

ATTACHMENT 8

ATTACHMENT 8

Public comment for 4/27 and 5/26 CPC

Catherine VerEcke

From: Zoe KUNM <zoecon@unm.edu>
Sent: Monday, May 16, 2016 11:25 AM
To: Catherine VerEcke
Subject: Santolina Land Use

Chairman Chavez and Planning Commissioners,
Building a city on ancient sand dunes is not advised. Dust, erosion and drainage issues make a city on this hill prohibitive. Please take the land itself into consideration in your deliberations.

Sincerely,

Zoe Economou
214 Riverside SW
Albuquerque, NM 87105

Catherine VerEecke

From: Enrico Gradi
Sent: Wednesday, May 04, 2016 3:49 PM
To: Dolores Herrera
Cc: Catherine VerEecke
Subject: RE: Please withhold County Support for Santolina

Thank you Dolores,

This will go in the file and on the record



Enrico Gradi
Director
Planning and Development Services Department
111 Union Square SE, 3rd Floor, Albuquerque, NM 87102
Email: cgradi@bernco.gov
O: (505) 314-0385 C: (505) 280-6735
www.bernco.gov

From: Dolores Herrera
Sent: Wednesday, May 04, 2016 3:14 PM
To: Enrico Gradi
Subject: FW: Please withhold County Support for Santolina

Dolores Herrera
Assistant to Commissioner Art De La Cruz
Bernalillo County Commission District 2
One Civic Plaza NW - 10th Floor/Suite 10111
Albuquerque, NM 87102
Office Telephone: 505.468.7448
<http://www.bernco.gov/commission-district-2/>



<http://www.bernco.gov>

From: susan selbin [<mailto:sselbin@hotmail.com>]
Sent: Wednesday, May 04, 2016 2:55 PM
To: District 1; Dolores Herrera; District 3; District 4; Tito Madrid
Cc: susan selbin
Subject: Please withhold County Support for Santolina

Dear County Commissioners:

I attended the April 27 Meeting of the Bernalillo County Planning Commission. This was the first of four meetings on the Santolina Master Plan; this meeting focused on transportation/roads.

The long-term assumptions on population and jobs underlying this proposal are highly doubtful. The long-term cost implications for the Country are horrendous, not to mention the water implications if such a development were actually to be supported.

I oppose expenditure of County funds to develop the infrastructure for the proposed project. I understand that the developers hold a mortgage on the property. If this is true, I suspect that the improvements would allow the development corporation to sell the plots and escape from further liability.

I would appreciate knowing your individual positions on the Santolina Master Plan.

Thank you
Susan Selbin
Albuquerque, NM 87107

Catherine VerEecke

From: Elaine Hebard <eheward@yahoo.com>
Sent: Wednesday, April 27, 2016 1:27 PM
To: Catherine VerEecke
Subject: Re: CPC Hearing of 4/27/16
Attachments: emh Comments to CPC re Santolina.doc.docx

Dear Catherine,

I have attached a written version of my remarks, which I would like to have included in the record.

Thank you,

Elaine

Comments to CPC re Santolina

April 27, 2016

Elaine Hebard

After 2 pm on February 29, 2016, WALH hand-delivered to the County Economic Development Office an application consisting of hundreds of pages seeking 40 Tax Increment Development Districts, or TIDDs. Less than two days later, at the March 2 hearing of the County Planning Commission, a schedule was established to consider various aspects of WALH's Santolina Level B Master Plan, another several hundred pages.

Not included in the schedule was a discussion of the no-net expense requirement at Level B. Section 7.2.2 of the Development Agreement says that a "Level B analysis for subsequent development phases of the project must also satisfy the 'no net expense' policy." The Planned Communities Criteria for Level B requires that the submittal must:

5.D. e. Identify more specifically any public incentives to the developer, or public/private partnerships, including provisions for affordable housing

Last year, Dr. Kelly O'Donnell analyzed the costs and benefits of the Level A proposal. What she concluded was that, when TIDDs were added to the equation, the costs outweighed the benefits to the County. The amount depended on the percentage of taxes allowed to be captured by developer versus available to be spent on needs throughout the County and City. Rather than present figures to counter her conclusions, WAHL moved the idea of requesting TIDDs off the table at that time.

As late as June 24, WAHL assured the County Commission that TIDDs were not being sought. Given the Pre-Application Meeting of December 11, 2015, referred to in the 2/29/16 application, clearly TIDDs were on the table less than six months later. And not just one but 40!

Actually, WALH always anticipated seeking TIDDs. WALH's January 2014 draft Development Agreement (DA) said that "The Parties understand that PIDs and TIDDs will be required to complete the construction and development of the Project." Also in January 2014, Mr. Minzner, lobbyist for WALH, was reported to have said at a State Econ Dev meeting that "WALH could be placed at what it sees as an unfair advantage with Mesa del Sol, for example, who has a 75 percent TIDD agreement with the state." (State eco devo incentive bill sparks lively debate, Damon Scott, Jan 17, 2014, <http://www.bizjournals.com/albuquerque/news/2014/01/16/state-eco-devo-incentive-bill-sparks.html>)

How can the County know whether the requirement of "no net expense" is satisfied (between "the County's on-site public expenditures and off-site public expenditures reasonably allocated to the Project have been, or will be, offset by revenues and/or economic and fiscal benefits (direct, indirect and induced) from the Project") with no inclusion of the financial incentives being sought?

TIDDs are public incentives. Because TIDDs were removed from the discussion, their potential impact on the no-net expense requirement imposed in the PCC and the Development Agreement was not evaluated and presented by WALH, either to the CPC or the BCC. Now that there *is* a request for 40 TIDDs, it would be inappropriate to omit their impact. Such an analysis is a

critical piece for the CPC and the BCC to consider when evaluating whether Santolina is being developed at no net expense.

The net positive impact projected by WAHL is predicated on two highly erroneous presumptions (1) development at Santolina won't diminish development and economic growth elsewhere in the county and (2) TIDD revenues are *not* public funds. If not public funds, no TIDD would be required.

So, while expensive, it would behoove the County to have a model built to develop and evaluate the data as opposed to accepting the information from WAHL. Since this is supposed to be a city of 95,000 people, it deserves a robust economic model to gauge impacts.

Finally, the Planned Community Criteria call for Santolina to be of no net expense **to the City**, first in Resolution 158-90, adopted in October of 1990, and then reiterated in R-2012-46. Given that this phrase was repeated in the 2012 resolution, one can only assume that the County meant to include the impacts to the City. Yet no evaluation was done in the original economic analysis and none has been done in the current application.

Whether specific funding mechanisms can be considered by the CPC or not, certainly whether the no-net expense balance changes with the addition of TIDDs should be considered.

In summary, I would like to ask that the CPC (1) add another date or at least an agenda item to the schedule to evaluate the economic impacts in accord with the PCC requirements; (2) finance the development of an independent economic model to evaluate those impacts; (3) ensure that the provision of infrastructure is not a net expense to the City, and (4) ensure that the no-net expense requirement is satisfied before Level B is approved.

Thank you.

Catherine VerEecke

From: carolyn mead <carolinamead@yahoo.com>
Sent: Wednesday, April 27, 2016 6:34 AM
To: Enrico Gradi; Catherine VerEecke
Subject: Santolina

Please reconsider this land use !
It is **NOT** a good thing for public funds.
Do you really think it is??

Carolyn Mead

Catherine VerEecke

From: amsnyder210@gmail.com on behalf of Alexandra Snyder <amsnyder@unm.edu>
Sent: Wednesday, April 27, 2016 8:44 AM
To: Enrico Gradi; Catherine VerEecke
Subject: Santolina Development

It was recently brought to my attention that this developer will be seeking over 40 Tax Increment Development Districts to subsidize the project, Santolina.

There is popular opposition (voters and taxpayers) to this project, which is unsustainable both environmentally and fiscally; the County Planning Commission has chosen to ignore this large opposition. They, along with certain County Commissioners, have chosen to support old style, destructive urban sprawl. They do not have vision; these Commissioners do not understand the current and future demographics of New Mexico. While other cities are developing residences with the current generation in mind, a generation faced with very different circumstances in employment and lifestyle, this County chooses to follow the same, old, unsustainable urban sprawl, with barren, empty houses and streets that cannot be sold.

Thank you for your attention to this letter of protest. I am unable to attend the meeting today but want my voice heard.

--

Alexandra M Snyder
1902 Conita Real SW 87105
Conita Real Neighborhood Association
amsnyder210@gmail.com

Catherine VerEecke

From: Enrico Gradi
Sent: Wednesday, April 27, 2016 9:12 AM
To: Marcos A. Gonzales
Cc: Catherine VerEecke
Subject: FW: Santolina Development

Good Morning Marcos,

Here is one for the record.



Enrico Gradi
Director
Planning and Development Services Department
111 Union Square SE, 3rd Floor, Albuquerque, NM 87102
Email: egradi@berncgo.gov
O: (505) 314-0385 C: (505) 280-6735
www.berncgo.gov

From: amsnyder210@gmail.com [<mailto:amsnyder210@gmail.com>] **On Behalf Of** Alexandra Snyder
Sent: Wednesday, April 27, 2016 8:44 AM
To: Enrico Gradi; Catherine VerEecke
Subject: Santolina Development

It was recently brought to my attention that this developer will be seeking over 40 Tax Increment Development Districts to subsidize the project, Santolina.

