Environmental Impact Report

Transportation 2035 Plan for the San Francisco Bay Area

FINAL

April 2009

State Clearinghouse No. 2008022101

CHANGE IN MOTION

TRANSPORTATION 2035

TRANSPORTATION 2035 PLAN

FINAL ENVIRONMENTAL IMPACT REPORT

STATE CLEARINGHOUSE NO. 2008022101

Prepared for

Metropolitan Transportation Commission

by

DYETT & BHATIA
Urban and Regional Planners

In association with

Environmental Science Associates • *Environmental Consultants*

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1 Introduction

The Metropolitan Transportation Commission (MTC) has prepared this Final Environmental Impact Report (FEIR) for the Transportation 2035 Plan. The proposed Transportation 2035 Plan represents the transportation policy and action statement of the MTC on how to approach the region's transportation needs over the next 25 years. It includes a set of future transportation projects and programs that can be implemented with available funding and identifies projects that could be considered if new funding is obtained. The Commission will consider and certify this FEIR prior to taking action on the Transportation 2035 Plan.

PURPOSE

This Final EIR has been prepared in compliance with the California Environmental Quality Act (CEQA) (Section 21000 et seq., California Public Resources Code, in accordance with the *Guidelines for the Implementation of the California Environmental Quality Act* (Section 15000 et seq., California Code of Regulations, Tit.14). It responds to comments addressing the Draft EIR, published December 19, 2008. The Final EIR is intended to aid MTC as it considers adoption of the Transportation 2035 Plan. This Response Addendum, combined with the Draft EIR, constitutes the Final EIR on the project. This Final EIR amends and incorporates by reference the Draft EIR, which is available as a separately bound document from MTC.

The primary purpose of this Final EIR is to respond to written and oral comments and recommendations received during the 45-day public review period. This review period of the Draft EIR (State Clearinghouse No. 2008022101) was from December 19, 2008 through February 2, 2009. A list of the individuals, agencies, and organizations that commented on the Draft EIR and copies of the written and oral comments are included in Section 3 of this document. Responses to comments are provided in Section 4. Some comment letters raised points relating to both the Transportation 2035 Plan and the Draft EIR. This Final EIR responds to comments on the latter. To respond to some comments, revisions and refinements have been made to the Draft EIR environmental analysis and mitigation measures. Comments on the Plan are addressed separately by MTC as part of the administrative record for the Transportation 2035 Plan.

The Draft EIR represents a good faith effort to disclose all significant environmental effects of implementing the proposed Transportation 2035 Plan, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the proposed Transportation 2035 Plan. ("CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors…" Rather, a Lead Agency "need only respond to significant environmental issues and do[es] not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR." (CEQA Guidelines Sections 15204(a))) Information provided in the responses to comments and in the revisions to the Draft EIR clarifies and amplifies the analysis presented in the Draft EIR. However, no significant new information was added that would trigger recirculation of the Draft EIR under CEQA. Specifically, there are no new significant environmental impacts, or a substantial increase in the severity of any impact, identified in the comments or responses that were not already identified in the Draft EIR. The Final EIR is available online at http://www.mtc.ca.gov and at the MTC offices located at 101 Eighth Street, Oakland, CA 94607.

DRAFT EIR PUBLIC REVIEW PROCESS

The Draft EIR was released for public review on December 19, 2008. The review process provided the public with opportunity to review the document and make comments. MTC's notice of availability of the Draft EIR and public outreach efforts are described below:

- On December 18, 2008, MTC sent the Notice of Completion & the Notice of Availability to the Office of Planning and Research's State Clearinghouse.
- MTC also filed the Notice of Availability with the nine County Clerks in the Bay Area region on the same day.
- MTC posted the Draft EIR on the Transportation 2035 Plan home page on its website: http://www.mtc.ca.gov/planning/2035_plan/ on December 18, 2008. The Draft EIR was available for viewing online or downloading.
- On December 19, 2008, MTC issued an E-mail blast announcing the availability of the Draft Transportation 2035 Plan and Draft EIR for public review to 7,000 Federal, State, regional, and local agencies, Tribal governments, and interested organizations and individuals with e-mail addresses as identified in MTC's contact database.
- MTC posted legal notices about the availability of the Draft EIR and upcoming January 27 and January 28 public hearings on the Draft Transportation 2035 Plan and Draft EIR in the newspapers and publications listed below:

  Asian Week, 12/19/08
  California Voice, 12/21/08
  Contra Costa Times, 12/18/08
  The Daily Republic, 12/18/08
  Marin Independent Journal, 12/17/08
  El Mensajero, 12/28/08
  Mercury News, 12/20/08
  Oakland Tribune, 12/18/08
  Napa Valley Register, 12/18/08
  The Press Democrat, 12/19/08
  San Francisco Examiner, 12/16/08
  San Mateo County Times, 12/18/08

- MTC mailed the notice of availability and an Executive Summary of the Draft EIR plus CD with the complete Draft EIR document on December 18, 2008 to the following Bay Area public libraries:

  Hayward Public Library
  Richmond Public Library
  Marin County Free Library
  Napa City-County Library
  San Francisco Public Library
  Redwood City Public Library
  Dr. Martin Luther King, Jr. Library
  Solano County Library
  Sonoma County Library
  MTC/ABAG Library

