



TO: MTC Planning Committee and the  
ABAG Administrative Committee

DATE: December 2, 2016

FR: MTC Deputy Executive Director, Policy and the  
ABAG Acting Executive Director

RE: Plan Bay Area 2040: Environmental Impact Report (EIR) Scoping Feedback and Alternatives

### **Background**

The purpose of the Environmental Impact Report (EIR) for Plan Bay Area 2040 is to comply with the requirements of the California Environmental Quality Act (CEQA), as well as applicable provisions in the FAST Act (Title 23 CFR Parts 450 and 500), SB 375 and other relevant state and federal environmental laws. The EIR will inform decision-makers, responsible and trustee agencies, and the general public of the potential environmental impacts of implementing the transportation and land-use strategies proposed in the Preferred Scenario (herein referred to as the “proposed plan”) adopted on November 17, 2016. The EIR will also identify feasible mitigation measures and evaluate a range of alternatives to the proposed plan to minimize the significant adverse impacts that are identified.

As a programmatic document, the EIR will be prepared at a level of detail necessary to facilitate tiering by lead agencies for future transportation and development projects, particularly those development projects that can benefit from the SB 375 CEQA streamlining provisions. The EIR will not evaluate project-specific or site-specific impacts of individual development or transportation projects, although it will provide environmental analysis and mitigation intended to address the range of impacts and mitigation that may be associated with individual projects. Individual projects are required to separately comply with CEQA and/or National Environmental Policy Act (NEPA), as applicable.

### **Scoping Feedback**

On May 15, 2016, in accordance with the CEQA Guidelines, MTC filed the Notice of Preparation (NOP) of the EIR for Plan Bay Area 2040. The purpose of the NOP was to seek comments about the scope and content of the EIR. The NOP identified that three planning scenarios (Main Streets, Connected Neighborhoods, and Big Cities) had been developed and that one or some combination of the planning scenarios would be identified as the proposed plan. The NOP indicated that some or all of the planning scenarios would be carried forward in the CEQA analysis as project alternatives.

During the months of May and June, staff conducted three public scoping meetings across the region. In total, staff received 69 written and oral comments. While there were no comments received on the proposed CEQA alternatives, three additional CEQA alternatives were proposed by commenters. The proposed alternatives included:

- Environment, Equity and Jobs Alternative proposed by 6 Wins;
- Smart Growth Alternative proposed by TRANSDEF; and,
- Modified No-Project Alternative proposed by the City of Livermore.

For a summary of all EIR scoping comments, please see Attachment A and for more information on the proposed alternatives see Attachment B. For additional information on the EIR development, visit <http://www.planbayarea.org/the-plan/environmental-impact-report.html>.

### **EIR Alternatives**

CEQA requires that a reasonable range of alternatives to the proposed plan be studied in the EIR. It is up to the lead agency to determine an appropriate range of alternatives in compliance with CEQA. There are generally three factors for consideration of any given alternative from a CEQA perspective:

- *Will the alternative avoid or lessen significant impacts of the project?*

The required CEQA environmental issue areas include: aesthetics and visual resources; agriculture and forestry resources; air quality; biological resources; cultural resources; geology, seismicity, soils, and mineral resources; energy consumption; climate change and greenhouse gases; hazards and hazardous materials; hydrology and water quality; land use; noise and vibration; population and housing; public services and recreation; transportation; utilities and other service systems.

In the 2013 EIR impacts in the following areas were identified as significant and unavoidable: transportation; air quality; land use (agricultural and forest resources); climate change and greenhouse gases (sea level rise); noise; biological resources; and visual resources. In identifying alternatives for the 2017 EIR, consideration was given to alternatives that would result in less impact in these areas.

- *Does the alternative meet the project objectives?*

In September and November 2015, the Commission and the Executive Board jointly adopted thirteen performance targets to guide the proposed plan's development. These targets will be used in the EIR as the project objectives, in satisfaction of CEQA Guidelines Section 15124(b). They are included in Attachment C.

- *Is the alternative potentially feasible?*

Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.

### **Recommendation**

Staff is proposing to study and analyze four alternatives in addition to the proposed plan in the EIR as summarized below:

- No Project Alternative
- Main Streets Alternative
- Big Cities Alternative
- Equity, Environment and Jobs (EEJ) Alternative

These alternatives are defined by unique land use development patterns and transportation investment strategies. Each of the alternatives will maintain the same growth forecast, and forecast of reasonably available transportation revenues. This is important to ensure the alternatives analysis provides an "apples to apples" comparison with the proposed plan.

MTC and ABAG staff believe these recommended alternatives represent a reasonable range of alternatives to the proposed plan, anticipates there will be numerous tradeoffs in impacts associated with the various alternatives, and that the alternatives will result in varying degrees of achieving the Plan objectives and performance targets.

Four other alternatives have been considered, but are not recommended for further analysis. These alternatives and the reason for not recommending further analysis include:

- Connected Neighborhoods Alternative – Expected to perform similar to proposed plan.
- Smart Growth Alternative – Expected to perform similar to recommended alternative.
- Modified No Project Alternative – Inconsistent with legal requirements.
- Plan Bay Area (2013 RTP/SCS) Alternative – Inconsistent with legal requirements

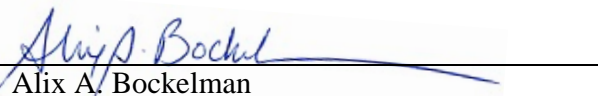
Additional details on all recommended and considered alternatives can be found in Attachment D.

### **Next Steps**

All considered alternatives will be briefly described and discussed in the EIR. The four alternatives proposed for more detailed analysis will be compared to the project in all CEQA topic areas. The selected alternatives will undergo a comparative analysis to the proposed plan to determine whether implementing an alternative could lessen any identified significant unavoidable impacts of the proposed plan, while also meeting the project objectives. The findings of this analysis will be summarized in the Draft EIR anticipated to be released in Spring 2017.

Staff recommends referring the selection of the alternatives to be evaluated as part of the Plan Bay Area 2040 EIR, as described in the memo above, to the Commission and Executive Board for approval.

  
Brad Paul

  
Alix A. Bockelman

### **Attachments:**

- Presentation Slides
- Attachment A: EIR NOP Scoping Summary of All Comments
- Attachment B: EIR Scoping Letters Proposing EIR Alternatives
- Attachment C: Adopted Performance Targets
- Attachment D: Recommended and Considered Alternatives

AAB:MM

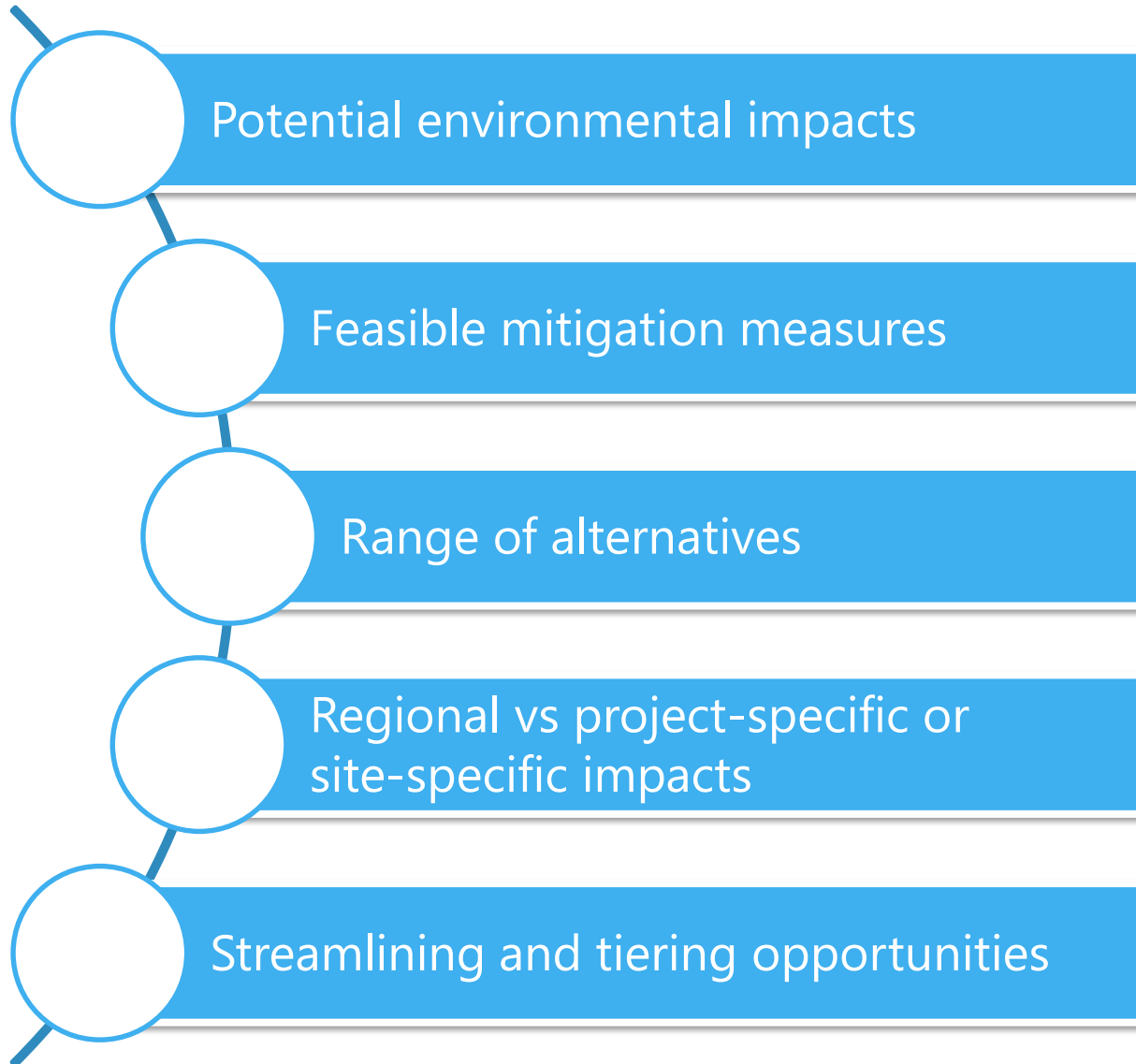
J:\COMMITTEE\Planning Committee\2016\12\_PLNG\_Dec 2016\5a\_PBA 2040 EIR Scoping Feedback and Alts\_v4.docx

Plan  
Bay Area  
2040

# **Plan Bay Area 2040: Environmental Impact Report (EIR) Scoping Feedback and Alternatives**

MTC Planning Committee and the ABAG Administrative Committee  
December 9, 2016  
Ken Kirkey, MTC