There is popular opposition (voters and taxpayers) to this project, which is unsustainable both environmentally and fiscally; the County Planning Commission has chosen to ignore this large opposition. They, along with certain County Commissioners, have chosen to support old style, destructive urban sprawl. They do not have vision; these Commissioners do not understand the current and future demographics of New Mexico. While other cities are developing residences with the current generation in mind, a generation faced with very different circumstances in employment and lifestyle, this County chooses to follow the same, old, unsustainable urban sprawl, with barren, empty houses and streets that cannot be sold.

Thank you for your attention to this letter of protest. I am unable to attend the meeting today but want my voice heard.

--

Alexandra M Snyder
1902 Conita Real SW 87105
Conita Real Neighborhood Association
amsnyder210@gmail.com

Catherine VerEecke

From: Enrico Gradi
Sent: Wednesday, April 27, 2016 10:02 AM
To: Renee Garcia
Cc: Catherine VerEecke
Subject: RE: Santolina

Ms. Garcia,

Thank you for your letter, this will become part of the record for this case.



Enrico Gradi
Director
Planning and Development Services Department
111 Union Square SE, 3rd Floor, Albuquerque, NM 87102
Email: cgradi@bernco.gov
O: (505) 314-0385 C: (505) 280-6735
www.bernco.gov

From: Renee Garcia [<mailto:renee.garcia77@gmail.com>]
Sent: Wednesday, April 27, 2016 7:46 AM
To: Enrico Gradi
Subject: Santolina

This project is a horrible idea and every person I have spoken to is vehemently against it. And who would even want to live there?? Please do not support this project.

Thank you in advance,
Renee García

Catherine VerEecke

From: Enrico Gradi
Sent: Wednesday, April 27, 2016 10:03 AM
To: Christina Hoberg
Cc: Catherine VerEecke
Subject: RE: Santolina Hearings Begin Tomorrow - April 27 at 9 am

Ms. Hoberg,

Thank you for your letter, this will become part of the record for this case.



Enrico Gradi
Director
Planning and Development Services Department
111 Union Square SE, 3rd Floor, Albuquerque, NM 87102
Email: egradi@bernco.gov
O: (505) 314-0385 C: (505) 280-6735
www.bernco.gov

From: Christina Hoberg [<mailto:avadiora@gmail.com>]
Sent: Wednesday, April 27, 2016 7:51 AM
To: Enrico Gradi
Subject: Fwd: Santolina Hearings Begin Tomorrow - April 27 at 9 am

As a resident of Albuquerque, I am writing to express concern over the Santolina Development in the Southeast. The city of Albuquerque's resources for water and infrastructure are already limited. This project already openly faces scorn and outrage of the residents of Albuquerque, as it is very likely to limit historical water rights that our farmers need to grow food and support local agriculture! Not only this, but Albuquerque is proposing to build the rapid transit bus system—this will only be an effective system if our population lives in proximity to it! The future lies in sustainable urban planning, not suburban sprawl. Very few people will profit from this development, and a great deal of harm will come from creating more sprawl when the city occupies adequate space for its population. Help make Albuquerque the city it should be! Vote NO to the Santolina Development!

Sincerely,

Christina Hoberg

----- Forwarded message -----

From: **Contra Santolina Working Group** <noreply@list.moveon.org>
Date: Tue, Apr 26, 2016 at 8:22 PM
Subject: Santolina Hearings Begin Tomorrow - April 27 at 9 am
To: avadiora@gmail.com

Dear Community, Family, and Friends,

Tomorrow marks an important day because the hearings on Santolina Master Plan Level B resume at 9 am, 1

Civic Plaza, Vincent Griego Chambers. The Santolina Master Plan is currently being heard by the Bernalillo County Planning Commission.

For those of you who have not heard, the Santolina developers are requesting over 40 TIDDS (Tax Increment Development Districts) to subsidize their project that if approved will basically be used to pay for infrastructure costs. This is in contradiction to what was stated during the June 24, 2015 hearing - that TIDDS would not be sought. TIDDS allow developers to divert some sales and property taxes generated within specified districts after they are developed. The money from sales and property taxes are then used to reimburse the developer for building roads, utilities and other public works. Now more than ever is the time to get involved.

Here's the calendar for the upcoming hearings:

April 27th - Transportation

May 26 - Land use and zoning

June 23 - Open space and government and public services

July 21st - Recommendation made by CPC on Level B to send to the County Commission

Here are the current members of the County Planning Commission:

District 1 Connie Chavez

District 1 Susan Kelly

District 2 Joe Chavez

District 2 Irene Serna

District 3 Lenton Malry

District 4 Ivonne I. Nelson

District 5 Henry "Eddie" Mahe

If you can't make it to the hearings because of work commitments, please help us by sending an email and or making a quick phone call to Enrico Gradi - cgradi@bernco.gov, (505) 314-0350 or Catherine Vereecke - cvereecke@bernco.gov.

Thank you to our community for the continued support!

This message was sent to Christina Hoberg by Contra Santolina Working Group through MoveOn's public petition website. MoveOn Civic Action does not endorse the contents of this message. To unsubscribe or report this email as inappropriate, click here: <http://petitions.moveon.org/ unsub.html?i=34034-2206275-UXV8M=>

Want to make a donation? MoveOn is entirely funded by our 8 million members—no corporate contributions, no big checks from CEOs. And our tiny staff ensures that small contributions go a long way. [Chip in here.](#)

Catherine VerEecke

From: Enrico Gradi
Sent: Tuesday, April 26, 2016 10:09 PM
To: Marcos A. Gonzales
Cc: Catherine VerEecke
Subject: Fwd: No TIDDs for Santolina

FYI

For the record

Sent from my iPhone

Begin forwarded message:

From: Katherine Cordova <katherinccordova@me.com>
Date: April 26, 2016 at 10:02:54 PM MDT
To: cgradi@bernco.gov
Subject: No TIDDs for Santolina

Please do not grant any TIDDs to this project. I was at the Bernalillo county commission meeting went the developers assured the commission that they wouldn't ask for TIDDs. This is wrong and a bad use of tax incentives.

Thank you.

Sincerely,
Katherine Córdoba
850 Salida Sandia SW
Albuquerque, NM 87105

Catherine VerEecke

From: Enrico Gradi
Sent: Wednesday, April 27, 2016 10:12 AM
To: dwall511
Cc: Catherine VerEecke
Subject: RE: Santolina Master- Plan just say no

Mr. Wallerstedt

Thank you for your letter, this will become part of the record for this case.



Enrico Gradi
Director
Planning and Development Services Department
111 Union Square SE, 3rd Floor, Albuquerque, NM 87102
Email: egradi@bernco.gov
O: (505) 314-0385 C: (505) 280-6735
www.bernco.gov

From: dwall511 [<mailto:dwall511@comcast.net>]
Sent: Tuesday, April 26, 2016 9:39 PM
To: Enrico Gradi
Subject: Santolina Master- Plan just say no

Enrico,
I'm not sure who my commissioner is. I am sure that The Santolina Master Plan is not right for our County. The Santolina developers seemed to forget that they said they would not require TIDDS. I also believe because of changing climate conditions that they have not adequately proved that there is adequate water to support this plan. For these reasons we must say No!

Thanks,
David L. Wallerstedt RA, Leed AP, PSP
6332 Mendius NE
Albuquerque, NM
87109

Catherine VerEecke

From: Enrico Gradi
Sent: Wednesday, April 27, 2016 10:13 AM
To: Katherine Cordova
Cc: Marcos A. Gonzales; Catherine VerEecke
Subject: RE: No TIDDs for Santolina

Ms. Cordova,

Thank you for your letter, this will become part of the official record for this case.

Enrico Gradi
Director
Planning and Development Services Department
111 Union Square SE, 3rd Floor, Albuquerque, NM 87102
Email: egradi@bernco.gov
O: (505) 314-0385 C: (505) 280-6735
www.bernco.gov

-----Original Message-----

From: Katherine Cordova [<mailto:katherinecordova@me.com>]
Sent: Tuesday, April 26, 2016 10:03 PM
To: Enrico Gradi
Subject: No TIDDs for Santolina

Please do not grant any TIDDs to this project. I was at the Bernalillo county commission meeting went the developers assured the commission that they wouldn't ask for TIDDs. This is wrong and a bad use of tax incentives.

Thank you.

Sincerely,
Katherine Córdoba
850 Salida Sandia SW
Albuquerque, NM 87105

Catherine VerEecke

From: carolyn mead <carolinamead@yahoo.com>
Sent: Wednesday, April 27, 2016 6:34 AM
To: Enrico Gradi; Catherine VerEecke
Subject: Santolina

Please reconsider this land use !
It is **NOT** a good thing for public funds.
Do you really think it is??