- MTC mailed the notice of availability and a CD with the complete Draft EIR document on December 18, 2008 to the following Bay Area public libraries:

Solano County Library	*Newark Public Library*
Belvedere Tiburon Library	*Petaluma Regional Library*
Los Gatos Public Library	*Berkeley Public Library*
Alameda County Business Library	*San Mateo County Library*
Oakland Public Library	*San Leandro Community Library*
Santa Clara City Library	*Contra Costa County Library*
Livermore Public Library	*San Mateo Public Library*
Dixon Public Library	*Contra Costa County Library*
Daly City Public Library	*Novato Regional Library*
City of Palo Alto	*Calistoga Public Library*
Mill Valley Public Library	*Sunnyvale Public Library*
Contra Costa County Library	*Santa Clara County Library*

- On December 22, 2008, MTC issued a press release about the availability of the Draft Transportation 2035 Plan and Draft EIR to all major TV, newspapers, and radio outlets, as well as minority media outlets. A copy of the press release is available at:

  http://www.mtc.ca.gov/news/press_releases/rel457.htm

- On December 23, 2008, MTC distributed postcards about the availability of the Draft Transportation 2035 Plan and Draft EIR to the 2,600 mailing addresses in MTC's contact database.
- MTC posted display ads, as follows:
  - *BayView*, a monthly community newspaper dedicated to African American community in the Bay Area, ran in the January 2009 edition of the paper (released January 1, 2009)
  - *El Observador*, a weekly community newspaper that targets the Hispanic community throughout the Bay Area, ran in the paper's January 16-22 edition
- The January/February issue of MTC's bi-monthly newsletter *Transactions* was devoted to the Draft Transportation 2035 Plan, and provided information on the availability and comment period for the Draft EIR. *Transactions* is mailed to some 15,500 agencies, transportation and planning officials, individuals, organizations, community groups, elected officials, and others who have requested to receive it.
- The MTC/ABAG Library sent out copies of the Draft EIR upon request.

The public review period lasted 45 calendar days, and closed on February 2, 2009. MTC accepted written comments via mail, fax, and E-mail. MTC staff solicited input on the Draft EIR from members of its citizen advisory committees through a joint advisors workshop on January 7. MTC also held two public hearings to receive oral comments, one on January 27 and one on

January 28. Verbal comments made at these meetings were accepted by MTC as official Draft EIR comments.

DECISION-MAKING PROCESS

Prior to taking action on the proposed Project, MTC must certify the Final EIR. MTC must certify that:

- The Final EIR has been completed in compliance with the CEQA;
- The Commission reviewed and considered the information contained in the Final EIR prior to considering the proposed Project; and
- The Final EIR reflects the independent judgment and analysis of the Commission. (CEQA Guidelines Section 15090)

Prior to taking action on the proposed Project, MTC must prepare one or more written findings of fact for each significant environmental impact identified in the document. These findings must either state that:

- The proposed Project has been changed (including adoption of mitigation measures) to avoid or substantially reduce the magnitude of the impact;
- Changes to the proposed Project are within another agency's jurisdiction and have been or should be adopted; or
- Specific considerations make mitigation measures or alternatives infeasible. (CEQA Guidelines Section 15091)

For impacts identified in the EIR that cannot be reduced to a level that is less than significant, MTC may issue a Statement of Overriding Considerations for approval of the Project if specific social, economic, or other factors justify the proposed Project's unavoidable adverse environmental effects. If MTC decides to approve the proposed Project for which the Final EIR has been prepared, MTC will issue a Notice of Determination.

PROJECT AND ALTERNATIVES DESCRIPTION

This EIR evaluates the environmental effects of implementing the proposed Transportation 2035 Plan and four alternatives. A summary of the proposed Project and the alternatives is provided below. More detailed descriptions of each alternative may be found in Draft EIR Chapter 3.1: Alternatives to the Proposed Project.

PROPOSED PROJECT – TRANSPORTATION 2035 PLAN

The *Transportation 2035 Plan: Change in Motion* represents a strategic investment plan to improve system performance for Bay Area travelers over the next 25 years and includes a set of highway, transit, local roadway, bicycle, and pedestrian projects identified through regional and local transportation planning processes. MTC estimates that $218 billion in federal, state, regional, and local revenues will be reasonably available to the Bay Area over the next 25-years. Key investments focus on maintenance, system efficiency and operations, and strategic

expansion. The plan signals several new directions for MTC and the Bay Area, including a pricing strategy via the Regional HOT Network, a multipronged Freeway Performance Initiative designed to maximize throughput on existing highways, a multiagency Climate Action Campaign to reduce the region's carbon footprint, a Transportation for Livable Communities Program to support focused growth, and an overall emphasis on measurable performance improvements. In these ways, the Transportation 2035 Plan attempts to influence a whole range of actual "changes in motion." A detailed description of the Transportation 2035 Plan is included in Chapter 1.2 of the Draft EIR.