# The purpose of CEQA is to assess and disclose impacts of implementing the proposed plan.



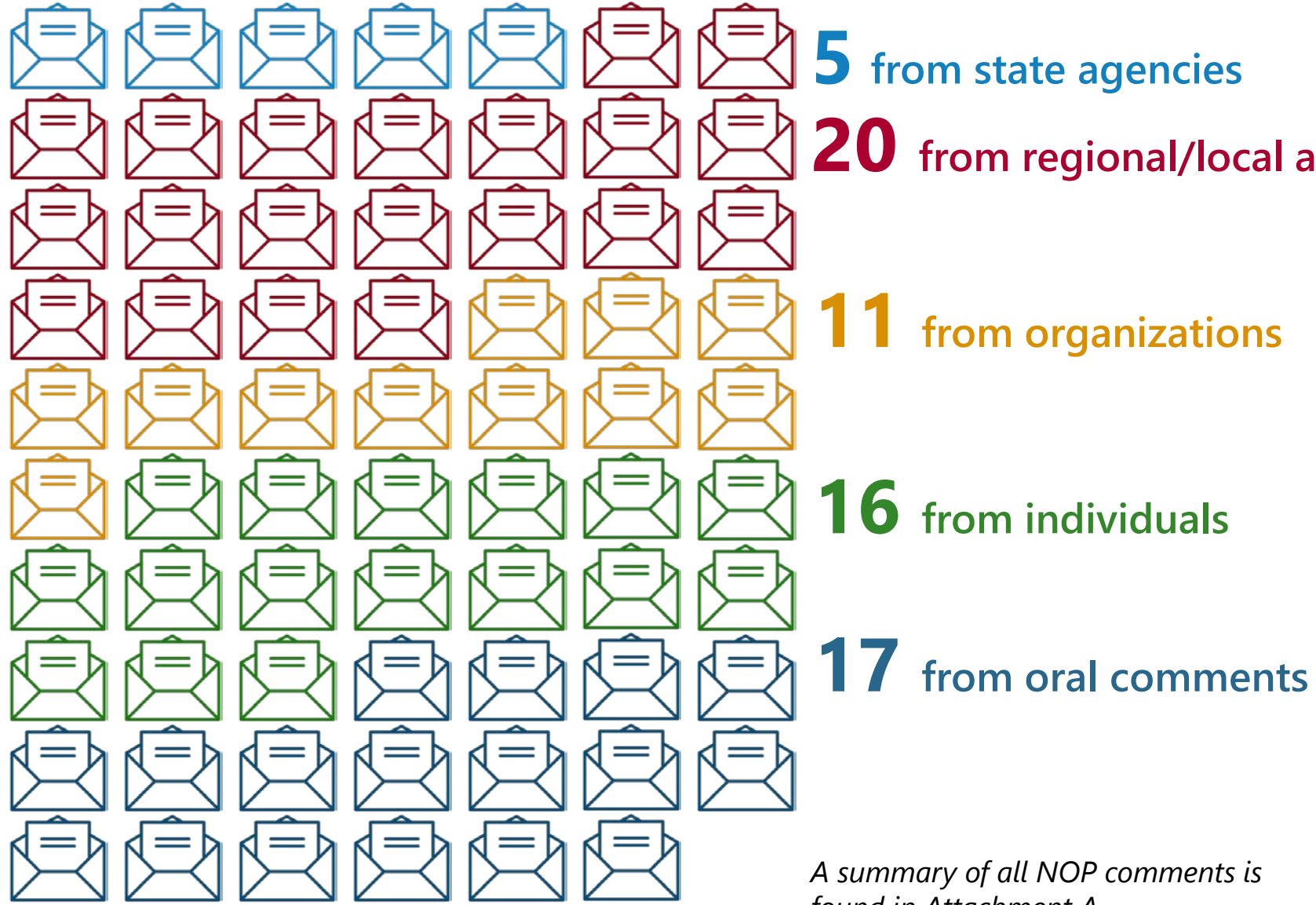
## CEQA Covers 16 issue areas:

- aesthetics and visual resources;
- agriculture and forestry resources;
- air quality;
- biological resources;
- cultural resources;
- geology, seismicity, soils, and mineral resources;
- energy consumption;
- climate change and greenhouse gases;
- hazards and hazardous materials;
- hydrology and water quality;
- land use;
- noise and vibration;
- population and housing;
- public services and recreation;
- transportation;
- utilities and other service systems.

# The Notice of Preparation (NOP) was released on May 15<sup>th</sup> and 69 written and oral comments were submitted.

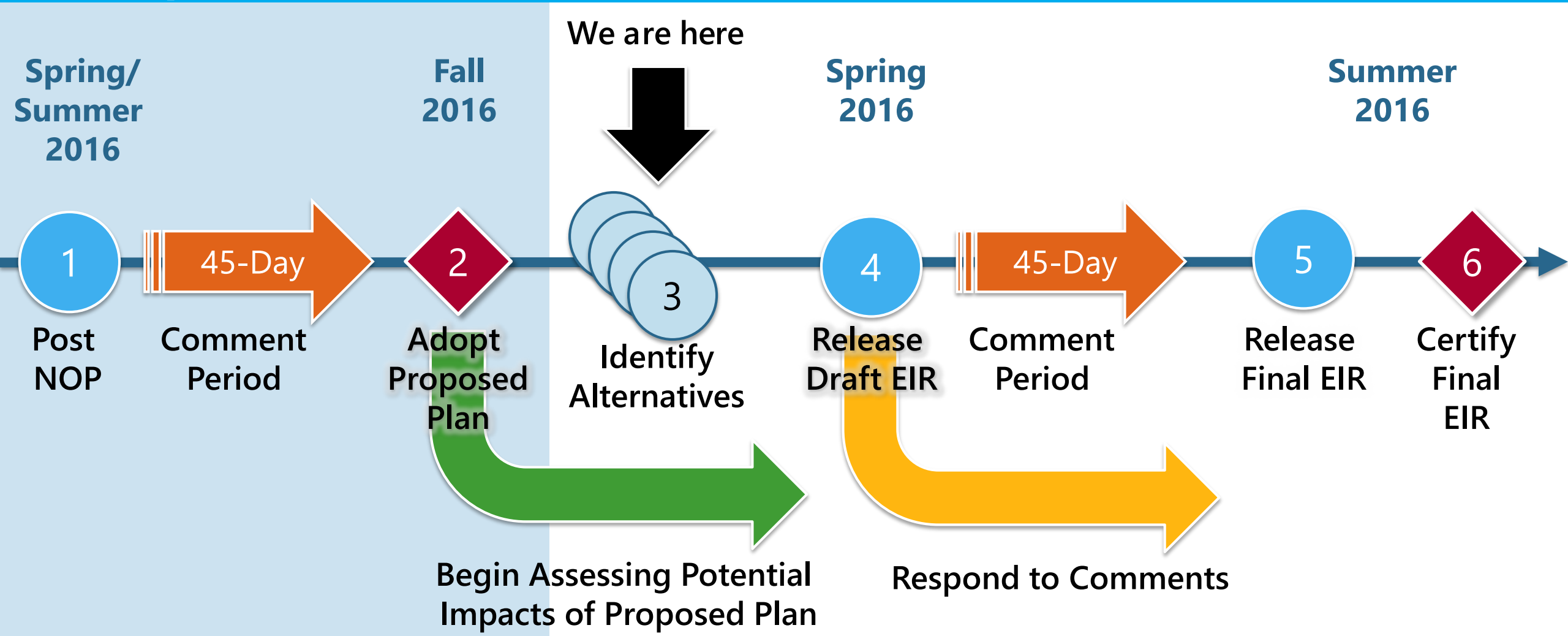
## 3 Scoping meetings:

- San Jose
- Oakland
- Santa Rosa



A summary of all NOP comments is found in Attachment A.

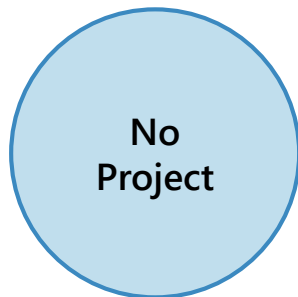
# The identification of CEQA alternatives is another step in the development of the EIR.



# CEQA requires that a reasonable range of alternatives be analyzed in the EIR.

Alternatives **recommended** for further analysis

Required by CEQA



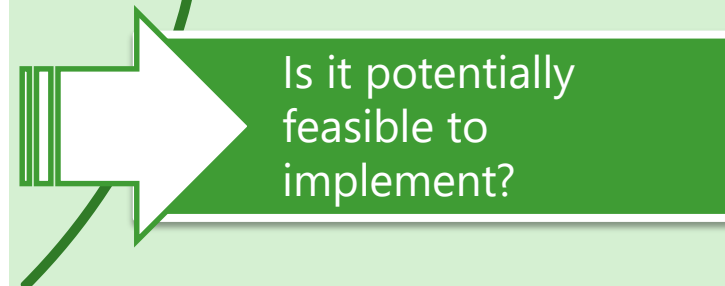
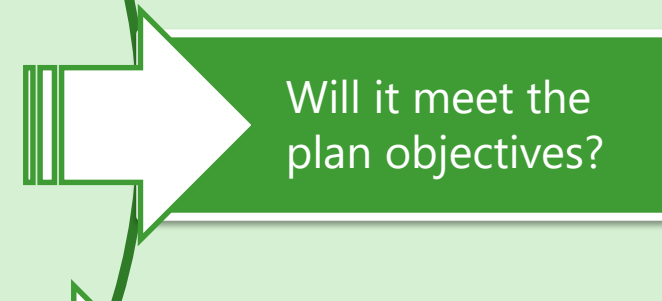
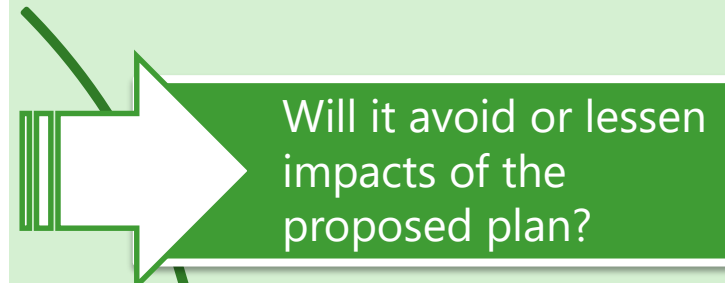
Identified in NOP



Submitted thru NOP



## Assessing CEQA alternatives:

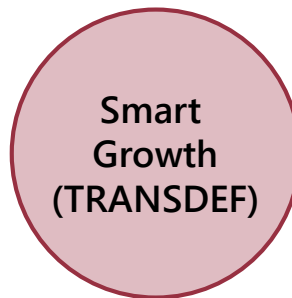


Alternatives **considered, but are not recommended** for further analysis

Identified in NOP



Submitted thru NOP



Last adopted Plan



A summary of all recommended and considered CEQA alternatives is found in Attachment D.



## APPENDIX B SCOPING SUMMARY

A Notice of Preparation (NOP) informs the public of the lead agency's intent to prepare an environmental impact report (EIR) pursuant to the California Environmental Quality Act (CEQA). An NOP for an EIR was issued by the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) on May 16, 2016 for the Draft Environmental Impact Report for Plan Bay Area 2040 – the Regional Transportation Plan (RTP) / Sustainable Communities Strategy (SCS) (Plan). The NOP was sent to the California State Clearinghouse, federal, state, and local agencies, and members of the public. As a connected action, three public scoping meetings were held to provide the public and public agencies with the opportunity to learn more about the Plan Bay Area 2040 and to provide another venue to submit comments regarding the issues that should be addressed in the EIR. The scoping meetings were held as follows:

Thursday, May 26, 2016 11:00 a.m. to 1 p.m.	Tuesday, May 31, 2016 6:30 p.m. to 8:30 p.m.	Thursday, June 2, 2016 11:00 a.m. to 1 p.m.
Dr. Martin Luther King Jr. Library One Washington Square, Room 225 San Jose, California	MetroCenter Auditorium 101 8th Street Oakland, California	Finley Community Center 2060 W. College Avenue Santa Rosa, California

At each of these meetings, MTC and EIR consultant staff were available to describe the Plan Bay Area update and EIR processes and to disclose and discuss key environmental issues identified in the NOP. Appendix A of this EIR contains the NOP.

Table B-1, below, lists the scoping comments (both written and oral) received during the NOP comment period (May 16, 2015 through June 15, 2016). The table lists the commenter, the County from which the commenter is located (if applicable), the date the comment was received, and a summary of the relevant EIR section/s in which the comments are addressed. All written NOP comment letters in their entirety are provided in this Appendix. Oral comments at the public scoping meetings were provided to court reporters in attendance at each meeting; the transcripts in their entirety can be accessed by using this link: <http://planbayarea.org/file10327.html>

## COMMENTS RELATED TO THE SCOPE OF THE PROJECT

Some of the comments include questions about aspects of the Plan or request information that are not related to the potential physical environmental impacts of the project. Some comments are related to the description and scope of the Plan, rather than the content of the environmental document for the project. Comments regarding the Plan that do not pertain to potential physical environmental effects of the project were forwarded to the appropriate MTC and ABAG staff, but are not evaluated in this Draft EIR because they do not pertain to the project's physical environmental effects. The following table includes a list of the NOP comments, including oral comments received during the scoping meetings. The table includes a summary of the topics addressed in the NOP comments, indicating in which EIR section the comments are addressed.