Carolyn Mead

Catherine VerEecke

From: Enrico Gradi
Sent: Tuesday, April 26, 2016 11:12 PM
To: Marcos A. Gonzales
Cc: Catherine VerEecke
Subject: Fwd: Santolina Master- Plan just say no

For the record

Sent from my iPhone

Begin forwarded message:

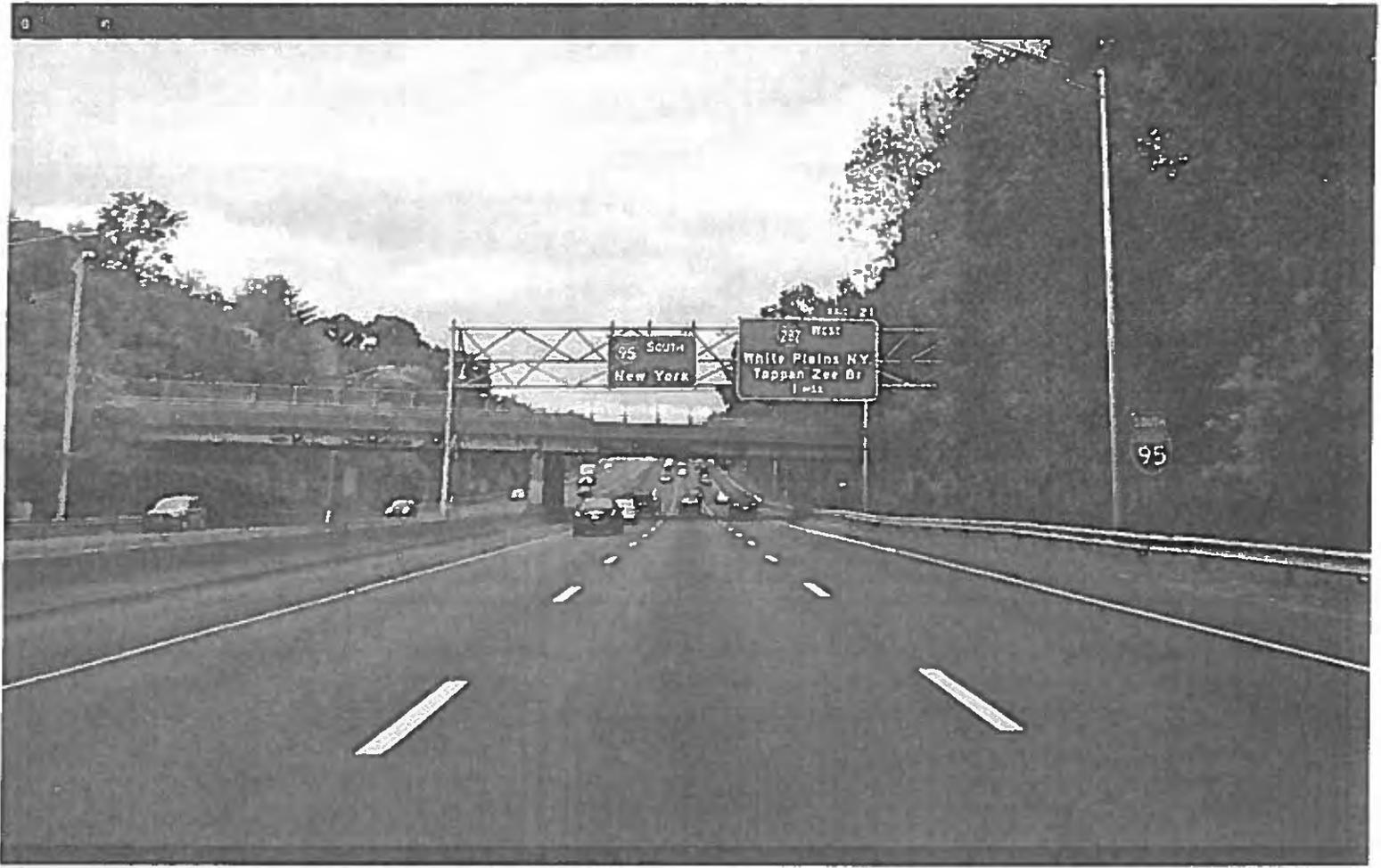
From: "dwall511" <dwall511@comcast.net>
Date: April 26, 2016 at 9:38:30 PM MDT
To: <cgradi@bernco.gov>
Subject: Santolina Master- Plan just say no

Enrico,

I'm not sure who my commissioner is. I am sure that The Santolina Master Plan is not right for our County. The Santolina developers seemed to forget that they said they would not require TIDDS. I also believe because of changing climate conditions that they have not adequately proved that there is adequate water to support this plan. For these reasons we must say No!

Thanks,

David L. Wallerstedt RA, Leed AP, PSP
6332 Mendius NE
Albuquerque, NM
87109



Highway Boondoggles 2

More Wasted Money and
America's Transportation Future

U.S. PIRG
Education Fund

FRONTIER GROUP

4/27/16
submitted at hearing

The U.S. 20 highway expansion project will eat up more than 40 percent of the gas tax windfall – \$217 million – to the exclusion of other pressing needs.²⁵⁰ The remaining \$69 million being spent on the project from other state transportation funds could also be used to improve the state of Iowa’s roads. Rebuilding all 62 structurally deficient bridges on the state’s federally funded highways would cost \$61 million.²⁵¹

Even the head of the state’s transportation department knows spending so much on highway expansion is the wrong direction for transportation spending. In July 2015, Iowa Transportation Department Director Paul Trombino said the state’s existing road system was already bigger than could affordably be maintained. “We have to shrink the system,” he told the Cedar Rapids *Gazette*.²⁵²

He called for using the gas tax money not as a catalyst for spending billions more on new construction, but rather to fund badly needed repairs to existing roads and bridges.²⁵³

His plea came a month too late: The State Transportation Commission, which determines the priorities of projects Trombino and his department must undertake, had already approved the U.S. 20 widening.²⁵⁴

New Mexico: Paseo del Volcan Extension

Cost: \$96 million²⁵⁵

A major landholder is behind a call to build a taxpayer-funded road that will open thousands of acres of desert to sprawling development

The idea of building a road through the desert northwest of Albuquerque first surfaced in 1990 as a way to enable sprawling development.²⁵⁶ Getting local, state and federal financing for a road

through the vacant region was crucial to the profit dreams of Westland Development, the private company formed to manage an enormous tract of land initially granted in 1692 by the king of Spain to New World settlers.²⁵⁷

By 2001, a plan for the road had been approved by federal regulators.²⁵⁸ But in 2010, with the road still unbuilt, Westland Development sold many of its assets at auction.²⁵⁹

In 2015 the land’s new owners, Western Albuquerque Land Holdings, tried to revitalize plans for the \$96 million, 30-mile road, whose route would start near the Santa Ana Star Center on Unser Boulevard in Rio Rancho, heading west and then south through Sandoval and Bernalillo counties to connect with I-40 beyond Petroglyph National Monument.²⁶⁰

Map: New Mexico Department of Transportation, City of Albuquerque



They didn't bother updating the original document claiming the road was needed. Finalized in 2001, it says, "The 20-year growth projected for northwest Albuquerque and the Rio Rancho portion of Sandoval County would be accompanied by additional travel demand."²⁶¹ From 2000 to 2010, the Albuquerque metropolitan area's population grew an average of 2.0 percent a year, but vehicle-miles traveled grew far less quickly: 1.3 percent annually, on average.²⁶²

The road would encourage sprawl. It would only "touch the fringes of" the Albuquerque metropolitan area, according to an article in *Albuquerque Business Journal*.²⁶³ Western Albuquerque Land Holdings already has \$30 million invested in water and sewer lines in the Estrella area, through which the Paseo del Volcan would run.²⁶⁴ And just across I-40 from where Paseo del Volcan would end, the company is proposing a development called Santolina, a 22-square-mile sprawling residential, commercial and industrial project that would include 38,000 homes.²⁶⁵ That project has drawn significant criticism from residents concerned about how much water the project would require.²⁶⁶

Rather than build the new road, some local officials would prefer to make modest – and cheaper – changes to existing roads in the area.²⁶⁷

State officials say that completion of Paseo del Volcan remains decades away and that the money for land acquisition is only a down payment for the loop road.²⁶⁸ But that hasn't stopped them from beginning to acquire the land needed to build the Paseo del Volcan.²⁶⁹

About \$8 million in state and federal dollars are slated to be spent by late 2015 to buy 82 acres where an interchange may one day be.²⁷⁰ Another \$22 million of taxpayer

funds are expected to be spent on buying property.²⁷¹ Western Albuquerque Land Holdings sees so much potential profit from the road that it agreed to donate 3,250 acres of land to allow construction of the road through its holdings.²⁷²

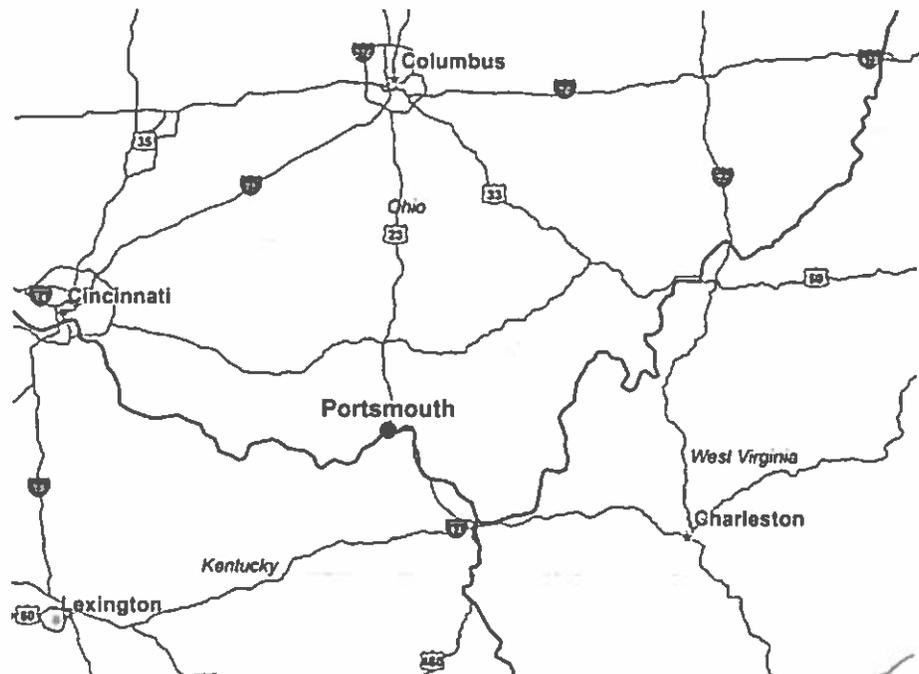
Ohio: Portsmouth Bypass

Cost: \$429 million²⁷³

The Ohio Department of Transportation claims no transportation outcomes or benefits, apart from allowing drivers to avoid several traffic lights

A major highway project that scored near the bottom of the state's priority list is under way in a county, and a state, where driving has declined and existing roads are in desperate need of repair.