ALTERNATIVE 1: NO PROJECT

The No Project alternative represents the likely outcome of not implementing the Transportation 2035 Plan. Beyond existing conditions, this alternative includes a set of transportation projects and programs that are in advanced planning stages and slated to go forward since they have full funding commitments. These projects are committed because they are: (1) identified in the federally required Fiscal Year 2009 Transportation Improvement Program (TIP), a four-year funding program of Bay Area projects and programs, (2) not yet in the TIP but are fully funded sales tax projects authorized by voters in seven Bay Area counties, including San Francisco, Santa Clara, San Mateo, Alameda, Contra Costa, Sonoma and Marin, or (3) not yet in the TIP but fully funded through other committed funds as defined by statute or Commission policy. This alternative does not include transportation projects and programs funded by the $32 billion in uncommitted discretionary funds.

ALTERNATIVE 2: HEAVY MAINTENANCE/CLIMATE PROTECTION EMPHASIS

This alternative is financially constrained to the $212 billion projected revenue available to the region over the next 25-years. Unlike the proposed Project, this Heavy Maintenance/Climate Protection alternative places its investment emphasis almost entirely on system maintenance and efficiency projects that support the plan goals.

This alternative maximizes the use of available discretionary funds for investments that (1) reduce shortfalls for transit and local roadway maintenance; (2) improve walkability, bicycling, transit access, and carpooling and ridesharing; (3) help local jurisdictions to plan and build housing near transit; and (4) implement public education and outreach programs to raise awareness and facilitate behavior changes that help the region to meet its climate protection goal. The set of projects and programs in this alternative is designed to reduce vehicle miles traveled and/or greenhouse gas emissions.

Because this alternative focuses on system maintenance and efficiency, it excludes all expansion, including the Regional HOT Network and the transit and roadway expansion projects that in the proposed Project are funded in part by the $32 billion discretionary funds. As a result of the exclusion of the Regional HOT Network, the $6.1 billion in net revenue that the Regional HOT Network would generate is not available to fund corridor improvements (such as transit operating and capital needs, freeway operations, interchanges, roadway maintenance and local access improvements). This leaves $26 billion in uncommitted discretionary funds that are redirected to other project priorities. A detailed description of the discretionary funds redistribution is provided on Draft EIR pages 3.1-7 and 3.1-8.

ALTERNATIVE 3: HEAVY MAINTENANCE/CLIMATE PROTECTION EMPHASIS + PRICING STRATEGIES

This alternative reflects the same project definition as Alternative 2 (Heavy Maintenance/Climate Protection Emphasis) plus it includes applying user-based pricing strategies in order to determine how pricing might influence the performance of infrastructure investments. The pricing strategies are intended to induce changes in travel behavior by increasing the cost of driving. They include: (a) carbon tax or tax on vehicle miles driven, (b) congestion fee for using congested freeways during peak periods, and (c) increased parking charges.

To represent the carbon tax or VMT tax, gas prices are assumed to increase by 21 percent from $7.47 per gallon to $9.07 in 2035 (all in 2008 current dollars). Overall, the total auto operating cost per mile would also increase by 21 percent, from 39 cents per mile to 47 cents per mile. For the congestion fee, a charge of 25-cents per mile on congested freeways is added to freeway segments where the volume-to-capacity ratio exceeds 0.90 (very congested facilities). For the parking charge, parking costs are increased by $1.00 per hour to both peak and off-peak trips. This impacts both work and non-work trips, and has a higher impact on short trips than long trips. So, these increased parking costs will end up showing more non-motorized (bicycling and walking) trips in the pricing tests. The aggregate effect of these pricing strategies is a substantial increase in auto operating cost. This alternative aims to encourage more people to bike, walk and take transit, drive less, and produce less transportation-related greenhouse gas emissions by making it very expensive to drive.

MTC tested these pricing strategies as part of the vision scenario analysis in fall 2007 in response to expressed interest by the State legislators to pursue a carbon tax, VMT tax or congestion pricing and public interest to increase parking charges. These pricing strategies were tested under this alternative for CEQA evaluation purposes. At this time, MTC has no legislative authority to implement the pricing strategies described in this alternative.

ALTERNATIVE 4: HEAVY MAINTENANCE/CLIMATE PROTECTION EMPHASIS + LAND USE STRATEGIES

This alternative reflects the same project definition as Alternative 2 (Heavy Maintenance/Climate Protection Emphasis) plus it includes an alternative land use forecast in order to determine how a different kind of regional growth might influence the performance of infrastructure investments. This alternative land use forecast is a policy forecast, as opposed to a purely market-driven outcome. ABAG staff produced this alternative land use forecast with the objective of balancing jobs and housing and targeting growth in existing communities and near transit. Compared to *Projections 2007*, this forecast reflects considerable shifts in regional growth away from the fringes and toward existing employment and housing centers, areas projected to have either household or employment growth, and areas with existing and/or planned transit. It also assumes fewer in-commuters from neighboring regions by accommodating 37,000 more households within the Bay Area. This alternative assumes no pricing strategy.