<b>Table B-1 Comments Received on the Notice of Preparation</b>						
<b>Letter Number</b>	<b>Name of Author</b>	<b>Agency / Organization</b>	<b>County of comment origin<sup>1</sup> (if applicable)</b>	<b>Date Received</b>	<b>Relevant EIR Section(s)</b>	<b>Written / Oral</b>
<b>AGENCIES</b>						
<b>State</b>						
1	Erik Vink	Delta Protection Commission	Multiple	June 7, 2016	Land Use and Physical Development Public Services and Recreation Cultural Resources Visual Resources	Written
2	Gayle Totton	Native American Heritage Commission	N/A	June 14, 2016	Cultural Resources	Written
3	Kelsey Ducklow	California Coastal Commission	Multiple	June 15, 2016	Land Use and Physical Development Climate Change and Greenhouse Gases Transportation	Written
4	Patricia Maurice	Caltrans District 4	Multiple	June 15, 2015	Transportation Land Use and Physical Development Air Quality	Written
5	Ben Tripousis	California High Speed Rail Authority	Multiple	June 15, 2016	Transportation Land Use and Physical Development	Written
6	<b>Regional / Local</b>					
7	Cindy Horvath	Alameda County	Alameda	May 26, 2016	Non-CEQA (information request) Project Description/Plan Non-CEQA (equity) Transportation Project Description (funding)	Written
8	Matt Rodriguez	City of San Pablo	Contra Costa	June 6, 2016	Land Use and Physical Development	
9	Gerry Beaudin	City of Pleasanton, Community Development Planning	Alameda	June 8, 2016	Land Use and Physical Development Alternatives Air Quality Climate Change and Greenhouse Gases Public Utilities and Facilities Growth-inducement	Written
10	Mona Palacios	Alameda LAFCo	Alameda	June 10, 2016	Land Use and Physical Development Public Services and Recreation	Written
11	Patrick Cavanah	Stanislaus County	Stanislaus	June 10, 2016	No Comments	Written
12	Chris Augenstein	Santa Clara Valley Transportation Authority	Santa Clara	June 14, 2016	Project Description (growth assumptions) Alternatives Transportation Land Use and Physical Development	Written
13	Sandra Hamlat	East Bay Regional Park District	Contra Costa Alameda	June 14, 2016	Public Services and Recreation Land Use and Physical Development	Written
14	Jennifer Barrett	Sonoma County Permit and Resource Management Department	Sonoma	June 14, 2016	Land Use and Physical Development	Written

**Table B-1 Comments Received on the Notice of Preparation**

Letter Number	Name of Author	Agency / Organization	County of comment origin <sup>1</sup> (if applicable)	Date Received	Relevant EIR Section(s)	Written / Oral
15	Christie Thomason	Delta Stewardship Council	Sacramento-San Joaquin Delta and Suisun Marsh	June 15, 2016	Land Use and Planning Biological Resources Hazards Public Utilities and Facilities Water Resources	Written
16	Lou Ann Texeira	Contra Costa LAFCo	Contra Costa	June 15, 2016	Land Use and Physical Development Public Utilities and Facilities	Written
17	Elizabeth Scanlon	Caltrain	SF, San Mateo, Santa Clara	June 15, 2016	Transportation Air Quality	Written
18	Harry Freitas Jim Ortbal	City of San Jose	Santa Clara	June 15, 2016	Land Use and Physical Development Alternatives Transportation	Written
19	Edward D. Reiskin	San Francisco Municipal Transportation Agency	San Francisco	June 15, 2016	Transportation	Written
20	Annie Thomson	County of Santa Clara Parks and Recreation Department	Santa Clara	June 15, 2016	Non-CEQA (planning process) Land Use and Physical Development Transportation Public Services and Recreation	Written
21	Diane Nguyen	San Joaquin Council of Governments	San Joaquin	June 15, 2016	Land Use and Physical Development  Transportation Climate Change and Greenhouse Gases	Written
22	Dawn S. Cameron	County of Santa Clara Roads and Airports Department	Santa Clara	June 15, 2016	Land Use and Physical Development Transportation	Written
23	Denis Mulligan	Golden Gate Bridge Highway & Transportation District	Multiple	June 15, 2016	Transportation	Written
24	Marc Roberts	City of Livermore	Alameda	June 15, 2016	Alternatives Transportation Land Use and Physical Development Land Use and Physical Development Cumulative Impacts	Written
25	Keene Simons	Marin LAFCo	Marin	June 21, 2016	Non-CEQA (Marin agency coordination) Non-CEQA (MTC/LAFCo coordination)	Written

**ORGANIZATIONS AND INDIVIDUALS****Organizations**

26	Colin Heyne	Silicon Valley Bicycle Coalition	Santa Clara	May 26, 2016	Non-CEQA (planning process/preferred scenario)	Written
27	David Schonbrunn	Transportation Solutions Defense and Education Fund	Multiple	June 5, 2016	Non-CEQA (planning process) Climate Change and Greenhouse Gases	Written

<b>Table B-1 Comments Received on the Notice of Preparation</b>						
<b>Letter Number</b>	<b>Name of Author</b>	<b>Agency / Organization</b>	<b>County of comment origin<sup>1</sup> (if applicable)</b>	<b>Date Received</b>	<b>Relevant EIR Section(s)</b>	<b>Written / Oral</b>
28	Irene Gutierrez and Will Rostov	Earthjustice Counsel for Sierra Club and CBE	N/A	June 7, 2016	Project Description Background (Settlement Agreements)	Written
29	Sherman Lewis	Hayward Area Planning Association	Alameda	June 14, 2016	Transportation Alternatives	Written
30	Melissa Jones Chuck McKetney Michael Stacey	Bay Area Regional Health Inequities Initiative	Multiple	June 15, 2016	Climate Change and Greenhouse Gases Alternative Transportation Displacement Impacts Air Quality Noise and Vibration Alternatives	Written
31	Jonathan Scharfman	Universal Paragon Corporation	San Mateo	June 15, 2016	Non-CEQA (planning process/preferred scenario)	Written
32	Matt Vander Sluis	Greenbelt Alliance	San Francisco, Sonoma, Contra Costa, Santa Clara	June 15, 2016	Biological Resources Public Utilities and Facilities Public Services and Recreation Water Resources Land Use and Physical Development Transportation Climate Change and Greenhouse Gases Alternatives Non-CEQA (social equity)	Written
33	Jack Swearingen	Friends of SMART	Sonoma, Marin	June 15, 2016	Non-CEQA (transportation planning)	Written
34	David Schonbrunn	Transportation Solutions Defense and Education Fund	Multiple	June 15, 2016	Alternatives Transportation Air Quality Climate Change and Greenhouse Gases Land Use and Physical Development	Written
35	David Zisser	6 Wins for Social Equity Network	Multiple	June 15, 2016	Alternatives Air Quality Climate Change and Greenhouse Gases Land Use and Physical Development Non-CEQA (housing affordability, social equity)	Written
36	Michael J. Ferreira	Sierra Club	Multiple	June 15, 2016	Transportation Climate Change and Greenhouse Gases Non-CEQA (process/plan) Non-CEQA (scoping meeting) Alternative Scenarios Non-CEQA (Settlement Agreements)	Written
<b>Individuals</b>						
37	Jake Brenneise	N/A	Unknown	May 19, 2016	Land Use and Planning (zoning)	Written
38	Mary Collins	N/A	Santa Clara	May 26, 2016	Non-CEQA (preferred scenario) Land Use and Physical Development Transportation	Written

<b>Table B-1 Comments Received on the Notice of Preparation</b>						
<b>Letter Number</b>	<b>Name of Author</b>	<b>Agency / Organization</b>	<b>County of comment origin<sup>1</sup> (if applicable)</b>	<b>Date Received</b>	<b>Relevant EIR Section(s)</b>	<b>Written / Oral</b>
39	Karen Schlessler	N/A	Santa Clara	May 26, 2016	Land Use and Physical Development Transportation	Written
40	Roma Dawson	N/A	Santa Clara	May 26, 2016	Land Use and Physical Development Project Description Non-CEQA (housing affordability, social equity)	Written
41	Gloria Chun Hoo	N/A	Santa Clara	May 26, 2016	Non-CEQA (alternative preference) Climate Change and Greenhouse Gases Water Resources Public Utilities and Facilities Transportation	Written
42	Edward C. Moore	N/A	Alameda	May 26, 2016	Non-CEQA (planning process/preferred scenario) Land Use and Physical Development Transportation (project description)	Written
43	Ferenc Kovac	N/A	Alameda	May 26, 2016	Land Use and Physical Development Non-CEQA (process comment)	Written
44	Jennie Schultz	N/A	Sonoma	May 26, 2016	Project Description/Plan	Written
45	Ferenc Kovac	N/A	Alameda	May 27, 2016	Land Use and Physical Development Transportation	Written
46	Alan Burnham	N/A	Alameda	May 28, 2016	Transportation	Written
47	Charles Cameron	N/A	Alameda	June 6, 2016	Transportation Climate Change and Greenhouse Gases Public Utilities and Facilities Water Resources Biological Resources	Written
48	Marina Carlson Wendy Jung	N/A	Alameda	June 14, 2016	Land Use and Physical Development Transportation	Written
49	Jill Borders	N/A	Santa Clara	June 15, 2016	Non-CEQA (gentrification)	Written
50	Sara Greenwald	N/A	San Francisco	June 15, 2015	Transportation Climate Change and Greenhouse Gases	Written
51	Gladwyn D'Souza	N/A	San Mateo	June 15, 2016	Transportation	Written
52	Howard Strassner	N/A	San Francisco	June 17, 2016	Transportation (parking)	Written
<b>SCOPING MEETING TRANSCRIPTS</b>						
<b>May 26, 2016 - San Jose</b>						
53	Anonymous	N/A	Santa Clara	May 26, 2016	Transportation Public Services and Recreation	Oral
54	Shaunn Cartwright	N/A	Santa Clara	May 26, 2016	Non-CEQA (gentrification/environmental justice) Climate Change and Greenhouse Gases Land Use and Physical Development	Oral

**Table B-1 Comments Received on the Notice of Preparation**

Letter Number	Name of Author	Agency / Organization	County of comment origin <sup>1</sup> (if applicable)	Date Received	Relevant EIR Section(s)	Written / Oral
55	Doug Muirhead	N/A	Santa Clara	May 26, 2016	Air Quality (modeling) Biological Resources Transportation/trail preferences	Oral
56	Anonymous	N/A	Santa Clara	May 26, 2016	Land Use and Physical Development	Oral
57	Jill Borders	N/A	Santa Clara	May 26, 2016	Non-CEQA (gentrification/environmental justice)	Oral
58	Peggy Cabrera	N/A	Santa Clara	May 26, 2016	Non-CEQA (plan preference) Land Use and Physical Development Transportation	Oral
59	Mark Roest	N/A	Santa Clara	May 26, 2016	Alternatives	Oral
<b>May 31, 2016 - Oakland</b>						
60	David Zisser	N/A	Alameda	May 31, 2016	Alternatives Non-CEQA (environmental justice) Transportation Climate Change and Greenhouse Gases	Oral
61	James Peterson	N/A	Alameda	May 31, 2016	Non-CEQA (MTC/ABAG staff location) Non-CEQA (market/housing plan)	Oral
62	Anonymous	N/A	Alameda	May 31, 2016	Non-CEQA (process)	Oral
63	<b>June 2, 2016 - Santa Rosa</b>					
64	Steve Birdlebough	N/A	Sonoma	June 2, 2016	Non-CEQA (regional vs local planning)	Oral
65	Myron R. Siegel	N/A	Sonoma	June 2, 2016	Alternative Transportation Land Use and Physical Development	Oral
66	Chris Knerr	N/A	Sonoma	June 2, 2016	Non-CEQA (planning process)	Oral
67	Anonymous	N/A	Sonoma	June 2, 2016	Non-CEQA (support for the project)	Oral
68	Anonymous	N/A	Sonoma	June 2, 2016	Land Use and Physical Development Alternatives	Oral
69	Steve Birdlebough	N/A	Sonoma	June 2, 2016	Non-CEQA (parking)	Oral

<sup>1</sup> The county of commenter origin indicates the country from which the commenter is located or the county (or counties) represented by the commenter, if applicable.  
The Land Use and Physical Development chapter contains: land use and planning, agriculture and forest resources, and population, employment and housing.