In June 2015, a private contractor for the Ohio Department of Transportation began preliminary work to build a 16-mile, four-lane highway bypassing Portsmouth, a 20,000-person city across the Ohio River from Kentucky in southern Ohio.²⁷⁴ It would roughly parallel State Route 335/489 from Sciotoville



HIGHWAY BOONDOGGLES 2

More Wasted Money and America's
Transportation Future

U.S. PIRG
Education Fund

FRONTIER GROUP

Written by:

Jeff Inglis, Frontier Group

John C. Olivieri, U.S. PIRG Education Fund

January 2016

Acknowledgments

The authors wish to thank Phineas Baxandall of the Massachusetts Budget and Policy Center (and formerly of U.S. PIRG Education Fund); Patrick J. Kennedy of Space Between Design Studio; Deron Lovaas of the Natural Resources Defense Council; Beth Osborne of Transportation for America; Peter Skopec of WISPIRG Foundation; Bruce Speight of WashPIRG Foundation; and Clark Williams-Derry of Sightline Institute for their review and comments. Thanks to U.S. PIRG Education Fund Transportation Fellow Lauren Aragon, Frontier Group intern Johanna Moody and U.S. PIRG Education Fund intern Mengyang Zhang for their contributions to this report. Thanks also to Tony Dutzik and Elizabeth Ridlington of Frontier Group for editorial support. Frontier Group also thanks ESRI for making possible the ArcGIS mapping conducted for this report.

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The authors bear responsibility for any factual errors. Policy recommendations are those of U.S. PIRG Education Fund. The views expressed in this report are those of the authors and do not necessarily reflect the views of our funders or those who provided review.

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FRONTIER GROUP

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Layout: To the Point Publications, www.tothepointpublications.com

Cover: I-95 in southwestern Connecticut. Photo by Doug Kerr.

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Executive Summary

America is in a long-term transportation funding crisis. Our roads, bridges and transit systems are falling into disrepair. Demand for public transportation, as well as safe bicycle and pedestrian routes, is growing. Traditional sources of transportation revenue, especially the gas tax, are not keeping pace with the needs. Even with the recent passage of a five-year federal transportation bill, the future of transportation funding remains uncertain.

Twelve proposed highway projects across the country – slated to cost at least \$24 billion – exemplify the need for a fresh approach to transportation spending. These projects, some originally proposed decades ago, are either intended to address problems that do not exist or have serious negative impacts on surrounding communities that undercut their value. They are but a sampling of many questionable highway projects nationwide that could cost taxpayers tens of billions of dollars to build, and many more billions over the course of upcoming decades to maintain.

America does not have the luxury of wasting tens of billions of dollars on new highways of questionable value. State and federal decision-makers should reevaluate the need for the projects profiled in this report and others that no longer make sense in an era of changing transportation needs. State

decision-makers should use the flexibility provided in the new federal Fixing America's Surface Transportation Act (FAST Act) to focus investment on real transportation solutions, including repairing potholes and bridges and investing in public transportation and bicycling and walking options.

Americans' transportation needs are changing. America's transportation spending priorities aren't.

- **State governments continue to spend billions on highway expansion projects that fail to solve congestion.**
 - In Texas, for example, a \$2.8 billion project widened Houston's Katy Freeway to 26 lanes, making it the widest freeway in the world. But commutes got longer after its 2012 opening: By 2014 morning commuters were spending 30 percent more time in their cars, and afternoon commuters 55 percent more time.
 - A \$1 billion widening of I-405 in Los Angeles that disrupted commutes for five years – including two complete shutdowns of a 10-mile stretch of one of the nation's busiest highways – had no demonstrable success in reducing congestion. Just five months after the widened road reopened in 2014, the rush-hour trip took longer than it had while construction was still ongoing.

- Highway expansion saddles future generations with expensive maintenance needs, at a time when America's existing highways are already crumbling.
 - Between 2009 and 2011, states spent \$20.4 billion annually for expansion or construction projects totaling 1 percent of the country's road miles, according to Smart Growth America and Taxpayers for Common Sense. During the same period, they spent just \$16.5 billion on repair and preservation of existing highways, which are the other 99 percent of American roads.
 - According to the Federal Highway Administration, the United States added more lane-miles of roads between 2005 and 2013 – a period in which per-capita driving declined – than in the two decades between 1984 and 2004.
 - Federal, state and local governments spent roughly as much money on highway expansion projects in 2010 as they did a decade earlier, despite lower per-capita driving.
- **Americans' long-term travel needs are changing.**
 - In 2014, transit ridership in the U.S. hit its highest point since 1956. And recent years have seen the emergence of new forms of mobility such as carsharing, bikesharing and ridesharing whose influence is just beginning to be felt.
 - According to an Urban Land Institute study in 2015, more than half of Americans – and nearly two-thirds of Millennials, the country's largest generation – want to live “in a place where they do not need to use a car very often.” Young Americans drove 23 percent fewer miles on average in 2009 than they did in 2001.

The Federal Highway Trust Fund and many state transportation funds are increasingly dependent on the failing gas tax and infusions of general fund spending to sustain transportation investments.

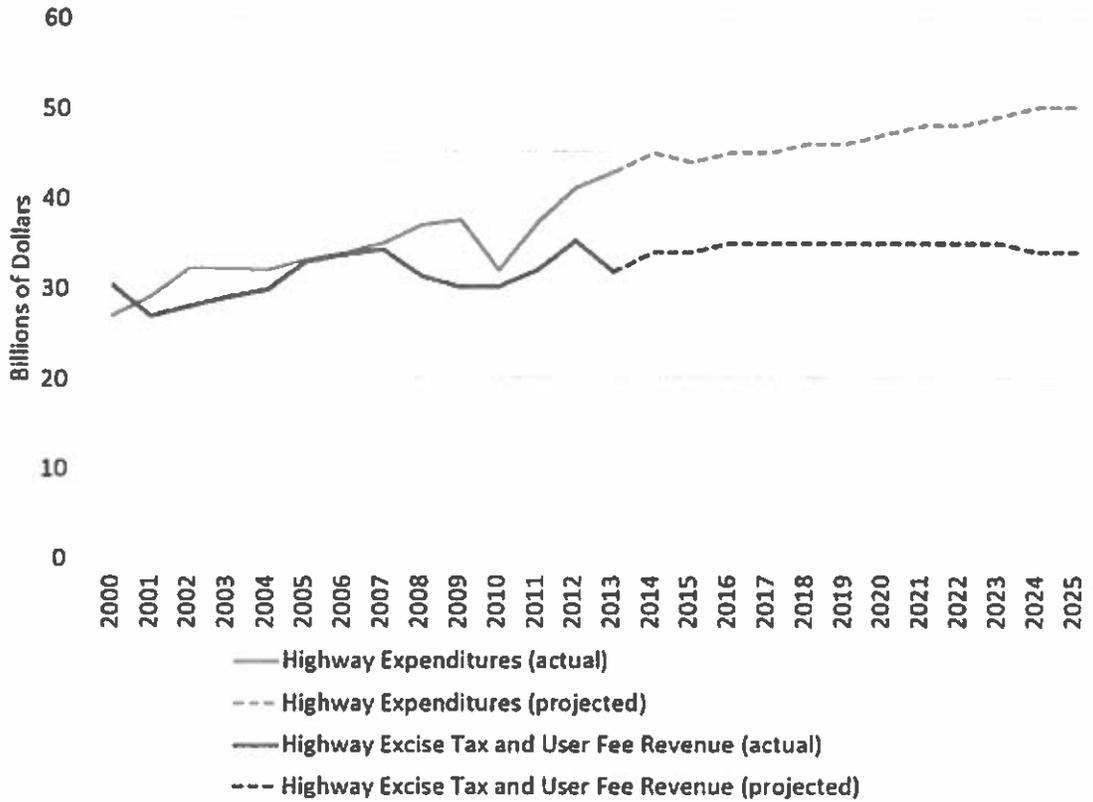
- The Federal Highway Trust Fund – once supported entirely by the gas tax – has been subsidized from general tax revenues since the late 2000s. Federal highway spending is projected to exceed revenues in every year through 2025, according to Congressional Budget Office projections. (See Figure ES-1.) The FAST Act transportation bill approved in December 2015 transfers an additional \$70 billion from the country's general funds to the Highway Trust Fund.
- Bailing out the Highway Trust Fund with general government funds cost \$65 billion between 2008 and 2014, including \$22 billion in 2014 alone. Making up the projected shortfall through 2025 would cost an additional \$147 billion.

States continue to spend tens of billions of dollars on new or expanded highways that are often not justified in terms of their benefits to the transportation system, or that pose serious harm to surrounding communities. In some cases, officials are proposing to tack expensive highway expansions onto necessary repair and reconstruction projects, while other projects represent entirely new construction. Many of these projects began or were first proposed years or decades ago, are based on long-outdated data, and have continued moving forward with no re-evaluation of their necessity or benefits.