This alternative assumes that the regional planning agencies of ABAG, the Bay Area Air Quality Management District (BAAQMD), the Bay Conservation and Development Commission (BCDC) and MTC will collaborate to promote and achieve more focused urban growth than estimated in *Projections 2007,* in part through existing and planned programs and improvements

contemplated by this alternative. Specific policy approaches have not been selected, however, some possible examples of regional policy approaches and implementation mechanisms to achieve the alternative land use forecast include increasing public awareness of the impacts of travel and location decisions, continuing to coordinate with local governments on land use decisions and parking policies and standards that impact transportation investments and vice versa, providing financial incentives to support Priority Development Areas (PDAs), and expanding the MTC Transit-Oriented Development Policy to include minimum employment densities and regional transit centers. The regional agencies must also work with local jurisdictions to modify the land use elements of their general plans, which is a key driver to implementing this land use strategy.

ORGANIZATION OF THE FINAL EIR

The remainder of this document is organized as follows:

SECTION 2

- Lists revisions to the Draft EIR by chapter and page, in the same order as the revisions would appear in the Draft EIR. Revision attachments appear at the end of Section 2, also in the order they would appear in the Draft EIR.

SECTION 3

- Lists all agencies, organizations, and persons who submitted either written or oral comments on the Draft EIR; reproduces and numbers all comment letters, and provides a unique number for each EIR comment in the left-hand margin.

SECTION 4

- Provides responses to comments, numbered and in order according to the comment letters in Section 3.

APPENDICES

A. Findings and Facts in Support of Findings

B. Statement of Overriding Considerations

C. Mitigation Monitoring Program

D. MTC Resolution 3892 Certifying the EIR on the Transportation 2035 Plan

E. MTC Resolution 1481 Environmental Guidelines of the MTC

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2 Revisions to the Draft EIR

This section includes the revisions to the Draft EIR. These revisions have been made in response to comments or based on review by the EIR preparers. The revisions appear here in the order they appear in the Draft EIR. Text additions are noted in underline and text deletions appear in ~~strikeout~~. A revised Appendix C of the Draft EIR is included in this section.

MTC has refined the Draft Transportation 2035 Plan based upon agency and public comments. The changes to the Transportation 2035 Plan as described below do not alter the conclusions presented in the Draft EIR regarding significant environmental impacts or mitigation measures and therefore do not trigger recirculation.

Revisions to the Draft EIR

Chapter	*Page*	*Table/ Figure*	*Correction*
1.2	2	1.2-1	**Replace** Figure 1.2-1 with the modified Figure 1.2-1 as attached.
1.2	14		**Replace** Draft EIR pages 1.2-14 through 1.2-18 with the modified pages as attached. Includes modifications to Figures 1.2-4 and 1.2-5.
1.2	18		**Modify** Paragraph 3, sentence 1 as follows: The illustrative projects identified for the financially unconstrained element of the proposed Transportation 2035 Plan include: Dumbarton Rail (construction phase), Caltrain Express Phase 2b (implement systemwide level boarding program and terminal improvements), and Transbay Transit Center Phase 2b (construction of downtown extension).
1.2	21	1.2-6	**Modify** description of Project #22001 as follows: Implement Sonoma Marin Area Rail Transit District (SMART) commuter rail project (includes environmental, engineering, right-of-way, construction, vehicle procurement, and operations)
1.2	21	1.2-6	**Modify** description of Project #21030 as follows: Improve U.S. 101/I-580 interchange and construct a freeway-to-freeway direct connector from northbound U.S. 101 to eastbound I-580 (project approval and environmental ~~design~~ document phases only)
1.2	21		**Remove** all asterisks from all projects identified in tables and modify table headers on pages 1.2-21 through 1.2-61 as follows: ~~*Heavy Maintenance/Climate Protection Emphasis Alternatives~~
1.2	22	1.2-6	**Add** Project #230422 as follows: Signalize Anderson/East Sir Francis Drake intersection with Corridor as Golden Gate, Investment Type as New Commitment, and a Map ID of 21
1.2	22	1.2-6	**Add** Project #230712: Install suicide barrier on Golden Gate Bridge with Corridor as Golden Gate, Investment Type as Committed.
1.2	22	1.2-6	**Modify** Map IDs for Project 98179 (~~21~~22) and Project 94089 (~~22~~23)
1.2	23	1.2-7	**Replace** figure with the modified Figure 1.2-7 attached.