June 15, 2016

BY EMAIL: [eircomments@mtc.ca.gov](mailto:eircomments@mtc.ca.gov)

MTC Public Information  
375 Beale Street, Suite 800  
San Francisco, CA 94105

**Re: 6 Wins Comments on Notice of Preparation of Draft Environmental Impact Report for Plan Bay Area 2040**

To Whom It May Concern:

Public Advocates offers these comments on the Notice of Preparation for the Draft Environmental Impact Report (DEIR) for Plan Bay Area 2040 on behalf of the **6 Wins for Social Equity Network**.<sup>1</sup> The 6 Wins is a coalition of more than 20 grassroots, faith, public health, environmental, labor and policy organizations across the Bay Area that work to improve the lives of low-income people of color through affordable housing, reliable and affordable local transit service, investment without displacement, healthy and safe communities, quality jobs and economic opportunity, and community power.

In order to fulfill the legal requirements of the California Environmental Quality Act (CEQA), the EIR should, among other things, (a) identify a reasonable range of alternatives that includes an Equity, Environment and Jobs (EEJ) alternative; (b) analyze the environmental impacts caused by economic displacement and lack of jobs-housing fit; and (c) include measures to mitigate economic displacement and improve jobs-housing fit, as described below.

**A. Include an Equity, Environment and Jobs Alternative in the Alternatives Analysis**

An EIR must analyze a “reasonable range of alternatives to the project,” with an emphasis on alternatives which “offer substantial environmental advantages over the project proposal.”<sup>2</sup> The purpose of analyzing alternatives is to assess options for attaining the basic objectives of the project while avoiding or substantially lessening environmental impacts and to evaluate the

---

<sup>1</sup> The 6 Wins Network includes the following member organizations: Alliance of Californians for Community Empowerment (ACCE), Asian Pacific Environmental Network (APEN), Breakthrough Communities, California WALKS, Causa Justa :: Just Cause, Center for Sustainable Neighborhoods, Community Legal Services in East Palo Alto, SF Council of Community Housing Organizations (CCHO), Ditching Dirty Diesel Collaborative, East Bay Alliance for a Sustainable Economy (EBASE), East Bay Housing Organizations (EBHO), Faith in Action Bay Area, Genesis, Housing Leadership Council of San Mateo County, North Bay Organizing Project (NBOP), Public Advocates, Regional Asthma Management and Prevention (RAMP), Rose Foundation and New Voices Are Rising, San Mateo County Union Community Alliance, Sunflower Alliance, TransForm, Urban Habitat, and Working Partnerships USA.

<sup>2</sup> *Citizens of Goleta Valley v. Board of Supervisors*, 52 Cal. 3d 553, 566 (1990); *California Native Plant Society v. City of Santa Cruz*, 177 Cal. App. 4th 957, 982-83 (2009).

comparative merits of each alternative.<sup>3</sup> Specifically, “[t]he range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects” in order to “permit a reasoned choice”<sup>4</sup> and “foster informed decisionmaking and public participation.”<sup>5</sup>

To accomplish these requirements, the EIR must include an updated version of the “environmentally superior alternative”<sup>6</sup> identified in the CEQA process for the first Plan Bay Area: the Equity, Environment and Jobs Alternative. The three scenarios for Plan Bay Area currently being considered are inadequate to meet CEQA requirements. They all have substantial environmental impacts likely to be reduced by an updated EEJ scenario. We highlight this fact because the Metropolitan Transportation Commission (MTC) has made it clear that only the three scenarios they have developed for Plan Bay Area “will be the basis for the initial CEQA alternatives,”<sup>7</sup> even though MTC acknowledges that all fall short on a number of important metrics.

Specifically, the preliminary evaluation by MTC and the Association of Bay Area Governments (ABAG) concluded that the scenarios perform poorly on a number of targets, including reducing adverse health impacts, not increasing the share of households at risk of displacement (which has foreseeable environmental impacts), and increasing non-auto mode share.<sup>8</sup> Because an updated EEJ alternative is likely to improve performance on environmental metrics and meet the overall project objectives of Plan Bay Area, it must be included in the EIR.

For example, compared to the preferred alternative adopted in the last round, the EEJ alternative would have resulted in:

- 1,900 fewer tons of CO<sub>2</sub> emissions per day and 568,000 fewer tons of GHG emissions per year;
- 6.4 fewer tons of Toxic Air Contaminants (TACs) per year;
- 1,290 fewer tons of CO emissions per year; and
- Daily energy savings of 68 billion BTUs, the equivalent of burning 600,000 fewer gallons of gasoline each day.<sup>9</sup>

Despite these strong results, MTC and ABAG have refused to include the EEJ among the scenarios they evaluate against the performance targets or among the alternatives studied in the EIR. A “reasonable range of alternatives” should include the environmentally superior

---

<sup>3</sup> 14 CCR § 15126.6

<sup>4</sup> 14 CCR § 15126.6(c), (f).

<sup>5</sup> 14 CCR § 15126.6(a). *See also Laurel Heights Improvement Assn. v. Regents of University of California*, 47 Cal. 3d 376, 406-07 (1988).

<sup>6</sup> MTC and ABAG, Plan Bay Area Final Environmental Impact Report – Final Certification (July 5, 2013), p.A-128.

<sup>7</sup> MTC, Plan Bay Area 2040: Scenario Evaluation, Planning Committee Agenda Item 4a (May 6, 2016), p.3.

<sup>8</sup> *Id.* at Attachment 5, pp.23-25 (slides 8-10).

<sup>9</sup> Sustainable Systems Research, LLC, Summary Comparison of Plan Bay Area Performance Metrics for EEJ and Proposed Plan Scenarios (April 29, 2013), available at

[http://www.publicadvocates.org/sites/default/files/library/uc\\_davis\\_comparison\\_of\\_draft\\_pba\\_with\\_eej\\_alternative\\_summary.pdf](http://www.publicadvocates.org/sites/default/files/library/uc_davis_comparison_of_draft_pba_with_eej_alternative_summary.pdf).



alternative – as well as the one that performed best on a range of benefits. To this end, the EEJ should be updated and analyzed in this round’s EIR.

As detailed in our comments on the DEIR last round (attached), MTC and ABAG should update the EEJ alternative so that it matches more closely the scenario that was proposed by the community. Changes from the EEJ studied in the last EIR process should include:

- forcing housing into the desired infill zones in the EEJ alternative (as was done in the preferred alternative),<sup>10</sup>
- assuming there would be CEQA streamlining under the EEJ alternative (as was done in the preferred alternative),<sup>11</sup> and
- capturing in the model the benefits the EEJ alternative would achieve through deed-restricted affordable housing and anti-displacement protections.

Building upon the EEJ in these ways would likely yield even stronger environmental benefits.<sup>12</sup>

Moreover, the EIR alternatives will also become the basis for MTC’s federally-required equity analysis of Plan Bay Area. Last time, the EEJ was not only environmentally superior, but also provided the greatest benefits to low-income and minority residents, including the lowest H+T cost burden and the lowest risk of displacement. Failing to include an EEJ Alternative in the EIR will therefore also remove from consideration the alternative most likely to provide a full and fair share of the benefits of the regional plan to low-income and minority populations.

## **B. Analyze the Environmental Effects of Economic Displacement and Improper Jobs-Housing Fit**

CEQA requires an analysis of direct and indirect impacts,<sup>13</sup> including impacts resulting from social and economic consequences of the project.<sup>14</sup> In addition, an EIR is required where “[t]he environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.”<sup>15</sup> To fulfill its fundamental purpose, an EIR must “identify and focus on

---

<sup>10</sup> Sustainable Systems Research, LLC, Technical Memorandum: Review of the Draft Environmental Impact Report for Plan Bay Area (May 15, 2013) pp. 2-6, 13-14, available at

[http://www.publicadvocates.org/sites/default/files/library/ssr\\_technical\\_memorandum\\_5\\_16\\_13.pdf](http://www.publicadvocates.org/sites/default/files/library/ssr_technical_memorandum_5_16_13.pdf). In any event, the EIR alternatives must be modeled in a consistent manner. That was not the case in PBA 2013, when the UrbanSim land-use model was used to forecast the housing distribution for several EIR alternatives, but not for the preferred alternative. In the preferred alternative, instead of allowing UrbanSim to forecast how much of the housing distribution would fall within “Priority Development Areas” (PDAs) and “transit priority project zones,” MTC and ABAG manually assigned a significant share of the housing growth to these areas; UrbanSim was only used to model the distribution of those units within each PDA. Had the preferred alternative been modeled properly (and consistently with the alternatives), the resulting housing distribution would have been far less compact, raising serious questions about whether the region’s greenhouse gas (GHG) targets would be met.

<sup>11</sup> *Id.* at 14.

<sup>12</sup> *Id.*

<sup>13</sup> 14 CCR § 15358(a).

<sup>14</sup> 14 CCR § 15064(e); see *El Dorado Union High Sch. Dist. V. City of Placerville* (1983) 144 Cal. App. 3d 123, 132 (social effects of increased student enrollment and potential for overcrowding could lead to construction of new facilities and were thus relevant under CEQA); see also *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal. App. 4th 1184, 1215 (EIR improperly dismissed the possibility that a large shopping center could drive other retailers out of business as an economic effect when urban decay and other blightlike conditions could result).

<sup>15</sup> 14 CCR § 15065(a)(4).

the significant environmental effects of the proposed project,” including “changes induced in population distribution, population concentration, [and] the human use of the land (including commercial and residential development). . . .”<sup>16</sup> Furthermore, “[a]n EIR should be prepared with a sufficient degree of analysis to provide decisionmakers with information which enables them to make a decision which intelligently takes account of environmental consequences.”<sup>17</sup>

Low-income households living in areas of focused growth and investment, such as Plan Bay Area’s Priority Development Areas and Transit Priority Areas, are likely to experience increased displacement resulting from increased property values<sup>18</sup> and subsequent rent hikes and evictions. As noted above, MTC and ABAG’s own evaluation of the scenarios indicates that the risk of displacement is likely to increase significantly in all three scenarios.

When low-income people in the Bay Area are displaced, they tend to move far from their jobs and to places with poor public transit,<sup>19</sup> robbing the transit system of its highest propensity riders and adding high-polluting vehicles to the roads. As a result, displacement has significant adverse effects, including harming human health,<sup>20</sup> decreasing public transit utilization, increasing congestion and VMT, causing poorer air quality, increasing greenhouse gas emissions, and causing other environmental impacts.<sup>21</sup> Similarly, an increase in road and highway usage may result in a significant environmental impact as roads and highways fall into disrepair and traffic congestion increases.<sup>22</sup>

The DEIR must therefore evaluate the environmental and health consequences associated with economic displacement. Among other steps, the DEIR should model displacement and identify likely trends in displacement, including:

- areas likely to face displacement pressure,
- the number of households affected,
- the communities expected to absorb these households,
- the number of households with increased commutes resulting from displacement,

---

<sup>16</sup> 14 CCR § 15126.2(a); *see also* Pub. Res. Code § 21002.1(a).

<sup>17</sup> 14 CCR § 15151.

<sup>18</sup> University of California, Berkeley and Los Angeles, Gentrification, Displacement and the Role of Public Investment: A Literature Review (Mar. 3, 2015), pp.17-20, available at [http://iurd.berkeley.edu/uploads/Displacement\\_Lit\\_Review\\_Final.pdf](http://iurd.berkeley.edu/uploads/Displacement_Lit_Review_Final.pdf).

<sup>19</sup> *See* Federal Reserve Bank of San Francisco, Suburbanization of Poverty in the Bay Area (Jan 2012), available at <http://www.frbsf.org/community-development/files/Suburbanization-of-Poverty-in-the-Bay-Area2.pdf>; *see also* Brookings Institution, The Growing Distance Between People and Jobs in Metropolitan America (Mar. 2015), available at [http://www.brookings.edu/~media/research/files/reports/2015/03/24-job-proximity/srvy\\_jobsproximity.pdf](http://www.brookings.edu/~media/research/files/reports/2015/03/24-job-proximity/srvy_jobsproximity.pdf).