Questionable projects poised to absorb billions of scarce transportation dollars include:

- **I-95 widening, Connecticut, \$11.2 billion** – Widening the highway across the entire state of Connecticut would do little to solve congestion along one of the nation's most high-intensity travel corridors.

Figure ES-1. Federal Highway Trust Fund Highway Excise Tax and User Fee Revenues and Highway Expenditures, 2000-2013 (actual) and 2014-2025 (projected)



- Tampa Bay Express Lanes, Florida, \$3.3 billion** – State officials admit that a decades-old plan to construct toll lanes would not solve the region’s problems with congestion, while displacing critical community job-training and recreational facilities.
- State Highway 45 Southwest, Texas, \$109 million** – Building a new, four-mile, four-lane toll road would increase traffic on one of the most congested highways in Austin, and increase water pollution in an environmentally sensitive area critical for recharging an aquifer that provides drinking water to 2 million Texans.
- San Gabriel Valley Route 710 tunnel, California, \$3.2 billion to \$5.6 billion** – State officials are considering the most expensive, most polluting and least effective option for addressing the area’s transportation problems: a double bore tunnel.
- I-70 East widening, Colorado, \$58 million** – While replacing a crumbling viaduct that needs to be addressed, Colorado proposes wasting millions of dollars widening the road and increasing pollution in the surrounding community.
- I-77 Express Lanes, North Carolina, \$647 million** – A project that state criteria say does not merit funding is moving forward because a private company is willing to contribute; taxpayers will still be on the hook for hundreds of millions of dollars.
- Puget Sound Gateway, Washington, \$2.8 billion to \$3.1 billion** – The state is proposing to spend billions of dollars on a highway to relieve congestion in an area where traffic has not grown for more than a decade, and where other pressing needs for transportation funding exist.

- **State Highway 249 extension, Texas, \$337 million to \$389 million** – The Texas Department of Transportation relies on outdated traffic projections to justify building a 30-mile six-lane highway through an area already suffering from air quality problems.
- **U.S. 20 widening, Iowa, \$286 million** – Hundreds of millions of dollars that could pay for much-needed repairs to existing roads are being diverted to widen a road that does not need expansion to handle future traffic.
- **Paseo del Volcan extension, New Mexico, \$96 million** – A major landholder is hoping to get taxpayer funding to build a road that would open thousands of acres of desert to sprawling development.
- **Portsmouth bypass, Ohio, \$429 million** – Despite roads across Ohio being in dire need of repair, the state Department of Transportation is embarking upon its most expensive project ever: building a new road to bypass a 20,000-person city where driving is decreasing.
- **Mon-Fayette Expressway extension, Pennsylvania, \$1.7 billion** – A new toll road long criticized because it would damage communities is moving forward in an area where residents are calling instead for repairs to existing roads and investment in transit improvements.

Several states are re-evaluating the wisdom of boondoggle highway projects – either shelving them entirely or forcing revisions to the projects.

- The **Illiana Expressway** was a proposed \$1.3 billion to \$2.8 billion tollway intended to stretch from I-55 in Illinois to I-65 in Indiana. Faced with a budget deficit, Illinois Governor Bruce Rauner suspended the project in January 2015 pending a review; in a lawsuit filed in May 2015, a coalition of environmental advocacy groups said the road's federal approval had been based on bad population and financial projections, and did not

properly consider the potential environmental damage. In June 2015, a federal judge agreed, and invalidated the Federal Highway Administration's approval of the project.

- The **Trinity Parkway** in Dallas was once a \$1.5 billion proposal to build a six-lane, nine-mile tolled highway along the river in the middle of the city. Under fire from the community, including people who had first conceived of the road project, the city council voted unanimously in August 2015 to limit city spending to a reduced version of the project, a four-lane highway without tolls. It is still unclear, however, whether the smaller highway will alleviate the concerns raised by the original proposal.
- A proposal to **widen I-94 in Milwaukee** has been denied funding by state lawmakers in the wake of community advocacy opposing the project. An analysis by a group called 1000 Friends of Wisconsin found the state Department of Transportation systematically overestimates traffic projections. WISPIRG Foundation has proposed improving the area's mobility with more effective and less costly options that state officials ignored.
- An **extension to an existing toll road in southern California** was denied on the grounds that it, and a future additional extension, would threaten local water resources. Other toll roads in the region have failed to attract enough traffic to meet revenue expectations, and data suggest traffic is not growing as quickly as officials had projected.

The diversion of funds to highway boondoggle projects is especially harmful given that there is an **enormous need for investment in repairs to existing roads, as well as transit improvements and investments in bicycling and pedestrian infrastructure.** Federal and state governments should eliminate or downsize unnecessary or low-priority highway projects to free up resources for true transportation priorities. Under existing federal funding guidelines,

they have the flexibility to do this with little or no need for additional approval.

Specifically, policymakers should:

- **Invest in transportation solutions that address congestion more cheaply and effectively than highway expansion.** Investments in public transportation, changes in land-use policy, road pricing measures, and technological measures that help drivers avoid peak-time traffic, for instance, can reduce the need for costly and disruptive highway expansion projects.
- **Adopt fix-it-first policies** that reorient transportation funding away from highway expansion and toward repair of existing roads and investment in other transportation options. As first suggested by Smart Growth America and Taxpayers for Common Sense, this includes more closely tying states' allocations of federal transportation funding to infrastructure conditions, encouraging states to ensure existing roads and bridges are properly maintained before using funds for new construction or expansion projects. To most effectively meet this goal, government agencies should provide greater public transparency about spending plans, including an accounting of future maintenance expenses.
- **Give priority funding to transportation projects that reduce growth in vehicle-miles traveled,** to account for the public health, environmental and global warming benefits resulting from reduced driving.
- **Analyze the need for projects using the most recent data and up-to-date transportation system models.** Planning should include full cost-benefit analyses, including the costs to maintain newly constructed highways. Models should reflect a range of potential future trends for housing and transportation, incorporate the availability of new transportation options (such as carsharing, bikesharing and ridesharing), and include consideration of transit options. Just because a project has been in the planning pipeline for several years does not mean it deserves to receive scarce taxpayer dollars.
- **Apply the same scrutiny to public-private partnerships** as to those funded solely by taxpayers.
- **Revise transportation forecasting models** to ensure that all evaluations of proposed projects use up-to-date travel information.
- **Invest in research and data collection** to better track and react to ongoing shifts in how people travel.

Introduction

In December 2015, Congress passed the first long-term transportation funding bill in more than 10 years. Like past measures, the latest transportation funding bill provides states with vast public resources that can be spent with great flexibility – and little accountability.

Attention now turns to the states. Will they spend the next quarter of a trillion dollars of transportation funding well – leaving us with a transportation system that is efficient, well-maintained and addresses America’s 21st century transportation needs? Or will they spend it on unnecessary projects that give the appearance of progress, but that leave urgent needs unmet and promise even greater maintenance headaches in the years to come?

The track record of the past is not good. For decades, state transportation policies have prioritized highway expansion as the solution to any and every transportation woe. The result of those policies: a transportation network crumbling in many places for lack of proper maintenance; the absence of good alternatives – from transit service to safe places to walk or bike – in much of the country; and more congestion than ever before.

Despite the failure and massive expense of those policies, in much of the United States, the highway construction machine continues to chug along almost unabated – adding new lanes of highway where none are needed, inflicting damage on neighboring communities, and sucking up resources that could be used for more pressing needs.

Even the funding crisis brought on by the decline in the real value of the gas tax and the rising mainte-

nance bill for the nation’s aging roads and bridges have not been enough to force a change in direction. On the contrary: The ever-continuing quest to expand highways has begun to consume resources previously dedicated to other public needs, as general fund revenue and new taxes on the public at large are increasingly common sources of highway funding around the country.

Some of today’s highway expansion projects are so unjustifiable that they can be described as “boondoggles” – a term defined by the *Oxford Dictionary of Difficult Words* as “work or activity that is wasteful or pointless but gives the appearance of having value.”¹

Many of these projects “give the appearance of having value” when justified by public officials based on decades-old studies, speculative economic development promises, or fears of hypothetical future traffic congestion. On closer inspection, however, the rationale for the massive expense proposed for these projects often melts away.

Money spent on a wasteful highway expansion project is money that can’t be spent fixing our existing roads and transit systems, adding a new light rail or bus line in a growing American city, or exploring ways to serve America’s changing transportation needs more effectively and efficiently.

Cutting waste can free up money for better investments. The 12 projects highlighted in this report illustrate a problem but also represent an opportunity – the money that can be saved by cutting or downsizing these projects and others like them is more than enough to make a down payment on America’s 21st century transportation needs.

Highway Megaprojects Consume Precious Dollars and Lock in Outdated Priorities

The United States continues to spend vast resources on expanding our highway network, even as existing roads and bridges crumble and pressing needs for other forms of transportation go unmet.

Those needs – especially the need for repair and reconstruction of existing transportation infrastructure – are well-known and all but certain. By contrast, justifications for highway expansion are often speculative and uncertain, especially given recent uncertainty in driving patterns and changes in Americans' housing and travel preferences.

Widening Highways Does Not Solve Congestion Problems

Longstanding research demonstrates that building additional highway capacity – whether by widening existing roads or building new thoroughfares – does not solve congestion, but rather creates more traffic, in which more drivers spend more time behind the wheel.² The phenomenon, called “induced demand,” results when a new or expanded road encourages development to spread out farther, encouraging additional driving. Also, people who had previously changed their transportation behaviors to avoid congestion – perhaps by taking transit, telecommuting, or driving via a different route or at a different time – tend to change back once the new or wider

road opens, further contributing to the return of congestion. Congestion then returns to previous levels.