Revisions to the Draft EIR

Chapter	*Page*	*Table/ Figure*	*Correction*
1.2	24	1.2-7	**Add** Project #94073 as follows: Construct a flyover connecting southbound Route 221 to southbound Route 29/12 (environmental and design phases), with Corridor as North Bay East-West, Investment Type as Committed.
1.2	24	1.2-7	**Add** Project #94075 as follows: Construct grade separation improvements at Routes 12 and 29 (environmental phase), with Corridor as North Bay East-West, Investment Type as Committed.
1.2	26	1.2-8	**Modify** description of Project #230508 as follows: Elevate Solano Avenue from Yountville to Dry Creek ~~Road~~
1.2	29	1.2-9	**Modify** description of Project #230542 as follows: Close a bicycle/pedestrian gap at San Pablo Avenue bridge in Pinole by upgrading the existing bridge or constructing a new dedicated bicycle/pedestrian bridge
1.2	38	1.2-12	**Modify** Project #21116 as follows: Widen I-580 from Foothill ~~Tassajara~~ Road to Greenville Road in both directions for HOV lanes (includes auxiliary lanes)
1.2	38	1.2-12	**Add** Project #230083 as follows: Tri-Valley Transit Access: acquire right-of-way along I-580 from Hacienda Drive to the Vasco Road interchange to accommodate rail transit, Investment Type as Committed.
1.2	38	1.2-12	**Add** Project #21151 as follows: Construct a new satellite operations and maintenance facility for operations, dispatch, maintenance, fueling, bus wash and parking facilities for LAVTA fixed route services, with Corridor as Tri-Valley, Investment Type as Committed.
1.2	38	1.2-12	**Modify** description of Project #230160 as follows: Tri-Valley Transit Access: Implement enhanced rapid bus service in Livermore, ~~and~~ Dublin and Pleasanton (includes higher frequencies, new stops and improved stop amenities)
1.2	39	1.2-12	**Modify** Project #230665 as follows: I-580 westbound in Alameda County from Foothill Road to San Joaquin County line ~~to I-680~~ – widen to add a HOT lane and convert HOV lane to HOT lane
1.2	39	1.2-12	**Modify** Project #230666 as follows: I-580 eastbound in Alameda County from Foothill Road to San Joaquin County line ~~to Greenville Road~~ – widen to add a HOT lane
1.2	39	1.2-12	**Modify** Project #230667 as follows: I-580 eastbound in Alameda County from Foothill Road to Greenville Road ~~to Tassajara Road~~ – convert HOV lane to HOT lane
1.2	41	1.2-13	**Modify** description of Project #230681 as follows: I-680 northbound in Santa Clara County from Calaveras Road to Alameda County line ~~to Calaveras Road~~ — widen to add an HOT lane ~~in each direction~~
1.2	41	1.2-13	**Modify** description of Project #230682 as follows: I-680 northbound in Alameda County from Santa Clara County line to Route 84 — widen to add an HOT lane ~~in each direction~~

Revisions to the Draft EIR

Chapter	*Page*	*Table/ Figure*	*Correction*
1.2	41	1.2-13	**Modify** description of Project #230683 as follows: I-680 in ~~Contra Costa County~~ Alameda County from Route 84 to Alcosta ~~Road~~ Boulevard— widen to add an HOT lane in each direction
1.2	48	1.2-16	**Delete** Project #94117 as follows: ~~Improve bus stop accessibility systemwide (includes new transit centers and park-and-ride lots at De Anza College, Vasona Junction and downtown Los Gatos)~~
1.2	48	1.2-16	**Modify** description of #22014 as follows: Implement ~~Downtown East Valley Bus Rapid Transit (BRT) and Light Rail Phases 1 and 3~~Bus Rapid Transit (BRT) as Phase 1 in the Santa Clara-Alum Rock corridor with the potential to convert to light-rail in the future (Santa Clara-Alum Rock Phase 1)
1.2	48	1.2-16	**Modify** description of #22019 as follows: Convert Bus Rapid Transit (BRT) to light-rail transit in the Santa Clara-Alum Rock corridor (~~Downtown East Valley~~ Santa Clara-Alum Rock Phase 2)
1.2	48	1.2-16	**Modify** description of #22978 as follows: Extend the Capitol Expressway light-rail transit (LRT) from Eastridge Transit Center to ~~the Capitol Station on the Guadalupe LRT line in Nieman (Phase 2)~~ Nieman Boulevard
1.2	48	1.2-16	**Modify** description of Project #21714 as follows: Widen U.S. 101 between Monterey Highway and Route 25 and construct an interchange at U.S. 101/Route 25~~/Santa Teresa Boulevard~~ (includes ~~extending Route 25~~ an extension to Santa Teresa Boulevard)
1.2	48	1.2-16	**Modify** description of Project #21719 as follows: Improve I-880/I-280/Stevens Creek Boulevard interchange (includes eliminating eastbound off-ramp loop and reconfiguring the off-ramp to eastbound Stevens Creek Boulevard and improving I-280/Winchester Boulevard)
1.2	48	1.2-16	**Modify** description of Project #21923 as follows: Implement Bus Rapid Transit (BRT) ~~on~~ in the Alameda and El Camino Real ~~from Diridon Station to Palo Alto~~ corridors
1.2	49	1.2-16	**Add** Project #22246 as follows: Provide pedestrian access and facilities to overcome existing barriers in the Blossom Hill/Monterey Highway area with Corridor as Silicon Valley, Investment Type as Committed.
1.2	49	1.2-16	**Add** Project #22979 as follows: Construct local roadway improvements over-crossing U.S. 101 (includes local circulation improvements to Zanker Road, Old Bayshore Highway, N. 4th Street and Skyport Drive) with Corridor as Silicon Valley, Investment Type as Committed.
1.2	49	1.2-16	**Modify** description of #22156 as follows: Improve Route 85 northbound to Route 237 eastbound connector ramp and construct auxiliary lane on eastbound Route 237 between Route 85 and Middlefield Road
1.2	49	1.2-16	**Modify** description of Project #21749 as follows: Extend Butterfield Boulevard from Tennant Avenue to Watsonville Road (includes new roadway segment, railroad overpass bridge, drainage channel, traffic signal upgrade, median, landscaping, bicycle lanes and sidewalks)