<sup>20</sup> Bay Area Regional Health Inequities Initiative, Displacement Brief (Feb. 2016), available at <http://barhii.org/wp-content/uploads/2016/02/BARHII-displacement-brief.pdf>.

<sup>21</sup> TransForm and California Housing Partnership Corporation, Why Creating and Preserving Affordable Homes Near Transit Is a Highly Effective Climate Protection Strategy (May 2014), available at <http://www.transformca.org/sites/default/files/CHPC%20TF%20Affordable%20TOD%20Climate%20Strategy%20BOOKLET%20FORMAT.pdf>. *See* 14 CCR § 15064.4(b).

<sup>22</sup> *See, e.g., Save our Peninsula Comm. V. Monterey Cty. Bd. Of Supervisors*, 87 Cal. App. 4th 99, 118, 139 (2001) (discussing traffic impact as a significant environmental effect).

- the impact on access to middle-wage jobs<sup>23</sup> for low-income households, and
- the location and quantity of resulting demand for additional housing construction.

In addition, academic research has found that many parts of the Bay Area have a poor match between housing costs and local wages – a poor “jobs-housing fit,” causing new workers, particularly low-wage workers, to travel further distances than those in existing jobs.<sup>24</sup> The DEIR must evaluate the environmental and health effects resulting from this mismatch.

### C. Describe Measures to Mitigate the Effects of Economic Displacement and Improve Jobs-Housing Fit

Public agencies are also required to describe and discuss mitigation measures that could minimize *each* significant environmental effect identified in an EIR.<sup>25</sup> Mitigation measures are “the teeth of the EIR” because “[a] gloomy forecast of environmental degradation is of little or no value without pragmatic, concrete means to minimize the impacts and restore ecological equilibrium.”<sup>26</sup> Such measures must be at least “roughly proportional” to the impacts of the project, and must not be remote or speculative.<sup>27</sup> They must be “fully enforceable through permit conditions, agreements, or other legally binding instruments.”<sup>28</sup>

Indeed, a project should not be approved “as proposed if there are feasible mitigation measures available which would substantially lessen the significant environmental effects of the project.”<sup>29</sup> Measures or alternatives that mitigate the risk of displacement and therefore reduce the identified environmental impacts of displacement are feasible and should be incorporated into the EIR.<sup>30</sup> Such measures include:

- leveraging the One Bay Area Grant (OBAG) program to encourage local anti-displacement protections and affordable housing production,<sup>31</sup> as proposed by the 6 Wins,<sup>32</sup>

<sup>23</sup> “Middle-wage” jobs are defined as those that pay \$18 to \$30 per hour. SPUR, CCSCE, SMCUCA, Working Partnerships USA, Economic Prosperity Strategy: Improving Economic Opportunity for the Bay Area’s low- and moderate-wage workers (Oct. 2014), p. 8, available at [http://www.spur.org/sites/default/files/publications\\_pdfs/Economic\\_Prosperty\\_Strategy.pdf](http://www.spur.org/sites/default/files/publications_pdfs/Economic_Prosperty_Strategy.pdf).

<sup>24</sup> Alex Karner and Chris Benner, Job Growth, Housing Affordability, and Commuting in the Bay Area (May 29, 2015), pp. 40-41, available at [http://planbayarea.org/pdf/prosperity/research/Jobs-Housing\\_Report.pdf](http://planbayarea.org/pdf/prosperity/research/Jobs-Housing_Report.pdf); see also Chris Benner with Alex Karner, Why is Housing So Expensive? Beyond Balance to Jobs Housing *Fit*, presentation available at <http://calbudgetcenter.org/wp-content/uploads/Policy-Insights-2016-Benner.pdf>.

<sup>25</sup> See Pub. Res. Code §§ 21002.1(a)-b and 21081.6(b); see also 14 CCR § 15126.4.

<sup>26</sup> *Environmental Council of Sacramento v. City of Sacramento* (2006) 142 Cal. App. 4th 1018, 1039.

<sup>27</sup> 14 CCR § 15126.4(a)(2)(B) (citing *Dolan v. City of Tigard*, 512 U.S. 374 (1994)); see also *Fed’n of Hillside & Canyon Ass’ns v. City of Los Angeles* (2000) 83 Cal. App. 4th 1252, 1261.

<sup>28</sup> 14 CCR § 15126.4(a)(2).

<sup>29</sup> Cal. Pub. Res. Code § 21002; see also 14 CCR § 15002(a)(3) (an agency must prevent avoidable damage “when [it] finds [mitigation measures] to be feasible”).

<sup>30</sup> See 14 CCR § 15131(c) (“Economic, social and particularly housing factors shall be considered by public agencies ... in deciding whether changes in a project are feasible to reduce or avoid the significant effects on the environment identified in the EIR”).

<sup>31</sup> Such local policies have been adopted throughout the Bay Area and have a proven track record of reducing displacement. See UC Berkeley, Urban Displacement Project, Policy Tools, available at <http://www.urbandisplacement.org/policy-tools-2>.

<sup>32</sup> 6 Wins Network, Recommended Modifications to the One Bay Area Grant Program to Advance Investment Without Displacement, Affordable Housing, and Economic Opportunity (Sept. 30, 2015), available at <https://drive.google.com/file/d/0B9IjCmacmnhWYWRyQXBtNDFJRjU0/view?pref=2&pli=1>.

- funding for the development and preservation of affordable housing,
- more equitable distribution of development throughout both affluent and low-income neighborhoods, and
- reducing transit costs to low-income households to reduce the pressure of rising housing costs.

Policies to improve jobs-housing fit should also be considered as mitigation measures, including:

- increasing affordable housing near entry-level jobs,
- supporting investment and development patterns that prioritize the growth and retention of living-wage and middle-wage jobs near housing, and
- raising wages for low-income workers so that they are better able to afford housing.

To ensure a robust environmental analysis, a transparent process, and a Plan Bay Area that results in the greatest number of benefits and the least number of harms to the region's residents, it is critical that the DEIR include an EEJ Alternative, analyze the environmental effects of displacement and lack of jobs-housing fit, and explore measures to mitigate displacement and its effects and to improve jobs-housing fit.

Sincerely,



David Zisser  
Staff Attorney

Copy: Steve Heminger, Executive Director, MTC ([sheminger@mtc.ca.gov](mailto:sheminger@mtc.ca.gov))  
Ezra Rapport, Executive Director, ABAG ([ezrar@abag.ca.gov](mailto:ezrar@abag.ca.gov))  
Ken Kirkey, Director, Planning, MTC ([kkirkey@mtc.ca.gov](mailto:kkirkey@mtc.ca.gov))  
Miriam Chion, Director of Planning and Research, ABAG  
([miriamc@abag.ca.gov](mailto:miriamc@abag.ca.gov))  
Commissioners, MTC  
Members, Administrative Committee, ABAG

Attachment: Comments on the draft Environmental Impact Report for Plan Bay Area (May 16, 2013)

Carolyn Clevenger, MTC EIR Project Manager  
Metropolitan Transportation Commission  
101 Eighth Street  
Oakland, CA 94607  
By email: [eircomments@mtc.ca.gov](mailto:eircomments@mtc.ca.gov)

**Re: Comments on the draft Environmental Impact Report for Plan Bay Area**

### Introduction

When the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) issued their draft Plan Bay Area (draft Plan), thousands of pages of documents and appendices went up on their website. Most of those pages are parts of the Environmental Impact Report (EIR) prepared to comply with the requirements of the California Environmental Quality Act (CEQA). These comments address concerns in each of the core components of the EIR:

- The basic function to fully inform the public.
- The project description.
- The analysis of alternatives.
- The analysis of project impacts.
- The mitigation measures.

A number of these concerns stem in part from the fact that there are key differences in how the land-use model, UrbanSim, was used to determine the housing distribution in the draft Plan, on the one hand, and in the Equity, Environment and Jobs (EEJ) alternative, and other alternatives on the other hand. Specifically, the EIR adjusted the modeling results for the draft Plan by using unspecified “calibration techniques,” but did not make the same adjustments in the modeling results for the other alternatives. The use of different methods obscures the comparison among Plan alternatives, and departs from the California Transportation Commission’s modeling guidelines for regional transportation plans.

### The EIR is Inadequate as an Informational Document

The basic function of an EIR is to fully inform the public and decision makers about the environmental impacts of a project so that the public can provide informed input and the decision makers can make an informed decision. However, this EIR is so complex and confusing – so dependent upon unexplained assumptions embedded in computer models – that it is impossible for the public to fully understand its methodology and clearly evaluate its conclusions. To even attempt to decipher the methodology of the key land use models, the public has to plow through a technical appendix to the draft Plan document, which itself is an appendix to the EIR. Even academic modeling experts who have reviewed the technical appendices and asked for clarification from modeling staff at MTC and ABAG have been unable to determine the exact steps used to create the housing distribution for the draft Plan.

The EIR also falls short of its information function in even more basic ways. It does not inform decision-makers or the public of the health effects on disproportionately-impacted populations of the

increased emissions the EIR identifies as potentially significant. It also does not inform them of the disproportionate impacts on low-income populations that will result from economic displacement.

### The Project Description in the EIR is Inadequate

It is impossible for an EIR to adequately inform the public and decision makers about the impacts of a project unless the EIR clearly and consistently describes the project in the first place. This EIR does not pass that test. Unlike every other EIR that has been prepared for SB 375 plans, and for that matter almost every other EIR that is prepared for any purpose, this EIR does not have a separate chapter, or section, entitled “Project Description.” Instead, Chapter 1.2 of the EIR is called “Overview of the Proposed Plan Bay Area.” As its title suggests, it provides an overview of certain features of the plan, but not a complete project description. The description of the core land use component required by SB 375, the Sustainable Community Strategy (SCS), is woefully incomplete. The description of the SCS basically amounts to the statement that it “calls for focused housing and job growth around high-quality transit corridors, particularly within areas identified by local jurisdictions as Priority Development Areas” (DEIR, p. 1.2-24), without providing any specifics about how this focused growth will be achieved, and without even providing a list of the PDAs where the growth will be focused.

For “details” about the SCS, EIR readers are directed to the draft Plan document, which in turn directs readers to the “Jobs-Housing Connection Strategy” (JHCS) published a year before the EIR. The JHCS states that there are 198 PDAs, and the EIR and the draft Plan document both state that there are “nearly 200” PDAs. However, the PDA Readiness Assessment, one of the many support documents published at the same time as the EIR and draft Plan document, states that “a number of changes or modifications have been made since” the JHCS was published, so “the current number of PDAs is 169.” Even though the core feature of the draft Plan is to encourage growth around PDAs, neither the EIR nor any of the documents it references provide a list of PDAs (only maps that are not at a scale to allow one to distinguish individual PDAs in proximity to each other, or to count them individually). There is also an inconsistency in the description of how much housing and jobs will go into the PDAs under the Plan. Among the EIR, SCS and JHCS, the housing number is variously described as “77 percent,” “79 percent,” “over 80 percent,” “80 percent” and “about 80 percent.” The jobs numbers are expressed as 63 percent sometimes and 66 percent other times – a discrepancy of more than 40,000 jobs. The unspecified “calibration techniques” discussed above, which were used to generate the description of how many housing units will be in PDAs as a result of the draft Plan, suggest that the EIR uses an elastic project description that changes shape as necessary to produce various outcomes. That is not a recipe for a useful EIR.

### The EIR’s Identification and Analysis of Alternatives Falls Short

The EIR deserves praise for its inclusion of an Equity, Environment and Jobs (EEJ) Alternative, and for acknowledging that the EEJ alternative is the environmentally superior alternative. However, there are important differences between the robust EEJ alternative proposed to ABAG and MTC and the alternative analyzed in the EIR. These differences include: forcing housing into the desired infill zones in the preferred alternative, but not the EEJ alternative; failing to capture in the model the benefits the EEJ alternative would achieve through deed-restricted affordable housing and of OBAG anti-displacement protections; and assuming there would be no CEQA streamlining under the EEJ alternative. As result, the EIR has not in fact analyzed a fully-developed EEJ alternative.

