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would have to be ripped out and the street returned to full traffic lanes.

"Under 2035 build conditions, many intersections will perform deficiently due to insufficient capacity or green time for general purpose traffic, or other physical constraints," the city's grant application says. It identified at least eight intersections that would be congested.

The application went on to say how that future congestion could be alleviated: "Changing the ART lane to a general purpose lane could be a possible mitigation. However, as a result [of] converting [an] ART lane to general purpose lane it will increase ART delay and deteriorate its performance."

Tearing up ART in 19 years wouldn't be a big deal if it were merely a matter of re-striping the street's lanes to accommodate more automobile traffic. But ART involves ripping up pretty much all the medians along a nine-mile stretch, building raised bus stations along the street's two center lanes, eliminating hundreds of left-hand turn lanes, and ripping out 217 mature trees.

The environmental exemption

The lawsuits against ART could hinge on the way the FTA gave the city a pass, or a "categorical exclusion" from having to assess the project's impact on the environment and businesses.

One of the FTA's criteria for issuing a categorical exclusion is that there is no major opposition to a project. The exact wording of that section is: The project is "not likely to generate intense public controversy, discussion or concern, even among a small subset of the community." In its application for the exemption, the city certified that there was no intense public controversy.

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To ART opponents, that was a lie, especially considering heated public hearings where hundreds of people opposed the effort. And, of course, there are two lawsuits opposing it. While the FTA was reviewing the city's application, it received hundreds of post cards opposing it and a petition in opposition appears to be gaining momentum – based on a survey of petition "ballot boxes" appearing in businesses up and down Central.

Lack of public support

Business owners along Central have been displaying "Stop ART" signs in their businesses for months. Opposition intensified earlier this month when the New Mexico Restaurant Association came out against the project and asked its members to contribute money to the legal effort against ART.

ART "will destroy some already struggling businesses and compromise an important section of the National Scenic Byway. There are over 148 restaurants affected by the proposed construction on Central and none of them had a voice in the plans of this massive project," the NMRA said.

"There is no question that construction on Central Avenue will negatively impact restaurants along the route in the short term. But of even greater concern is the negative impact the badly designed ART will have on businesses along Central Avenue over the long term," the association said.

A recent poll found that 28 percent of the city's registered voters support ART, while 79 percent say it should be put to a public vote. The poll by Carroll Strategies, an Albuquerque public relations firm, said that 25 percent of registered voters believe ART will boost the city's economy, and only 23 percent said they would use it after it is built.

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Just a few of the Businesses Against ART