Revisions to the Draft EIR

Chapter	*Page*	*Table/ Figure*	*Correction*
1.2	50	1.2-16	**Add** Project #230304 as follows: Widen Dixon Landing Road from 4 to 6 lanes between North Milpitas Boulevard and I-880 with Corridor as Silicon Valley, Investment Type as Committed.
1.2	52	1.2-17	**Delete** Project #230707 as follows: ~~Expand Caltrain Express Service: implement system-wide level boarding program and south and north terminal improvements (Phase 2b)~~
1.2	55	1.2-18	**Modify** Project #21626 as follows: Implement Caltrain grade separation program in San Mateo County
1.2	57	1.2-19	**Modify** description of Project #21618 as follows: Implement commuter rail service on the Dumbarton Bridge (environmental, design and right-of-way phases) ~~(Financially unconstrained)~~
1.2	59	1.2-20	**Add** Project #230710: Funding reserve to implement high-speed rail and related corridor improvements, and **add** footnote: To capitalize on high-speed rail funding opportunities recently made available through the voter-approved Proposition 1A California High-Speed Rail Bond and the federal American Reinvestment and Recovery Act of 2009, MTC is adding the "Funding reserve to implement High-Speed Rail and related corridor improvements" program to its Transportation 2035 Plan. As it is simply a funding reserve, there are no known physical impacts at this time. When the scope of this program is determined the program or its project components will be subject to supplemental program or project-level environmental assessment under CEQA and/or NEPA.
2.1	7		**Add** a new paragraph below Criterion 3 and above Method of Analysis as follows: The initial study and scoping of potential impacts in preparation for the EIR analysis determined that there was no possibility for significant reductions in emergency access as a result of investing in transportation improvements identified in the proposed Transportation 2035 Plan. Therefore, this subject was not evaluated further as a part of the Draft EIR.
2.1	7		**Modify** the text in paragraph 1 under Significance Criteria as follows: ~~According to CEQA Guidelines, a project will normally have a significant effect if it would cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system or if it would exceed an adopted level of service standard. This definition is somewhat limited for the purposes of a program-level EIR for a regional transportation plan, therefore, a more expansive set of criteria has been defined to determine whether transportation improvements in the proposed Transportation 2035 Plan will have a significant adverse effect on future regional mobility in the Bay Area.~~ Criteria are focused on accessibility, traffic/congestion, and vehicle miles traveled per capita.
2.1	20		**Modify** text on page 2.1-20 through 2.1-21 as follows: • Faster delivery of the Freeway Performance Initiative (which has a $1.6 billion funding commitment in the proposed Transportation 2035 Plan) in order to reduce vehicle hours of delay and traffic congestion on Bay Area freeways and improve motorized and non-motorized traffic

Revisions to the Draft EIR

Chapter	*Page*	*Table/ Figure*	*Correction*
			operations and safety on parallel arterials; and • MTC's existing TOD Policy, a policy that conditions the allocation of regional discretionary funds on supportive local land use plans and policies for transit expansion projects included in the Resolution 3434 Regional Transit Expansion program~~.~~; and • Multi-agency FOCUS program, a regional development and conservation strategy that promotes a more compact land use pattern for the Bay Area. FOCUS unites the efforts of four regional agencies into a single program that links land use and transportation by encouraging the development of complete, livable communities in areas served by transit, and promotes conservation of the region's most significant resource lands.
2.1	21		**Modify** mitigation measure 2.1(a) as follows: 2.1(a) MTC, ABAG, BCDC and BAAQMD—as represented through the Joint Policy Committee (JPC) which coordinates the regional planning efforts of the four agencies—shall work to leverage existing funds (~~including~~ e.g. the $2.2 billion in funds committed in the proposed Transportation 2035 Plan for the Transportation for Livable Communities Program, the $400 million in new funding for Climate Action Campaign (which includes the Safe Routes to Transit Program), as well as other programs that support focused growth) and seek additional funds to provide financial incentives to local governments that volunteered to designate their communities as Priority Development Areas (PDAs) through the FOCUS program and commit to build higher density residential and mixed use development near transit.
2.1	21		**Modify** mitigation measure 2.1(b) as follows: 2.1(b) MTC, in partnership with ABAG, BCDC, BAAQMD, local governments, and employers who would like to participate, will seek opportunities to conduct research on and promote value pricing of parking and other innovative parking strategies, for example: • Employer parking "cash out" programs, which allow employees to forego a parking spot in favor of cash or a subsidized transit pass; • Residential parking "opt-out" programs, which reduce city parking requirements in favor of developer funded cash to residents and/or transit passes, carshare membership, bicycle rentals, or alternative modes; • Local parking self-financing programs, which price parking to fund transit passes, alternative modes, and/or provide cash directly to workers and residents; • "Green certification" of local parking policy regulations aimed at reducing vehicle miles traveled; and • Technical assistance programs ~~to remove barriers that prevent local governments from implementing parking pricing programs~~ to help local governments revise parking policies and implement new programs, particularly to develop parking policies and programs that would support greater transit use.