The analysis of the impacts of the EEJ alternative inappropriately masks how much better the EEJ alternative performs compared to the preferred alternative by representing those differences as seemingly-small percentage point differences and then repeating the misleading statement that its benefits are only “marginal.” In fact, when one focuses on absolute numbers rather than misleading percentages, the analysis in the EIR shows substantially better performance by the EEJ alternative. Compared to the proposed plan, the EEJ scenario would result in:

- 1,900 fewer tons of CO2 emissions per day and 568,000 fewer tons of GHG emissions per year
- 6.4 fewer tons of Toxic Air Contaminants (TACs) per year
- 1,290 fewer tons of carbon monoxide emissions per year
- Daily energy savings of 68 billion BTUs, the equivalent of burning 600,000 fewer gallons of gasoline each day.

Furthermore, Sustainable Systems Research LLC concluded that if the modeling had been applied consistently, the EEJ alternative would show improved performance even beyond the performance that caused the EIR to select it as the environmentally superior alternative.

In addition, while the discussion of the EEJ alternative as the environmentally superior alternative drops hints that the alternative may be infeasible, it does not evaluate its feasibility at a level of detail that would be necessary for ABAG and MTC to make a finding of infeasibility. Any such analysis would need to individually evaluate the feasibility of the different major components, and not simply assume that one component can make an entire alternative infeasible. In fact, the VMT fee is not an essential part of the EEJ alternative. While it provides a useful tool for analyzing the benefits that a big boost in transit service would bring to the region, the bulk of those benefits can be achieved without a VMT fee through making \$3 billion in additional transit operating funds available in the final Plan, as recommended below. Because the issue here is only financial feasibility, a feasibility analysis would need to fairly apply the same feasibility standards to the preferred alternative, by, for example, acknowledging that it may not be feasible to assume that the same revenues that existed before redevelopment agencies were eliminated will be available now that they have been eliminated.

#### The EIR’s Analysis of Project Impacts is Inadequate.

The failure to base the impact analysis on a fixed, consistent project description permeates all of the individual sections of the impact analysis. The “calibration techniques” used in the land use analysis of the draft Plan are one extreme example of the fact that the impact analysis conducted through complex computer modeling appears to be result-oriented rather than a fair effort to characterize the actual impacts of the actual policy decisions that are supposed drive the analysis. As noted above, Sustainable Systems Research, LLC evaluated the inconsistencies in the modeling approaches and determined that EEJ would show even greater performance benefits relative to the draft Plan had the two been analyzed using comparable methods.

As discussed above, the impact analysis does not analyze the localized health effects on disproportionately-impacted populations of the increased emissions the EIR identifies as potentially significant. It also does not analyze the disproportionate health effects on low-income populations that will experience economic displacement, despite the fact that ABAG acknowledged in its 2007 to

2014 Housing Needs Plan that displacement caused by urban housing demand results in “negative impacts on health, equity, air quality, the environment and overall quality of life in the Bay Area.”

One important shortcoming in the impact analysis relates to the impact of economic displacement. The draft EIR notes correctly that CEQA does not require analysis of pure social or economic impacts. CEQA does, however, require analysis of the physical changes to the environment that are caused by the economic or social effects of a project. And yet the draft EIR does not analyze the social and economic effects of displacement, even though it acknowledges that “Changing development types and higher prices resulting from increased demand could disrupt business patterns and displace existing residents to other parts of the region or outside the region altogether.” Instead, these issues are given inadequate consideration in the Equity Analysis, which is not part of the CEQA analysis. There is no attempt in the draft EIR or in the Equity Analysis to model displacement and identify likely trends in displacement, including areas likely to face pressure, number of households affected, and the impacts on the communities expected to absorb these households, and no attempt to mitigate the impacts of the significant displacement risks that the Equity Analysis found.

#### The EIR’s Mitigation Measures Fall Short.

To the extent the draft EIR does identify certain localized displacement impacts as significant, it does not propose sufficient mitigation measures even in the context of the artificially-constrained impacts it does address. The displacement mitigation measures focus on enhancing pedestrian and bike access, and general planning. No mitigation is proposed that adds any actual protection against displacement pressures.

Many of the mitigation measures (particularly for air impacts) set forth in the draft EIR are already required by applicable state or local regulations, and thus already required by law to be in the project. For example, (a) use of Tier 2 off-road equipment, (b) anti-idling requirements, and (c) controlling fugitive dust. As the Attorney General pointed out in her lawsuit challenging SANDAG’s SB 375 plan, measures that are already legally required should have been assumed to be part of the baseline of the project. By inappropriately calling them out as mitigation measures, the draft EIR side-steps the consideration of other mitigation measures that could reduce pollution, improve public health, and save lives.

The draft EIR correctly points out in many places that mitigation of a number of the identified impacts is outside the jurisdiction of ABAG and MTC. Nevertheless, ABAG and MTC have not adequately leveraged the mitigation potential of programs that are within their jurisdiction, namely the One Bay Area Grant program (OBAG) and the Regional Housing Needs Allocation (RHNA). The EEJ alternative does a much better job of targeting those programs to achieve the objectives of SB 375 and state and federal transportation and housing laws than the preferred alternative.

#### **We recommend adding the following specific mitigation measures:**

- **Transit operations:** Provide \$3 billion in additional operating revenue for local transit service in the final Plan, and commit to adopt a long-range, high-priority “Regional Transit Operating Program” to boost transit operating subsidies by another \$9 billion over the coming years, as new operating-eligible sources of funds become available.



- **SCS and RHNA housing distribution:** Shift 25,000 RHNA units from PDAs to “PDA-like places.” with a corresponding shift in the SCS.
- **Displacement protections:** Develop and incorporate into the draft EIR strong anti-displacement policies that future OBAG grant recipients will be required to adopt and implement, and provide substantial regional funding for community stabilization measures, such as land banking and preservation of affordable housing in at-risk neighborhoods.

Sincerely,

**ACCE Riders for Transit Justice**

Roger Kim, Executive Director  
**Asian Pacific Environmental Network**

Kirsten Schwind, Program Director  
**Bay Localize**

Carl Anthony and Paloma Pavel, Co-founders  
**Breakthrough Communities**

Michael Rawson, Director  
**California Affordable Housing Law Project**

Ilene Jacobs, Director of Litigation, Advocacy & Training  
**California Rural Legal Assistance**

Wendy Alfsen, Executive Director  
**California WALKS**

Dawn Phillips, Co-Director of Program  
**Causa Justa :: Just Cause**

Tim Frank, Director  
**Center for Sustainable Neighborhoods**

Nile Malloy, Northern California Program Director  
**Communities for a Better Environment**

Amie Fishman, Executive Director  
**East Bay Housing Organizations**

**Genesis**

Gladwyn d'Souza, Project Director  
**Green Youth Alliance**

Joshua Hugg, Program Manager  
**Housing Leadership Council of San Mateo County**

Melissa A. Morris, Senior Attorney  
**Law Foundation of Silicon Valley**

John Young, Executive Director  
**Marin Grassroots/Marin County Action Coalition for Equity**

Myesha Williams, Co-Director  
**New Voices Are Rising**

Karyl Eldridge, Housing Committee Chairperson  
**Peninsula Interfaith Action (PIA)**

Richard Marcantonio, Managing Attorney  
Sam Tepperman-Gelfant, Senior Staff Attorney  
**Public Advocates Inc.**

Anne Kelsey Lamb, Director  
**Regional Asthma Management and Prevention**

Jill Ratner, President  
**Rose Foundation for Communities & the Environment**

Allen Fernandez Smith, President & CEO  
**Urban Habitat**

Brian Darrow, Director of Land Use and Urban Policy  
**Working Partnerships USA**

# Transportation Solutions Defense and Education Fund

P.O. Box 151439 San Rafael, CA 94915 415-331-1982

June 15, 2016  
By E-Mail to:  
eircomments  
@mtc.ca.gov

Steve Heminger  
Metropolitan Transportation Commission  
375 Beale Street, Suite 800  
San Francisco, CA 94105

Re: 2017 RTP/SCS Scoping Comments

Dear Mr. Heminger:

The Transportation Solutions Defense and Education Fund, TRANSDEF, is an environmental non-profit advocating the regional planning of transportation, land use and air quality. Our focus in recent years has been on reducing the impacts of transportation on climate change. This marks the seventh Regional Transportation Plan process in which we have participated.

These comments are intended to test a coherent set of the latest policies from Caltrans:

California's goal for all sectors and economic activities is to reduce GHG emissions while we go about our daily business. For transportation, this means making significant changes in how we travel. We must provide access and mobility for people and businesses, yet reduce our single occupant miles travelled and advance cleaner vehicles and fuels. (California Transportation Plan 2040, Final Draft version ("CTP"), p. 87.)

TRANSDEF recognizes that the environmental review process was set into law for the purpose of improving projects. It was not intended to merely generate stacks of unread paper documenting foregone conclusions. As a result, we believe that the appropriate testing of different conceptual approaches to the solution of regional problems is both warranted and desirable.

An ongoing controversy exists as to the long-held MTC conclusion that "transportation investments do not move the needle," referring to the ability of an RTP to produce significant shifts in travel patterns, mode split and GHG emissions. TRANSDEF, on the

other hand, strongly believes that well-designed cost-effective projects, selected to advance specific strategic objectives, will produce better outcomes.

This was demonstrated in the 2005 RTP FEIR, in which the TRANSDEF Smart Growth Alternative outperformed<sup>1</sup> the adopted staff alternative. We believe that MTC's practice of selecting politically popular costly transportation projects for the RTP over better-performing ones is the core reason that total transit ridership in the Bay Area is now lower<sup>2</sup> than it was in 1982<sup>3</sup>--and far lower per capita, due to population growth.

To resolve this important policy question, we propose that MTC/ABAG study the following transportation sub-alternatives, based on the land use assumptions of the Big Cities Scenario, as defined by MTC/ABAG staff. We believe that comparing the outcomes of these sub-alternatives with the outcomes of the Big Cities Scenario will provide MTC/ABAG with invaluable data for policy making. In addition, utilizing inputs from CTP 2040 Scenario 2 will perform a comparison between MTC's model and the State's.

### **Cost-Effectiveness Sub-Alternative**

This Alternative is guided by the chief conclusion of our strategic analysis: The Bay Area has far too many personal vehicles for the Single Occupant Vehicle (SOV) mode to be viable for commuting. We recognize that when a large percentage of the population insists on commuting at the same time, a mass transportation solution, rather than reliance on individual transportation, is required. The Alternative does not waste funds attempting the hopeless task of maintaining SOV mobility. It builds no additional SOV capacity.

Consistent with CTP 2040 Scenario 2, this Alternative tests building convenient transit options, hopefully resulting in a significant drop in the SOV mode share and GHG emissions.

This Alternative uses the transportation project definitions<sup>4</sup> of the 2005 TRANSDEF Smart Growth Alternative.<sup>5</sup> The input files of transit headways that were developed for the 2005 EIR should still be stored at MTC. If not, we can provide them to avoid unnecessary duplication of work.

Obviously some things have changed since we created the Alternative back in 2004. SMART and eBART will soon be operational, so their trips need to be input to the model. BART built the central section of our Delta DMU proposal, so that project should

---

<sup>1</sup> [http://transdef.org/RTP/RTP\\_Analysis\\_assets/Technical\\_Report.pdf](http://transdef.org/RTP/RTP_Analysis_assets/Technical_Report.pdf)

<sup>2</sup> See graph at [http://transdef.org/Bay\\_Area/Bay\\_Area.html](http://transdef.org/Bay_Area/Bay_Area.html)

<sup>3</sup> TRANSDEF had sought to enforce TCM 2, MTC's commitment in the State Implementation air quality Plan to increase regional transit ridership in 1987 by 15% over the baseline year of 1982.

<sup>4</sup> [http://mtcwatch.com/2004\\_RAFT\\_RTP/2004\\_RTP\\_Main.html](http://mtcwatch.com/2004_RAFT_RTP/2004_RTP_Main.html)

<sup>5</sup> <http://transdef.org/RTP/RTP.html>

be omitted. Please contact us to resolve questions about handling other changes to the regional network.