The Katy Freeway

In Texas, for example, the Katy Freeway was known as far back as 2002 to be a very congested highway.³ A \$2.8 billion highway widening project was promoted as a fix for the congestion.⁴ When the expanded road opened in 2012, it became the world's widest – with 26 lanes.⁵

And yet, travel times worsened considerably. By 2014, 85 percent of commutes along that highway took longer than they had in 2011.⁶ Morning commutes took more than 30 percent longer, and afternoon commutes took more than 50 percent longer.⁷

“I’m surprised at how rapid the increase has been,” transportation analyst Timothy Lomax of the Texas A&M Transportation Institute told Houston’s KPRC television station.⁸

I-270 in Maryland

In the 1980s, congestion led Maryland to spend \$200 million to widen Interstate 270 to as much as 12 lanes.⁹ By 1999, traffic had filled up the new lanes – reaching levels that hadn’t been predicted to happen until 2010 and leading one local official

to tell the *Washington Post* the road was again “a rolling parking lot.”¹⁰

The congestion has remained a problem: In June 2015, Maryland Governor Larry Hogan announced a \$100 million plan to fight congestion on I-270.¹¹

I-405 in Los Angeles

A \$1 billion widening of I-405 that disrupted commutes for five years – including two complete shutdowns of a 10-mile stretch of one of the nation’s busiest highways – had no demonstrable success in reducing congestion.¹²

Just five months after the widened road reopened, the rush-hour trip took longer than it had while construction was still ongoing.¹³ Officials had not gathered data about trip duration before the project began, and were therefore unable to demonstrate any effects – positive or negative – to congestion as a result of the widening.¹⁴

Silicon Valley’s U.S. 101

Over two decades, \$1.2 billion was spent widening U.S. 101 between San Francisco and Silicon Valley. In 2014, after a new interchange opened, travel took between 14 and 17 percent longer than it had a year earlier.¹⁵

Maintenance Needs Are Growing

Much of the nation’s highway infrastructure was originally built between the 1950s and the 1980s and is, therefore, reaching the end of its useful life. The need for investment to repair or rebuild that aging infrastructure can be expected to grow in the years ahead.

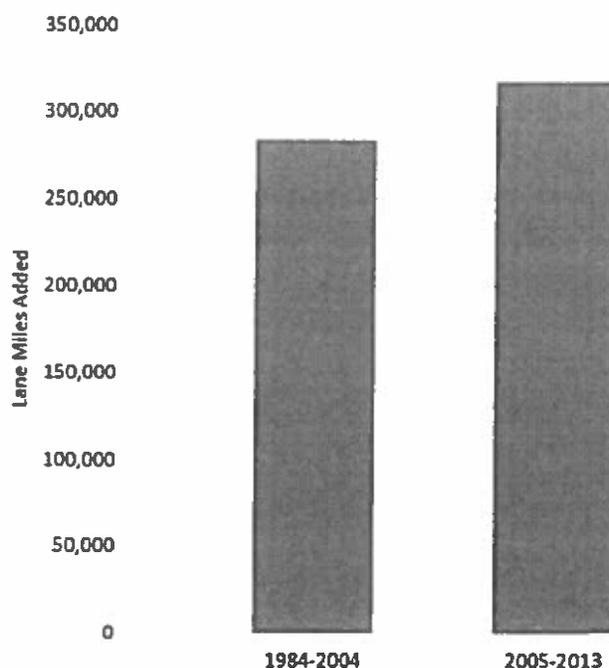
Building more highways, and enlarging existing ones, adds to the burden of future maintenance, rather than easing the pressure on maintaining our existing infrastructure.

More than 61,000 U.S. bridges – one in every 10 – is structurally deficient, a federal designation

indicating significant problems with a bridge’s structure.¹⁶

Repairing all these bridges would cost \$31.6 billion in 2013 dollars; rebuilding them all would cost \$46.5 billion, according to the Federal Highway Administration.¹⁷ If all government spending on highway expansion were paused for just two years, the savings would more than cover the cost of rebuilding all of the country’s unsafe bridges.¹⁸ The United States has continued to add new highway capacity at a rapid clip. The nation added more lane-miles of public roads and highways between 2005 and 2013 – a period during which per-capita driving was falling – than were added from 1984 to 2004, the final two decades of the “Driving Boom.”¹⁹ (See Figure 1.) That may be due in part, to highway funding provided as part of the federal stimulus package intended to minimize the effects of the Great Recession, as well as the transfer of local streets and highways built by developers to municipalities, but it represents a continuing addition of new roads the public is responsible for maintaining.²⁰

Figure 1. Lane Miles of Public Roads Added, 1984-2004 and 2005-2013²¹



America's Long-Term Travel Needs Are Changing

Even with evolving driving trends, federal, state and local governments spent about as much money (in inflation-adjusted dollars) on highway expansion projects in 2010 (the most recent year for which a total is available) as they did a decade earlier.²²

The highway construction spree has continued at the expense of other important transportation priorities. From 2009 to 2011, state governments spent \$20.4 billion annually for expansion or construction projects totaling 1 percent of the country's road miles, according to Smart Growth America and Taxpayers for Common Sense.²³ During the same period, they spent just \$16.5 billion on repair and preservation of existing highways, which are the other 99 percent of American roads.²⁴

In many cases, states justified these highway expenditures based on the assumption that the number of miles Americans drive would continue to increase dramatically. In 1999, the federal government anticipated that Americans would be driving 3.7 trillion miles per year by 2013 – 26 percent more miles than we actually did.²⁵ The U.S. Department of Transportation now forecasts that we will not attain those vehicle-miles traveled (VMT) levels until 2037, while another government agency forecasts that they may not be reached until some time after 2040.²⁶

During the six decades after World War II, with short interruptions for crises such as the OPEC oil embargo, Americans drove more and more each year. Annual miles driven per capita skyrocketed from 5,400 in 1970 to just over 10,000 in 2004.²⁷ During this "Driving Boom," government invested more than \$1 trillion in highway capital projects, often expanding highway capacity with the intention of relieving growing congestion, but with the actual result of fueling even greater dependence on cars.²⁸

From 2004 to 2014, Americans drove less each year than the year before, decreasing driving an average

of 0.8 percent a year.²⁹ That period also saw Americans increase their transit ridership, by an average of 0.3 percent a year.³⁰

Driving declined for a variety of reasons. While the economic recession contributed to the fall in driving, the downturn began in 2004, years before the economic decline. The rate of growth in driving has been declining since the 1950s, in terms of both overall vehicle-miles traveled and per-capita driving.³¹ (See Figure 2.)

According to the most recent annual statistics, Americans in 2014 drove no more on average than we did in 1997.³² If previous trends had continued, Americans would have driven an average of about 11,500 miles annually instead of the 2014 average, which fell to just below 9,500.

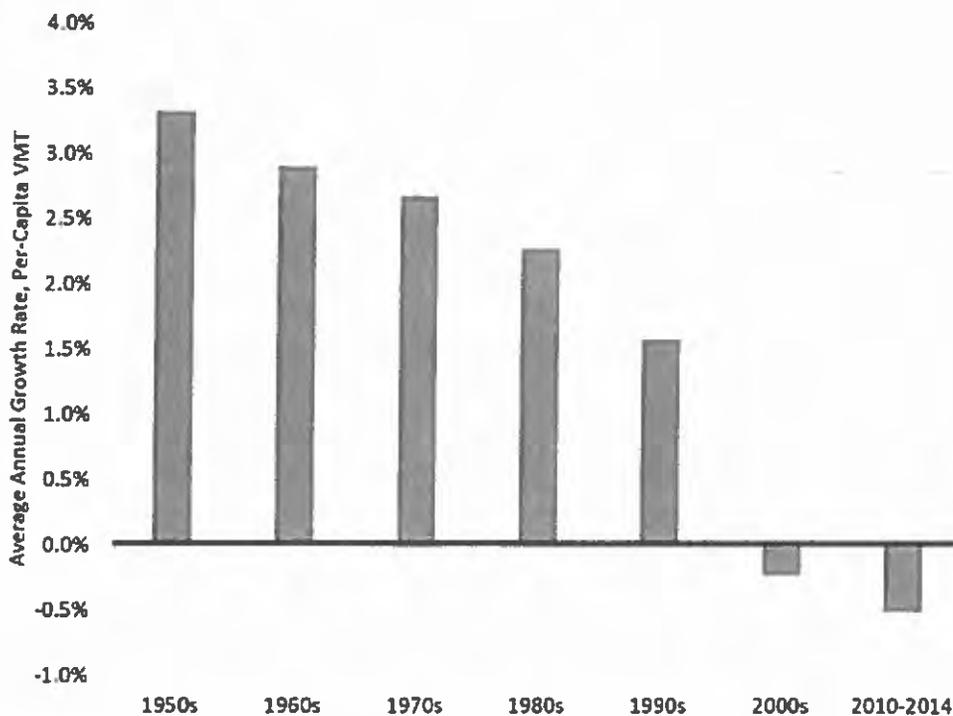
Many of the forces contributing to the fall in driving are likely to be lasting.

- **Market saturation:** The Driving Boom was driven in part by increases in the number of cars and licensed drivers per household, both of which peaked during the 2000s.³⁴
- **Workforce participation declines:** The percentage of Americans in the workforce increased during the Driving Boom, but has been falling in recent years and is expected to fall farther as the Baby Boomers age.³⁵

Other forces changing transportation needs in America relate to changing preferences and lifestyle choices.