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Chapter	*Page*	*Table/ Figure*	*Correction*
2.2	10	2.2-1	**Replace** Figure 2.2-1 with the following modified figure titled: Bay Area Air Quality Management District Boundaries
2.2	15		**Add** text under Motor Vehicle Emissions after the second paragraph, as follows: MTC and ARB use different methodologies for calculating regional VMT for the Bay Area. Regional VMT generated by MTC's travel demand models is calibrated and validated against surveys, the national census, and transit and traffic count data. In ARB's EMFAC emission model, VMT is derived from a combination of odometer data from the Bureau of Automotive Repair (BAR) and vehicle registration data from the Department of Motor Vehicles (DMV). Over the past several years, MTC and ARB have worked together to understand and reconcile these methodology differences, and to determine the methodology to be used for Bay Area conformity determinations. In November 2001, MTC and ARB established an agreement to (1) use base year 2000 VMT for the Bay Area as generated by EMFAC, and (2) use MTC's VMT growth rates as implied by the VMT estimates produced by MTC's travel demand models. The rationale for this is that while ARB has questioned the level of travel in calendar year 2000 as estimated by MTC's travel demand models, ARB does not question future year growth projections included in the travel demand models. However, in an effort to be protective of air quality, ARB, MTC, and the Bay Area Air Quality Management District (BAAQMD) have agreed to use the higher estimates of VMT for use in preparation of the State Implementation Plan (SIP) emission inventories and other regional emission inventory calculation needs. Both MTC and ARB will continue to monitor these regional VMT differences, and reconciliation processes will be used, on an ongoing basis.
2.2	22		**Modify** mitigation measure 2.2(c) as follows: **2.2(c)** MTC and BAAQMD, in partnership with the Port of Oakland, ARB, and other partners who would like to participate, shall commit to engage the public and other agencies to address goods movement emissions and health impact issues and work together to identify, prioritize and implement actions beyond those identified in the Statewide Goods Movement Emission Reduction Plan to reduce diesel PM and other air emissions.
2.2	23		**Modify** the number for the cumulative impact as follows: 2.2-~~5~~4
2.3	4		**Add** a footnote to paragraph 2, sentence 1, word 8 as follows: See webpage http://www.mtc.ca.gov/maps_and_data/GIS/maproom.htm for links to maps associated with MTC's transportation planning work, including the map of MTC superdistricts.
2.3	5	2.3-1	**Add** footnote to Table 2.3-1 as follows: Note: This table does not reflect differences in average household size by superdistrict.

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Chapter	*Page*	*Table/ Figure*	*Correction*
2.3	19		**Add** text to page 2.3-19, before the heading "Regional/Local Regulations", as follows: **Senate Bill 375: Transportation Planning and Sustainable Communities** Senate Bill (SB) 375 (Chapter 728, Statutes of 2008), approved by the legislature and signed by Governor Schwarzenegger in September 2008, requires the state's metropolitan planning organizations, including MTC, to prepare a new element of their regional transportation plans, known as a "Sustainable Communities Strategy," to help California reach its strive to reach its greenhouse gas (GHG) emissions reduction targets. (The 2013 regional transportation plan will be the first Bay Area plan subject to SB 375.) The Sustainable Communities Strategy, which will be jointly developed with the Association of Bay Area Governments (ABAG), as is generally the case for regional growth forecasts, will incorporate three new elements into the regional transportation planning process: a land use component identifying how the region could house growth for up to 20 years, a discussion of resource and farmland areas to be protected, and a demonstration of how the development pattern and the transportation network can work together to reduce GHG emissions. As with any plan that results in GHG emissions reductions through means such as reduced vehicle travel, a secondary benefit would be a reduction in regional energy use. *See Chapter 2.5, Climate Change and Greenhouse Gases, for additional details about SB 375.*
2.3	29	2.3-11	**Modify** Table 2.3-11: Farmland Acres Potentially Affected by Proposed Plan, by County and Type (as provided in attached table) to match the correct data shown in previous tables 2.3-9 and 2.3-10.
2.3	32		**Modify** Draft EIR pages 2.3-32 and 2.3-33 text and tables as provided in the attached pages.
2.3	36		**Modify** Project #230200 as follows: ~~Improve local circulation on St. John Street and~~ Extend Autumn Street from Union Pacific Railroad crossing to Park Avenue

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Chapter	*Page*	*Table/ Figure*	*Correction*
2.3	38		**Modify** mitigation measure 2.3(e) as follows: **2.3(e)** ~~MTC shall continue to participate in and promote the efforts of the multi-agency FOCUS project, which is intended to coordinate regional growth efforts to use land more efficiently, optimize transportation and other infrastructure investments in existing communities that focus new development near existing transit, preserve open space, etc. In this way,~~ MTC, in partnership with regional agencies such as ABAG, through its ongoing representation on the Joint Policy Committee (whose efforts already include Draft Policies for the Bay Area's Implementation of Senate Bill 375, published January 23, 2009), and in cooperation with local governments and advocacy groups such as Greenbelt Alliance and TransForm (formerly TALC), shall pursue the enhanced coordination of local land use planning with transportation investments in the proposed Transportation 2035 Plan, consistent with the requirements and goals of SB 375. As a part of that effort, MTC shall continue to participate in, support, and promote the multi-agency FOCUS project, which is intended to coordinate regional growth efforts to use land more efficiently, optimize transportation and other infrastructure investments in existing communities that focus new development near existing transit, preserve open space, etc.
2.4	18	2.4-4	**Add** minus signs to the last two numbers in the first line (-18.8, -1.9%).
2.5	2		**Modify** last sentence as follows: However, ~~many~~ scientists believe that emissions from human activities—such as electricity generation, vehicle emissions, and even farming and forestry practices—have elevated the concentration of GHGs in the atmosphere beyond naturally-occurring concentrations, contributing to the larger process of global climate change.
2.5	7		**Replace** Figure 2.5-3 with the following figure titled: *Shoreline Areas Vulnerable to Sea Level Rise at Mid-Century (2040 – 2060) Due to Climate Change*.