**Altamont Corridor Rail Project:** Since we designed the Bay Area High-Speed Rail Service in 2004, the Altamont Corridor Rail Project was developed as a collaboration of ACE and CHSRA, among others. For our Alternative, we have replaced the Bay Area High-Speed Rail Service with the Altamont Corridor Rail Project, as the latter is better defined. An EIR for the project was scoped in 2009 but never completed. The 2011 Preliminary Alternatives Analysis<sup>6</sup> has a list of preferred alternatives on p. 5-1. (Some of these alternatives bear a striking similarity to the Altamont HSR alternative<sup>7</sup> TRANSDEF proposed to CHSRA in 2010.) For this project, we propose the following specifications/enhancements:

- 20 minute headways for the peak period and 30 minute off-peak.
- Service to Downtown San Francisco via the Dumbarton Rail Bridge and DTX.
- A new ROW from Stockton to Sacramento, allowing one-seat rides from Sacramento to San Jose and San Francisco.
- San Joaquin trains westbound from Stockton are rerouted to San Jose via this new line, greatly increasing the ridership.
- Travel time from Stockton to San Jose is 1:00.
- California HSR is assumed to not be functional during the Plan period.

**Altamont Funding:** This Alternative does not provide any regional contribution to BART extensions, making funding available for this project. As the transit solution for one of the top ten congested highway corridors in the region, this project should compete very well for cap and trade funding. For RTP purposes, assume a project cost of \$4 billion.

**Highway Funding:** Please note that, in striving for policy coherence, this Alternative provides no funding for so-called Express lanes or other highway capacity-increasing projects. Instead, like CTP 2040 Scenario 2, HOV networks are made continuous by converting mixed-flow lanes. (Appendix 7, p. 11.) Highway construction funding is used to meet the needs of SHOPP, and highly visible enforcement of HOV lane occupancy limits. HOV lanes will be presumed to operate at at least FHWA minimum speeds. Available funding not needed for basic maintenance is swapped with sales tax counties for money eligible to spend on transit operations.

**Transit Speeds:** Like CTP 2040 Scenario 2, significantly higher transit speeds are key to productivity and carrying large passenger loads at reasonable operating costs. In this Alternative, we propose these methods of achieving the 50% higher speeds assumed by Scenario 2:

- Widespread use of traffic signal priority for buses

---

<sup>6</sup> [http://transdef.org/2017\\_SCS/Altamont Corridor Rail Project Preliminary AA Report.pdf](http://transdef.org/2017_SCS/Altamont_Corridor_Rail_Project_Preliminary_AA_Report.pdf)

<sup>7</sup> [http://transdef.org/HSR/Altamont\\_assets/Exhibit\\_C.pdf](http://transdef.org/HSR/Altamont_assets/Exhibit_C.pdf)

- Arterial HOV lanes where needed to bypass congestion
- Automated enforcement of transit lanes, with all fines going directly to the transit operator.<sup>8</sup>
- Unlike CTP 2040 Scenario 2, HOV minimum occupancies are not changed, as TRANSDEF believes that would result in limiting the HOV mode share.

**Land Use:** We note with approval that the description of the Big Cities Scenario includes elements that have no basis in current law or policy, including changing parking minimums and the office development cap. MTC had raised serious feasibility concerns about our 2005 RTP Alternative because we proposed innovations like these. It is only by testing proposed policies that decision-makers can determine whether to support legislation to make the innovation possible.

In addition to incorporating all of the Scenario's land use assumptions, the Alternative includes:

- No public subsidies for the operation or construction of parking within PDAs.
- The conditioning of funding for PDAs on enactment of the parking and other policy reforms proposed by the Big Cities Scenario.
- Required unbundling of the parking from leases and residential purchase agreements.
- Encouragement for the permitting of micro-apartments and Junior Second Units.

This Alternative's focus on increasing the availability of convenient transit should meet a critical need of PDAs, and the Big City Alternative in particular. We would be pleased to discuss the proposed headways with staff, and adjust these specifications to find an optimal balance of ridership and cost, as well as adjust the dollar inputs to meet the financial realities of today.

### **Pricing Sub-Alternative**

CTP 2040 Scenario 2 is described in Appendix 7 (pp. 11-12) as increasing the out-of-pocket cost of urban driving by 133% (from \$0.23 to \$0.55 per mile). We propose to achieve this by implementing some of the following pricing programs:

- Mixed-flow lane freeway tolling during congested periods.
- A parking charge on all commercial parking spaces, including privately owned ones. This could conceivably be achieved through public funding of the installation of parking management hardware: gates and access controls. This would enable excellent administration of employee commuter benefit programs.
- Impose a regional transportation mitigation fee on new development, based on additional auto trips and VMT added to the regional network. If the fee is high enough, it will increase the desirability of developing close to transit and decrease interest in greenfield sites. This could come in the form of an Indirect Source Mitigation Fee, which has been under consideration by BAAQMD.

---

<sup>8</sup> <http://arch21.org/BusLanes/BusOnlyPaper.html>

While the Big Cities Scenario contains cordon pricing and incentive programs, the Notice of Preparation does not specify the degree of cost increase proposed. This Sub-Alternative therefore prescribes the increase in the cost of driving, and some of the potential ways to achieve it.

Back in 2004, the travel demand model was limited in its ability to study pricing. We were forced to use a daily parking charge as a surrogate for the road user charges we wanted studied. Please contact us to discuss what is possible with the current model.

A key part of this Sub-Alternative is drawn from the experience of LACMTA. After it entered into a consent decree with the Bus Riders Union, bus fares were very substantially reduced. Bus ridership went up dramatically. Conversely, after the consent decree expired, fares rose and ridership dropped. TRANSDEF proposes this Sub-Alternative model a fare reduction here in the Bay Area, to test whether price sensitivity is different up here. We propose cross-subsidizing fares from the revenues received through pricing, with a target of reducing fares by 80%.

For simplicity and directness of comparison, this Alternative uses the exact same transportation and land use assumptions as the Cost-Effectiveness Sub-Alternative.

#### Conclusion

TRANSDEF is committed to achieving GHG emissions reductions and VMT reductions at the regional level. These Alternatives represent our best thinking as to what can be done, and what needs to be done. Studying the Alternatives proposed here will place concrete choices before the agencies. We think it is far healthier for the agencies to either accept or reject the choices in public than avoid altogether the discomfort of "pushing the envelope." We stand ready to provide whatever further inputs might be needed or useful. We look forward to collaborating on the best RTP yet.

Sincerely,

/s/ DAVID SCHONBRUNN

David Schonbrunn,  
President

CC:

Steve Kinsey, MTC  
Ezra Rapport, ABAG  
Jack Broadbent, BAAQMD  
Larry Goldzband, BCDC  
Stacey Mortensen, ACE & SJJPB



June 13, 2016

Ken Kirkey, MTC Planning Director  
Miriam Chion, ABAG  
Bay Area Metro Center  
375 Beale Street  
San Francisco, CA 94105

Dear Mr. Kirkey and Ms. Chion,

The City of Livermore has reviewed the Alternative Scenarios for the Plan Bay Area update, sent to the Planning Division on May 18, 2016. The City offers the following comments on the Alternative Scenarios, the growth projections for Livermore, and the scope of the Environmental Impact Report (EIR). We intend this input to help guide selection of a Preferred Alternative. The City's comments are based upon the following principles that were included in the letter from Tri-Valley officials sent to ABAG and MTC on September 28, 2015:

- Recognize and plan for interregional travel.
- Invest in transportation improvements that increase connectivity to existing activity nodes and job centers.
- Support Bay Area communities at the policy level that are experiencing growth and are working to be more sustainable.
- Provide policies for "geographic equity" within counties.

#### Alternative Scenarios

1. Scenario #2 (Connected Neighborhoods) builds upon the established Priority Development Area (PDA) framework. Scenarios #1 (Main Streets) and #3 (Big Cities) are major deviations from the adopted Plan Bay Area. PDAs are useful tools as they provide predictability to local governments, property owners, residents, and the regional agencies regarding the direction of transportation and infrastructure investments. PDAs are voluntarily designated and are more aligned with local plans, increasing the chances of achieving the regional vision.

In addition to retaining a focus on PDAs, Scenario #2 takes a balanced approach between investing in state-of-good repair on roads and transit, while supporting strategic expansions to the transit system to serve growing areas. Scenario #2 also performs best against the new targets and would have the largest regional benefits. Furthermore, the growth projections for Livermore under Scenario #2 generally align with the existing Plan Bay Area and forecasts based on the City's General Plan (although we identified some key issues with the projections, as discussed further below). A drastic move away from PDAs and the original growth assumptions would undermine planning efforts completed over the last five years. The City understands the rationale of providing three different



scenarios. However, the next update should provide a more focused range of policy adjustments – continuing to build consensus around the adopted vision rather than introducing uncertainty.

2. The affordable housing policies under Scenarios #1 and #3 would be very problematic. Labeling areas as “high VMT” or “low VMT” over simplifies the complex relationship between jobs, housing, and services that exist from the neighborhood level up to the regional scale. A direct and complete transfer of funds from some jurisdictions to others would have many unintended consequences. For example, many places considered as high VMT are also high opportunity areas, and imposing fees on development while providing no subsidies for affordable housing in these locations would conflict with equity goals.

Providing sufficient affordable housing is a challenge in every community in the Bay Area. Accordingly, all scenarios (including Scenario #2) should include a fair and effective policy for generating additional funds for affordable housing in PDAs throughout the region. Policies that discourage housing construction in certain communities in the face of a regional housing crisis would be counterproductive to the regional vision.

3. In addition to strengthening the affordable housing policies, Scenario #2 should emphasize transit extensions. The region should invest in regional rail improvements that increase connectivity between growing job centers and residential communities (the Tri-Valley is experiencing both). The regional rail network plays a key role in connecting people to jobs, and the urgency to provide viable transit options where they are lacking will only increase. Regional rail also catalyzes transit-oriented, infill, and higher density development – increasing opportunities for people to live and work with less dependence on vehicles. Plan Bay Area should support communities wanting and needing regional rail service to improve sustainability, quality of life, and community health. The plan should also consider how land use changes can take advantage of under-utilized infrastructure in the reverse commute direction.

For these reasons, City staff strongly supports moving forward with Scenario #2, but with adjustments to the affordable housing policies and emphasis on transit. These two changes to Scenario #2 would improve performance on equity targets and further support congestion- and emissions-related goals.

#### Forecasted Household and Job Growth for Livermore

4. *Projections 2013* shows the city of Livermore as having 29,134 households in 2010. Why does Attachment 2 (Growth Forecasts by Alternative Scenario) show Livermore as having 28,600 households in 2010?
5. The household forecasts for Livermore vary widely across the scenarios and do not align with our expectations based on approved development and adopted land use plans. For

example, there are projects completed since 2010 or currently under construction that are not reflected in the table, including Shea Sage and Shea Montage in the Isabel PDA and the Brisa project in the Eastside PDA. In addition, the approved Downtown Specific Plan allows up to 1,400 units in the first phase of implementation, and up to 3,600 units in subsequent phases. The “No Project” scenario should reflect projects approved since 2010 and minimum anticipated growth under approved land use plans (as described further in comments #11 and #12 below). This table shows a more accurate distribution of Livermore households under the No Project Scenario:

<b>Geography</b>	<b>2010 Baseline</b>	<b>2040 No Project</b>	<b>#2 Connected Neighborhoods</b>
Livermore total	28,600	32,800	37,600
Downtown	600	1,500	2,100
East Side	0	500	2,500
Isabel Neighborhood	300	1,250	4,000
Outside PDAs	27,700	29,550	29,000

6. Forecasted growth under Scenario #3 should be at least as much as under the “No Project” scenario, as Livermore will continue to grow regardless if regional investments are directed towards the Big Cities. The number of households assumed for each PDA under Scenario #3 should reflect the distribution under the No Project scenario.
7. New housing in the Isabel PDA is dependent upon a BART extension to Isabel Avenue (see [PDA application](#), attached). Under existing regulations, no new housing is allowed in this area. The City is preparing the Isabel Neighborhood Plan (INP), which will include amendments to allow residential uses. The INP will ultimately serve as a PDA plan (for Plan Bay Area purposes), Station Area Plan (MTC’s TOD policy), and Ridership Development Plan (BART policy). The Draft INP plans for about 4,225 new housing units, which should be reflected in at least Scenario #2.
8. Under Scenario #2, Livermore is forecasted to grow by 9,000 households; however, household growth in the three PDAs adds up to 10,800. This distribution should be corrected so that household growth in the PDAs does not exceed citywide household growth. The scenario should also assume some development outside of the PDAs. A suggested distribution of households for Scenario #2 is provided in the table above.