- **Urban resurgence:** The long-term trend toward automobile-oriented suburban development has slowed. In the early 2010s, central cities grew faster than their suburbs for the first time in 90 years.³⁶ Metropolitan areas have also long been growing faster than rural areas of the country.³⁷
- **Increased use of transit and other non-driving modes:** The use of non-driving modes of trans-

Figure 2. Annual Average Growth Rate, Per-Capita Vehicle-Miles Traveled, by Decade, 1950-2014³⁷



portation – transit, bicycling and walking – is on the rise. In 2014, transit ridership in the U.S. hit its highest point since 1956.³⁸ In addition, recent years have seen the emergence of new forms of mobility such as carsharing, bikesharing and ridesharing whose influence is just beginning to be felt.³⁹

- Changing preferences among young people:** These changes in transportation behaviors have been occurring fastest among members of the Millennial generation. Young Americans drove 23 percent fewer miles on average in 2009 than they did in 2001.⁴⁰ Young people today are also less likely to get driver’s licenses than in the past.⁴¹ Millennials are not only the largest generation in the United States, but they will be the primary users of the transportation infrastructure we build today.⁴²

In 2015, driving grew at the fastest rate in decades, following the collapse of world oil prices, which left gasoline nearly as cheap as bottled water in many lo-

cations across the nation.⁴³ At the same time, loose lending standards and low interest rates encouraged increased car sales.⁴⁴

Given that the long-term factors putting negative pressure on driving growth are likely to continue, and that the more immediate factors pushing driving growth upward again are likely temporary, it is far more reasonable to conclude that future driving will more closely resemble a scenario more akin to the last decade than the last few months.

However, regardless of whether gas prices remain low or interest rates rise, one thing is clear: Americans consistently say they want to drive even less than they do now. In a 2015 study, the Urban Land Institute found that more than half of Americans – and nearly two-thirds of Millennials – want to live “in a place where they do not need to use a car very often.”⁴⁵

A 2015 study by Portland State University and the National Association of Realtors found that each successive generation of Americans likes driving less



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MOTION TO POSTPONE THE BERNALILLO COUNTY PLANNING COMMISSION SPECIAL HEARING ON SANTOLINA LEVEL B MASTER PLAN SCHEDULED FOR APRIL 27, 2016

Introduction

The SouthWest Organizing Project hereby move the Bernalillo County Planning Commission for a postponement of the special hearing concerning the proposed Santolina Level B Master Plan that is scheduled for April 27, 2016 at 9:00 a.m. This hearing will address the transportation component of the Level B Master Plan, as well as “any remaining transportation problems or issues identified in the Level A Transportation System Plan.”¹ There are two reasons why the Bernalillo County Planning Commission should postpone the hearing scheduled for April 27, 2016. The first is that it is unclear whether the Santolina Developers have complied with the Bernalillo County Planned Communities Criteria requirements pertaining to the filing of a disclosure statement regarding strict conformance with the Level A Transportation System Plan or the filing of a substitute traffic analysis. The public, and most likely the County Planning Commission, needs more time to review transportation documents submitted by the Santolina Developers to ensure compliance with PCC requirements. The second is that the Second Judicial District Court has set hearings on April 26, 2016 and April 27, 2016 addressing appeals of the Santolina Level A Master Plan and Level A Development Agreement filed by the

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Staff:
Marisol Archulela
Patrick Barrett
Javier Benavidez
Tomasita Espinoza
George Luján
Juan Reynosa
Rodrigo Rodríguez
Roberto Roibal
Emma Sandoval

Jeanne Gauna
¡Presente!

¹See “Santolina Level B Master Plan (2016) – CPC Hearing Schedule,” CPC Hearing #2, ¶ 7.

SouthWest Organizing Project and other community organizations and concerned residents.

Argument

- I. It Is Unclear Whether the Santolina Developers Have Complied with the Bernalillo County Planned Communities Criteria Requirements Pertaining to the Filing of a Disclosure Statement Regarding Strict Conformance With the Level A Transportation System Plan or a Substitute Traffic Analysis.

The Bernalillo County Planned Communities Criteria (“PCC”) requires that:

1. A disclosure statement regarding strict conformance with the Level A Transportation System Plan will be required, or a substitute traffic analysis, with consequential findings, recommendations, and proposed amendments to the Level A Transportation System Plan and Level A Community Master Plan, *must be conducted prior to formal submittal of the Level B plan.*
2. A Level B transportation system analysis, including specific traffic studies for the particular plan submittal plus all other approved Level B plan elements in the community, existing and projected demand (phased as appropriate), and consequential noise and air quality impacts, *must be conducted prior to formal submittal of the Level B plan.*

Bernalillo County Planned Communities Criteria: Policy Element, p. 38 (February 1991) (emphasis added).

The Santolina Developers submitted its Level B Master Plan application on January 25, 2016.² The Bernalillo County Planning Commission website also states that, “In addition, a revised Level A Transportation Master Plan was submitted on Jan. 25, 2016 to address the conditions of approval for the Level A Transportation Plan.”³ It is unclear whether this “revised Level A Transportation Master Plan” constitutes a “substitute traffic analysis” or otherwise satisfies the PCC requirements stated above. This document fails to provide “consequential findings, recommendations, and proposed amendments to the Level A Transportation System Plan and Level A Community Master Plan.” This document also fails to serve as the functional equivalent of a disclosure statement regarding strict conformance with the Level A Transportation System Plan.

Additionally, two Santolina transportation documents were recently posted to the Bernalillo County Planning Commission website on March 31, 2016. The first document is titled as a

²<http://www.bernco.gov/planning/proposed-santolina-level-a-master-plan.aspx?311d549906fb4ba0badad7b353d40039blogPostId=162731aac66e4c868e2d54f9470cdd8a#/BlogContent>. Last accessed on April 11, 2016.

³*Id.*

“Transportation Matrix” submitted on March 31, 2016, but is actually dated April 27, 2016.⁴

This document apparently provides Bernalillo County agency comments on the Revised Level A Transportation Master Plan and the Level B Transportation Plan and Technical Report. The Bernalillo County Planning Commission website references the second document as a “Transportation Mitigation Report,” but the document is actually titled as a “2016 Santolina Level ‘B’ Master Plan, On-Site and Off-Site Locations of Interest Traffic Analysis.”⁵ Again, it is unclear whether this constitutes a substitute traffic analysis with “consequential findings, recommendations, and proposed amendments to the Level A Transportation System Plan and Level A Community Master Plan.”

In light of this uncertainty and confusion, we are asking the County Planning Commission to postpone the special hearing scheduled for April 27, 2016 to provide the public with adequate time to review the recently submitted Santolina Level B transportation documents and for the County Planning Commission to verify that the Santolina Developers have indeed satisfied the procedural and substantive PCC requirements pertaining to the transportation component of both Levels A and B Master Plans.

II. The Second Judicial District Court Has Scheduled Hearings on April 26, 2016 and April 27, 2016 Addressing Appeals of the Santolina Level A Master Plan and Level A Development Agreement Filed by Several Community Organizations and Concerned Residents.

The SouthWest Organizing Project, along with New Mexico Health Equity Working Group, Pajarito Village Association, and concerned residents Javier Benavidez, James Santiago Maestas, and Roberto Roibal have filed an appeal of the Bernalillo County Board of County Commissioners approval of the Santolina Level A Master Plan and Level A Development Agreement. Other community organizations and concerned residents have filed similar appeals. The Second Judicial District Court has set two hearings addressing these appeals on April 26, 2016 and April 27, 2016. Many members of the community will be attending these court

⁴*Id.*

⁵*Id.*

hearings and will therefore be unable to participate in the County Planning Commission's special hearing. In the interest of meaningful public participation, we encourage the County Planning Commission to postpone the special hearing scheduled for April 27, 2016, to ensure that members of the public can participate in this fundamental process.

Conclusion

The Bernalillo County Planning Commission should postpone the special hearing scheduled for April 27, 2016 at 9:00 a.m. until the County Planning Commission has had time to determine whether submissions by the Santolina Developers pertaining to both Levels A and B Master Plan transportation components satisfy the Planned Communities Criteria requirements, and until the public has had adequate time to review the recent transportation documents submitted on March 31, 2016. The County Planning Commission should also postpone the special hearing scheduled for April 27, 2016 so that the public can participate meaningfully in this process and also attend the Second Judicial District Court hearings addressing Santolina Level A appeals scheduled on April 26, 2016 and April 27, 2016.

Sincerely,



Roberto Roibal, for the SouthWest Organizing Project

Catherine VerEecke

From: Roberto - SWOP <roberto@swop.net>
Sent: Tuesday, April 19, 2016 10:26 PM
To: Catherine VerEecke
Subject: RE: Motion to Bernalillo County CPC for 4-27-16 Santolina Level B Hearing
Attachments: CPC motion to postpone 4-16.pdf

Hello Catherine,

Is the zoning@bernco.gov email correct? That email didn't bounce back like yours.

I am attaching our motion for a postponement and am not sending the attachments. I won't be able to get there in the morning.

