a 2006 horizon year, nor has there been any modeling that includes current economic trends. Table 1 provides a list of projects that are already in the RTP and TIP and are slated to be complete and operational by 2006. It claims that “Introducing new projects today...is unlikely to impact transit ridership by 2006 due to the time required to develop, fund and implement these projects.” RTP Amendment at 7. MTC does not acknowledge that both AC Transit and MUNI have developed plans that describe in detail ridership-increasing projects that can be implemented within 2-5 years *if given adequate funding*.

In calculating ridership projections for each “TCM 2 Project” listed in Table 1, MTC gathered ridership “estimates” from project sponsors or estimated ridership itself “using reasonable planning assumptions” for many of the smaller projects. *See* RTP Amendment at 10. Of the specific list of projects, the following items are of greatest concern to us. The ridership projections provided are unsubstantiated and unclear, and we have serious concerns that several of them will significantly impact regional ridership.

- *Parking Lots:* At least 15 of the 36 total projects listed include construction, improvement, or expansion of parking facilities, with a total of well over 1700 new parking spaces planned (several projects do not indicate the specific number of spaces to be added). MTC has provided no evidence that expanding parking structures increases ridership; indeed it may only encourage people who formerly rode transit or carpooled to drive their cars to BART stations.
- *AC Transit's San Pablo Corridor Transit System:* This project is analyzed in AC Transit's Strategic Vision document. MTC's Table 1 estimates 3 million riders<sup>4</sup> in 2004 for this project, while AC Transit's Strategic Vision estimates 0.8 million new riders on the same corridor. MTC provides no reliable source for its data.
- *BART to SFO:* In its Environmental Impact Report (EIR) for this project, BART provided no data on ridership in 2006. It did, however, provide a ridership estimate for 2010<sup>5</sup>. MTC provides no reliable source for its data.
- *Caltrain Express:* We have inquired directly to Caltrain what its projected ridership is for this project, but Caltrain has repeatedly assured us that no ridership projections are available. MTC provides no reliable source for its data. Additionally, VTA's report released on Friday, November 8, 2002 indicates that it may not be able to adequately fund its portion of the operating costs for Caltrain Express or Caltrain service in general.
- *San Francisco MUNI 3<sup>rd</sup> Street Rail:* In its EIR for this project, MUNI only provided ridership estimates for 2015, and these assumed completion of the New Central Subway extension, which is not projected to be complete until at least 2011. Additionally, the ridership projection for 2015 was only two percent higher than ridership on the corridor without the extension<sup>6</sup>. MTC provides no evidence that this project will increase regional ridership.

## V. MTC characterizes long-term transit investments incorrectly as relevant to its achievement of TCM 2

MTC spends more than half of the RTP Amendment discussing its RTP commitments to transit over the next 25 years. See RTP Amendment at 3, 18-22, and Appendix B. These projects have no relevance to MTC's achievement of TCM 2 and only distract from the central purpose of this document, which is to increase ridership in the near term, *i.e.*, by 2006.

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<sup>4</sup> Again, MTC needs to clarify whether the ridership numbers provided in Table 1 are total riders or new riders. See comment I.

<sup>5</sup> See Declaration of Kirsten Tobey in Support of Plaintiffs' Motion for Summary Judgement on Remedies at 8 and attachments thereto, submitted to MTC and the Court on May 24, 2002.

<sup>6</sup> See Declaration of Kirsten Tobey in Support of Plaintiffs' Motion for Summary Judgement on Remedies at 8-9 and attachments thereto, submitted to MTC and the Court on May 24, 2002.

As we have described, the RTP Amendment fails to comply with the requirements of the July Order, fails to substantiate its ridership projections, and fails to provide adequate, clear explanations of its methodology in preparing this document. Appropriate changes must be made to the RTP Amendment before its adoption can legally proceed. We are happy to discuss any of the issues on which we provide comments.

Sincerely,

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