

Congress of the United States
Washington, DC 20515

July 23, 2008

Mayor Antonio Villaraigosa
Chair
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012-2952

Dear Mayor Villaraigosa:

We understand that the LA County Metropolitan Transportation Authority (Metro) is scheduled to consider a motion to authorize the Chief Executive Officer to execute a Memorandum of Understanding (MOU) with the United States Department of Transportation (DOT) regarding congestion pricing during its meeting on Thursday, July 24, 2008. While we share concerns about regional congestion and future growth, we do not believe such an expansive project along the I-10, I-110, and I-210 corridors details is a responsible solution. We urge you to delay consideration of a revised MOU until details regarding the implementation of the proposal and efforts to mitigate impacts are available for review and consideration.

First, the MOU signed on April 24, 2008 (the executed MOU) would charge many of the drivers currently meeting requirements to drive on the HOV lanes along the I-10 and the I-210. This includes two passenger vehicles that are currently eligible under regulations governing HOV-2 lanes within the congestion pricing region. It is our understanding that that the revised MOU under consideration continues this policy along the I-10 and includes the possibility of this policy being implemented along the I-110. If performance of the HOV lanes on these corridors is an issue of concern, it would be more appropriate to hold a separate policy discussion, rather than address the issue in the context of a congestion pricing plan.

Transit and transportation policy provides significant opportunity to grow the economy and provide for greater equity between persons of varying income levels. For example, households that use public transit save an average of \$6,251 every year and for every \$1 spent on transportation infrastructure results in a gain of \$6 in jobs and economic development. Benefits of this type are particularly important for the communities in the affected corridor, where more than 11 percent of families live below the federal poverty line, the median per capita income is over \$7,000 below the national average, and more than 87 percent of workers drive a car, truck or van to get to work each day. Unfortunately, the plan outlined in the executed MOU failed to include an assessment of the impact congestion pricing on the economies of these affected communities. These critical details remain unavailable.

We are also concerned about the impact of the transfer of congestion onto our local roads. The transportation department has acknowledged that when toll rates are applied, some drivers divert to "free alternatives." Increasing traffic on our neighborhood streets may not only increase local congestion, but may also pose serious safety concerns. Unfortunately, the executed MOU lacks initiatives to sufficiently address the safety concerns associated with the transfer of congestion onto local roads. In addition, implementation of congestion tolls can significantly impact the freight movement by increasing shipping costs, diverting traffic onto alternate roadways or requiring shippers and customers to alter their schedules to avoid the tolls. It remains unclear if the MOU under consideration contains these much needed initiatives.


Furthermore, the project as outlined in the executed MOU is estimated to cost approximately \$110.3 million for the first 52 miles along the I-210 and the I-10 corridors. Using cost estimates included in the executed MOU, a plan to implement congestion pricing first along the I-10 and I-110 corridor is estimated to cost \$130.9 million. Under the executed MOU, none of the \$213.6 million in federal funds can be used to certify availability of funds for implementation under the September 30, 2008 deadline. It is our understanding the funds will come from Propositions A and C, sales taxes which were approved for bus services and the construction and operation of bus transit and rail systems. We question the diversion of these funds for any period of time from their intended purpose, particularly a purpose with such consequences for the taxpayer.

Our concerns about congestion pricing projects are shared by the primary transportation authorizers in Congress. In November, 2007 House Transportation and Infrastructure Committee Chairmen Oberstar and DeFazio and Ranking Members Mica and Duncan wrote to Secretary Peters stating that the requirement to congestion price in order to receive federal funds to reduce congestion is not supported either in appropriations legislation or in public law. It is their belief that DoT's action undermines the intent of federal transportation laws as enacted by Congress. As a result, they are engaged in ongoing efforts to address this issue.

Thursday's vote to execute a revised congestion pricing program exemplifies our concerns regarding the lack of information available. On April 24, 2008 Metro voted to approve a congestion pricing with primary focus on the I-10 and the I-210. It was not until studies were completed after the MOU was executed that Metro and its partners concluded the I-110 was a better primary option than the I-210. Unfortunately, many critical details are still missing, such as pricing plans, efforts to mitigate costs on low and moderate income consumers and small businesses, and impacts of congestion transfer. We believe that such critical pieces of information should be available for review and consideration before a vote is taken to implement congestion pricing.

While we look forward to continuing to work with you and community leaders to reduce congestion, we cannot responsibly support implementation of a project which could have clear and serious ramifications on the communities in East Los Angeles, the San Gabriel Valley, the Inland Empire and other southern California commuters and which lacks significant details regarding implementation of the program. We urge you to delay consideration of this vote until such time as details regarding the implementation of such program and efforts to mitigate impacts are available for review and consideration.


Sincerely,


HILDA L. SOLIS
Member of Congress


GRACE F. NAPOLITANO
Member of Congress


JANE HARMAN
Member of Congress


GARY MILLER
Member of Congress


DAVID DREIER
Member of Congress


JOE BACA
Member of Congress

Maxine Waters

MAXINE WATERS
Member of Congress