9. *Projections 2013* shows the city of Livermore as having 38,450 jobs in 2010 (and 46,650 in the SSA). Livermore annexed the Lawrence Livermore and Sandia National Labs sites in 2011. Together, these Labs are the City's largest employer and provide approximately 9,400 jobs. Please ensure that the Labs are included in the job forecasts for Livermore.
10. All of the scenarios show Livermore adding 7,100-7,900 jobs over 2010 baseline conditions. This is drastically lower than job estimates under the current Plan Bay Area, which estimates over 14,000 new jobs in Livermore. Please explain this difference. For reference, we estimated that General Plan build-out would result in about 87,000 jobs within the city. According to US Census Bureau data (On the Map), the number of jobs in Livermore increased by 2,800 between 2010 and 2014, which would represent 36-40% of the total projected job growth under the No Project and alternative scenarios. Based on ABAG data, Livermore has grown by an average of 400 jobs per year since 1990. We expect to experience a similar growth rate moving forward, especially considering the recently approved industrial and commercial projects (e.g., Gillig, Phase II of the Outlets, The Shoppes, Trammel Crow distribution facility, etc.).

#### Scope of the Environmental Impact Report (EIR)

The EIR for the Preferred Alternative will analyze the cumulative impacts of implementing major transportation projects in the region (over which MTC has some control). As part of the analysis, assumptions will be made about the land use pattern in 2040 (over which regional agencies have very little control, as local agencies have land use authority). Plan Bay Area will continue to include incentives to influence the land use pattern, with the largest catalysts being the transportation investments themselves.

Implementing this visionary plan requires voluntary actions and coordination among numerous stakeholders. While this is a worthy effort, we recognize that it will be very difficult to fully achieve the vision. This makes it difficult to rely on the land use inputs, transportation model, and EIR to represent "reasonably foreseeable conditions" for tiering purposes under CEQA. It also creates challenges with evaluating the true costs and benefits of specific transportation projects. Given these concerns, we make the following suggestions and requests:

11. The land use inputs for the EIR analysis should generally align with local land use regulations and planning efforts. If the gap between the region's forecasts and the city's forecasts is too wide, it will be difficult for cities to rely on Plan Bay Area for planning and on the EIR for tiering. Therefore, please validate the land use inputs with local jurisdictions prior to running the transportation model for the Preferred Alternative.
12. The No Project scenario should reflect business-as-usual conditions. We recognize the need to assume 100% of housing needs will be met within the region's boundaries for the *project* scenarios, in response to the lawsuit and to meet the intent of SB 375. This is an

important goal for cities and the region to strive towards. However, this is not a reasonable assumption for the No Project scenario as housing construction has never kept up with job growth within the Bay Area, and people continue to move to adjacent regions in search of affordable housing options. Therefore, the No Project scenario should assume continuation of housing patterns in the Bay Area and Central Valley.

13. Relying on one set of long-term land use projections gives a false sense of precision. The projections completed in 2007 for Central Valley and Bay Area growth are very different than those completed in 2013. Furthermore, assuming there will be less inter-regional commuting and less congestion on highways, based on a visionary land use pattern, distorts the estimated performance of projects. Transportation investments based on these assumptions will be inadequate and less effective if congestion continues to grow, which it will likely do.

Given the sensitivity of projections to fluctuating market conditions and the sensitivity of the model to land use inputs, the planning process should consider the range of land use patterns that may play out in the long-term. Specifically, the EIR and future updates should evaluate transportation projects against the more realistic No Project land use scenario described above *and* the Preferred Alternative. This approach would provide a more realistic range of potential outcomes, as the actual land use pattern will likely end up somewhere in between. This comparison should be an important part of the decision making process and disclosed to the public.

Thank you for the opportunity to provide feedback on the Plan Bay Area update. Please let us know if you have any questions.

Sincerely,



Marc Roberts, City Manager  
City of Livermore

**Goals and Performance Targets for Plan Bay Area 2040**

<b>Goal</b>	<b>#</b>	<b>Performance Target</b>
Climate Protection	<b>1</b>	Reduce per-capita CO <sub>2</sub> emissions from cars and light-duty trucks by <b>15%</b>
Adequate Housing	<b>2</b>	House <b>100%</b> of the region’s projected growth by income level without displacing current low-income residents and with no increase in in-commuters over the Plan baseline year*
Healthy and Safe Communities	<b>3</b>	Reduce adverse health impacts associated with air quality, road safety, and physical inactivity by <b>10%</b>
Open Space and Agricultural Preservation	<b>4</b>	Direct <b>all</b> non-agricultural development within the urban footprint (existing urban development and UGBs)
Equitable Access	<b>5</b>	Decrease the share of lower-income residents’ household income consumed by transportation and housing by <b>10%</b>
	<b>6</b>	Increase the share of affordable housing in PDAs, TPAs, or high-opportunity areas by <b>15%</b>
	<b>7</b>	Do not increase the share of low- and moderate-income renter households in PDAs, TPAs, or high-opportunity areas that are at risk of displacement
Economic Vitality	<b>8</b>	Increase by <b>20%</b> the share of jobs accessible within 30 minutes by auto or within 45 minutes by transit in congested conditions
	<b>9</b>	Increase by <b>35%**</b> the number of jobs in predominantly middle-wage industries
	<b>10</b>	Reduce per-capita delay on the Regional Freight Network by <b>20%</b>
Transportation System Effectiveness	<b>11</b>	Increase non-auto mode share by <b>10%</b>
	<b>12</b>	Reduce vehicle operating and maintenance costs due to pavement conditions by <b>100%</b>
	<b>13</b>	Reduce per-rider transit delay due to aged infrastructure by <b>100%</b>

\* = The Adequate Housing target relates to the Regional Housing Control Total per the settlement agreement signed with the Building Industry Association (BIA), which increases the housing forecast by the housing equivalent to in-commute growth.

\*\* = The numeric target for #9 will be revised later based on the final ABAG forecast for overall job growth.

## Recommended and Considered Alternatives for Plan Bay Area 2040 EIR

Table 1. Alternatives Recommended for Analysis

Alternative Name	Description	CEQA Adequacy
1. No Project	The purpose of the No Project alternative is to allow a comparison of the environmental impacts of approving the proposed plan with the effects of not approving it. The No Project alternative discusses the existing conditions, “as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.” (CEQA Guidelines, § 15126.6(e).)	An EIR must analyze the “no project alternative.” (CEQA Guidelines, § 15126.6(e).)
2. Main Streets	<p>This alternative includes a different land use growth pattern and a different mix of transportation project and program investments, relative to the proposed plan and other alternatives.</p> <p>Compared to the proposed plan, this alternative has a more dispersed land use pattern (suburban-focus), less investments in transit, and more investments in highways and roads, including a buildout of the express lane system.</p>	<p>This alternative was developed and analyzed as part of the planning scenarios leading to the identification and adoption of the proposed plan, and was identified as a possible CEQA alternative in the NOP. No scoping comments were received suggesting this alternative would not be a viable alternative in the EIR. Therefore, this alternative will be further analyzed in the EIR.</p>
3. Big Cities	<p>This alternative includes a different land use growth pattern and a different mix of transportation project and program investments, relative to the proposed plan and other alternatives.</p> <p>Compared to the proposed plan, this alternative has a more compact land use pattern (Big 3 Cities and Transit Priority Areas (TPA)-focus), less investments in roads, and more investments in transit.</p>	<p>This alternative was developed and analyzed as part of the planning scenarios leading to the identification and adoption of the proposed plan, and was identified as a possible CEQA alternative in the NOP. No scoping comments were received suggesting this alternative would not be a viable alternative in the EIR. Therefore, this alternative will be further analyzed in the EIR.</p>
4. Environment, Equity and Jobs Alternative (EEJ)	This alternative includes a different land use growth pattern and a different mix of transportation project and program investments, relative to the proposed plan and other alternatives.	This alternative was submitted through scoping feedback. A version of the EEJ alternative was analyzed in the 2013 EIR and was identified as environmentally superior to the proposed plan, meaning it had the lowest level of significant unavoidable impacts. In its Findings

	Compared to the proposed plan, this alternative has a less compact land use pattern (some PDAs, TPAs and EEJ-designated city-focus) and less investments in highways and more investments in transit.	adopting the 2013 EIR, the EEJ alternative was deemed to be less capable of achieving the project objectives and infeasible for economic and policy reasons by the Metropolitan Transportation Commission and ABAG Executive Board.
--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Table 2. Alternatives Considered but not Recommended for Analysis

Alternative Name	Description	CEQA Adequacy
5. Connected Neighborhoods	This alternative includes a similar land use distribution and a similar mix of transportation projects and programs, relative to the proposed plan.	This alternative was developed and analyzed as part of the planning scenarios leading to the identification and adoption of the proposed plan, and was identified as a possible CEQA alternative in the NOP. Because of its similarities to the proposed plan, this alternative is expected to perform very similarly to the proposed plan across the CEQA topic areas, and therefore does not contribute to a reasonable range of alternatives in the EIR.
6. Smart Growth (TRANSDEF)	<p>This alternative includes the same land use growth pattern as the Big Cities alternative, but includes two transportation sub alternatives resulting in a different mix of transportation project and program investments, relative to the proposed plan and other alternatives.</p> <p>Compared to the proposed plan, this alternative emphasizes implementing strategies to make driving more expensive and transit more attractive, including less investments in roads, and more investments in transit.</p>	<p>This alternative was submitted through scoping feedback. Due to its consistency with and reliance on the Big Cities land use pattern, this alternative is expected to perform very similarly to the Big Cities alternative across the CEQA topic areas. As a result, this proposed alternative does not contribute to a reasonable range of alternatives.</p> <p>A version of the Smart Growth alternative was analyzed in the 2005 EIR and was identified as environmentally superior to the proposed plan, meaning it had the lowest level of significant unavoidable impacts. In its Findings adopting the 2005 EIR, the Metropolitan Transportation Commission noted significant reservations about the feasibility of this alternative and therefore its ability to meet the project objectives.</p>
7. Modified No Project (City of Livermore)	Compared to the proposed plan, this alternative has a lower amount of anticipated growth in households.	This alternative was submitted through scoping feedback. This alternative is expected to perform better than the proposed plan across some of the CEQA topic areas due to the lower amount of housing development assumed. However, this alternative is inconsistent with Performance Target #2, "House 100

		<p>percent of the region’s projected growth by income level without displacing current low-income residents and with no increase in in-commuters over the Plan baseline year.” The requirement to house 100 percent of the region’s projected growth is a regulatory requirement under SB 375 and therefore a legal mandate. As a result, this proposed alternative is not identified for further study in the EIR because it would not contribute to a reasonable range of alternatives and because it would be legally infeasible.</p>
<p>8. Plan Bay Area (2013 RTP/SCS)</p>	<p>This alternative includes a similar land use distribution and a similar mix of transportation projects and programs, relative to the proposed plan.</p> <p>However, compared to all the other alternatives, this alternative has a lower amount of anticipated growth of households and employment, as well as a lower amount of transportation revenues for investments in highways and transit.</p>	<p>This alternative is expected to perform similar to the proposed plan across the CEQA topic areas because it is the Plan on which the proposed plan is based.</p> <p>However, due to the lower amount of assumed development and infrastructure investment, this alternative is not consistent with the requirement of SB 375 that the plan be updated every four years, nor does it meet the requirement to house 100 percent of the region’s projected growth. As a result, this alternative is not identified for further study in the EIR because it would not contribute to a reasonable range of alternatives and because it would be legally infeasible.</p>