Thanks for trying to get this to the CPC

Roberto Roibal
SouthWest Organizing Project
211 10th St. SW, Albuquerque, NM 87102-2919
(505) 247-8832 ext. 114 • fax (505) 247-9972

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From: Catherine VerEecke [<mailto:cvereecke@bernco.gov>]
Sent: Tuesday, April 19, 2016 5:48 PM
To: Roberto - SWOP
Cc: Enrico Gradi
Subject: RE: Motion to Bernalillo County CPC for 4-27-16 Santolina Level B Hearing

Roberto, We never received the communication from you. I'm not sure what happened. The deadline for submittal of documents for the hearing was at noon today and the CPC packet has already posted. Please try to send or deliver the documents directly to me no later than 9 a.m. tomorrow (Wednesday) and we could try to add whatever we receive in the packet. Thanks, Catherine

Catherine VerEecke, Planning Manager
Planning and Development Services
Bernalillo County
505-314-0387

From: Roberto - SWOP [<mailto:roberto@swop.net>]
Sent: Tuesday, April 19, 2016 5:30 PM
To: Catherine VerEecke
Subject: FW: Motion to Bernalillo County CPC for 4-27-16 Santolina Level B Hearing

Hello Catherine,

I sent this email last Friday to zoning@bernco.gov and to you and Enrico. But yours and Enrico's bounced back. I had 2 other attachments that were very large and that's why they bounced back.

Attached is a motion we are submitting to the CPC for postponement of the 4/27/16 Hearing on Santolina. Can you be sure that the CPC has received this?

Thank you very much.

Roberto Roibal

SouthWest Organizing Project

211 10th St. SW

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From: Roberto - SWOP

Sent: Friday, April 15, 2016 1:58 PM

To: 'zoning@bernco.gov' <zoning@bernco.gov>

Cc: 'Catherine VerEecke' <cvereecke@bernco.gov>; 'egradi@bernco.gov' <egradi@bernco.gov>; Doug Meiklejohn
(dmeiklejohn@nmelc.org) <dmeiklejohn@nmelc.org>

Subject: Motion to Bernalillo County CPC for 4-27-16 Santolina Level B Hearing

Attached please find our motion for a postponement to the Bernalillo County Planning Commission regarding the April 27, 2016 Hearing on the Santolina Level B Master Plan, plus supporting documents.

Thank you.

Roberto Roibal

SouthWest Organizing Project

211 10th St. SW

Albuquerque, NM 87102-2919 (Aztlán)

(505) 247-8832 (ext.114) • Fax: (505) 247-9972

roberto@swop.net • www.swop.net • www.elgritonm.org

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Catherine VerEecke

From: Roberto - SWOP <roberto@swop.net>
Sent: Tuesday, April 19, 2016 5:30 PM
To: Catherine VerEecke
Subject: FW: Motion to Bernalillo County CPC for 4-27-16 Santolina Level B Hearing
Attachments: 2016-04-15 motion to CPC for postponement-04-27-16 Hearing.dot.docx;
Santolina_Hearing_1_Transportation_Comments_and_Responses-1.pdf

Hello Catherine,

I sent this email last Friday to zoning@bernco.gov and to you and Enrico. But yours and Enrico's bounced back. I had 2 other attachments that were very large and that's why they bounced back.

Attached is a motion we are submitting to the CPC for postponement of the 4/27/16 Hearing on Santolina. Can you be sure that the CPC has received this?

Thank you very much.

Roberto Roibal

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Subject: Motion to Bernalillo County CPC for 4-27-16 Santolina Level B Hearing

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Thank you.

Roberto Roibal

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SOUTHWEST ORGANIZING PROJECT

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MOTION TO POSTPONE THE BERNALILLO COUNTY PLANNING COMMISSION SPECIAL HEARING ON SANTOLINA LEVEL B MASTER PLAN SCHEDULED FOR APRIL 27, 2016

Introduction

The SouthWest Organizing Project hereby move the Bernalillo County Planning Commission for a postponement of the special hearing concerning the proposed Santolina Level B Master Plan that is scheduled for April 27, 2016 at 9:00 a.m. This hearing will address the transportation component of the Level B Master Plan, as well as “any remaining transportation problems or issues identified in the Level A Transportation System Plan.”¹ There are two reasons why the Bernalillo County Planning Commission should postpone the hearing scheduled for April 27, 2016. The first is that it is unclear whether the Santolina Developers have complied with the Bernalillo County Planned Communities Criteria requirements pertaining to the filing of a disclosure statement regarding strict conformance with the Level A Transportation System Plan or the filing of a substitute traffic analysis. The public, and most likely the County Planning Commission, needs more time to review transportation documents submitted by the Santolina Developers to ensure compliance with PCC requirements. The second is that the Second Judicial District Court has set hearings on April 26, 2016 and April 27, 2016 addressing appeals of the Santolina Level A Master Plan and Level A Development Agreement filed by the

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Tomasita Espinoza
George Luján
Juan Reynosa
Rodrigo Rodríguez
Roberto Roibal
Emma Sandoval

Jeanne Gauna
¡Presente!

¹See “Santolina Level B Master Plan (2016) – CPC Hearing Schedule,” CPC Hearing #2, ¶ 7.

SouthWest Organizing Project and other community organizations and concerned residents.

Argument

- I. It Is Unclear Whether the Santolina Developers Have Complied with the Bernalillo County Planned Communities Criteria Requirements Pertaining to the Filing of a Disclosure Statement Regarding Strict Conformance With the Level A Transportation System Plan or a Substitute Traffic Analysis.

The Bernalillo County Planned Communities Criteria (“PCC”) requires that:

1. A disclosure statement regarding strict conformance with the Level A Transportation System Plan will be required, or a substitute traffic analysis, with consequential findings, recommendations, and proposed amendments to the Level A Transportation System Plan and Level A Community Master Plan, *must be conducted prior to formal submittal of the Level B plan.*
2. A Level B transportation system analysis, including specific traffic studies for the particular plan submittal plus all other approved Level B plan elements in the community, existing and projected demand (phased as appropriate), and consequential noise and air quality impacts, *must be conducted prior to formal submittal of the Level B plan.*

Bernalillo County Planned Communities Criteria: Policy Element, p. 38 (February 1991) (emphasis added).

The Santolina Developers submitted its Level B Master Plan application on January 25, 2016.² The Bernalillo County Planning Commission website also states that, “In addition, a revised Level A Transportation Master Plan was submitted on Jan. 25, 2016 to address the conditions of approval for the Level A Transportation Plan.”³ It is unclear whether this “revised Level A Transportation Master Plan” constitutes a “substitute traffic analysis” or otherwise satisfies the PCC requirements stated above. This document fails to provide “consequential findings, recommendations, and proposed amendments to the Level A Transportation System Plan and Level A Community Master Plan.” This document also fails to serve as the functional equivalent of a disclosure statement regarding strict conformance with the Level A Transportation System Plan.

Additionally, two Santolina transportation documents were recently posted to the Bernalillo County Planning Commission website on March 31, 2016. The first document is titled as a

²<http://www.bernco.gov/planning/proposed-santolina-level-a-master-plan.aspx?311d549906fb4ba0badad7b353d40039blogPostId=162731aac66c4c868e2d54f9470cdd8a#/BlogContent>. Last accessed on April 11, 2016.

³*Id.*

“Transportation Matrix” submitted on March 31, 2016, but is actually dated April 27, 2016.⁴

This document apparently provides Bernalillo County agency comments on the Revised Level A Transportation Master Plan and the Level B Transportation Plan and Technical Report. The Bernalillo County Planning Commission website references the second document as a “Transportation Mitigation Report,” but the document is actually titled as a “2016 Santolina Level ‘B’ Master Plan, On-Site and Off-Site Locations of Interest Traffic Analysis.”⁵ Again, it is unclear whether this constitutes a substitute traffic analysis with “consequential findings, recommendations, and proposed amendments to the Level A Transportation System Plan and Level A Community Master Plan.”

In light of this uncertainty and confusion, we are asking the County Planning Commission to postpone the special hearing scheduled for April 27, 2016 to provide the public with adequate time to review the recently submitted Santolina Level B transportation documents and for the County Planning Commission to verify that the Santolina Developers have indeed satisfied the procedural and substantive PCC requirements pertaining to the transportation component of both Levels A and B Master Plans.

II. The Second Judicial District Court Has Scheduled Hearings on April 26, 2016 and April 27, 2016 Addressing Appeals of the Santolina Level A Master Plan and Level A Development Agreement Filed by Several Community Organizations and Concerned Residents.

The SouthWest Organizing Project, along with New Mexico Health Equity Working Group, Pajarito Village Association, and concerned residents Javier Benavidez, James Santiago Maestas, and Roberto Roibal have filed an appeal of the Bernalillo County Board of County Commissioners approval of the Santolina Level A Master Plan and Level A Development Agreement. Other community organizations and concerned residents have filed similar appeals. The Second Judicial District Court has set two hearings addressing these appeals on April 26, 2016 and April 27, 2016. Many members of the community will be attending these court

⁴*Id.*

⁵*Id.*

hearings and will therefore be unable to participate in the County Planning Commission's special hearing. In the interest of meaningful public participation, we encourage the County Planning Commission to postpone the special hearing scheduled for April 27, 2016, to ensure that members of the public can participate in this fundamental process.

Conclusion

The Bernalillo County Planning Commission should postpone the special hearing scheduled for April 27, 2016 at 9:00 a.m. until the County Planning Commission has had time to determine whether submissions by the Santolina Developers pertaining to both Levels A and B Master Plan transportation components satisfy the Planned Communities Criteria requirements, and until the public has had adequate time to review the recent transportation documents submitted on March 31, 2016. The County Planning Commission should also postpone the special hearing scheduled for April 27, 2016 so that the public can participate meaningfully in this process and also attend the Second Judicial District Court hearings addressing Santolina Level A appeals scheduled on April 26, 2016 and April 27, 2016.

Sincerely,



Roberto Roibal, for the SouthWest Organizing Project