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Chapter	*Page*	*Table/ Figure*	*Correction*
2.5	16		**Add** text before the last paragraph under CO_2 and CO_2 Emissions, as follows: For the carbon dioxide emissions calculations, MTC uses the adjusted, or "reconciled," regional VMT, including the emissions calculations shown in Figure 2.5-4. ARB staff conducted a peer review of the carbon dioxide emissions analysis for Figure 2.5-4, and found that the carbon dioxide emissions calculated by ARB are higher than those forecasted by MTC because CARB used higher regional VMT estimates in its calculations than MTC. The reason for this difference in regional VMT is that ARB's VMT estimates are based on higher growth rates that are derived from the "older" growth rates submitted by MTC for the previous plan (Transportation 2030 Plan) when ARB produced the current version of EMFAC (EMFAC2007) in November 2006. MTC's Transportation 2030 Plan travel demand models used ABAG's *Projections 2005* socio-economic data as inputs. MTC's regional VMT estimates in its Transportation 2035 Plan are based on newer growth rates from updated socio-economic data in ABAG's *Projections 2007*. These projections reflect more smart growth in the urban core, which results in shorter trips and lower regional VMT. MTC staff has provided this information to ARB to explain why the carbon dioxide emissions calculations differ between MTC and ARB. In general, these two different VMT calculation methods result in a difference ranging from 9.6 to 9.8 percent for all alternatives evaluated in this EIR, with the regional VMT higher in the air quality analyses compared to the travel behavior analyses. The discrepancy for the base year 2006, for example, is 144,985 thousand VMT per weekday using the MTC travel models; and 159,232 using the ARB methodology, a 9.8 percent difference.
2.5	23		**Modify mitigation measure 2.5(c) as follows:** **2.5(c)** MTC will work with BCDC, in partnership with the regional agencies and other partners who would like to participate, to conduct a vulnerability assessment for the region's transportation infrastructure and identify the appropriate adaptation strategies to protect those transportation resources that are likely to be impacted and are a priority for the region to protect. This assessment should build off of but not duplicate current BCDC efforts and research underway. The results of this assessment and synthesis of related research should be used to inform the evolution of FOCUS Priority Development Areas and Priority Conservation Areas, in particular by identifying places where targeted development may conflict with sea level rise risk and targeted conservation may be more appropriate.
2.7	18	2.7-3	**Remove** all asterisks from all projects identified in table on pages 2.7-18 through 2.7-25 and modify table footer on page 2.7-25 as follows: ~~Projects that are part of the *Heavy Maintenance/Climate Protection Emphasis alternatives.~~

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Chapter	*Page*	*Table/ Figure*	*Correction*
2.7	19	2.7-3	**Modify** description of Project #230508 as follows: Elevate Solano Avenue from Yountville to Dry Creek ~~Road~~
2.7	21	2.7-3	**Modify** Project #230665 as follows: I-580 westbound in Alameda County from Foothill Road to San Joaquin County line ~~to I-680~~ – widen to add a HOT lane and convert HOV lane to HOT lane
2.7	21	2.7-3	**Modify** Project #230667 as follows: I-580 eastbound in Alameda County from Foothill Road to Greenville Road ~~to Tassajara Road~~ – convert HOV lane to HOT lane
2.7	22	2.7-3	**Modify** description of Project #230681 as follows: I-680 northbound in Santa Clara County from Calaveras Road to Alameda County line ~~to Calaveras Road~~ — widen to add an HOT lane ~~in each direction~~
2.7	22	2.7-3	**Modify** description of Project #230682 as follows: I-680 northbound in Alameda County from Santa Clara County line to Route 84 — widen to add an HOT lane ~~in each direction~~
2.7	22	2.7-3	**Modify** description of Project #230683 as follows: I-680 in ~~Contra Costa County~~ Alameda County from Route 84 to Alcosta ~~Road~~ Boulevard— widen to add an HOT lane in each direction
2.7	22	2.7-3	**Modify** Project #230666 as follows: I-580 eastbound in Alameda County from Foothill Road to San Joaquin County line ~~to Greenville~~ Road – widen to add a HOT lane
2.7	23	2.7-3	**Add** Project #22246 as follows: Provide pedestrian access and facilities to overcome existing barriers in the Blossom Hill/Monterey Highway area with Corridor as Silicon Valley, with an X for liquefaction hazard.
2.7	23	2.7-3	**Add** Project #230304 as follows: Widen Dixon Landing Road from 4 to 6 lanes between North Milpitas Boulevard and I-880 with Corridor as Silicon Valley, with an X for liquefaction hazard.
2.7	23	2.7-3	**Modify** description of #22156 as follows: Improve Route 85 northbound to Route 237 eastbound connector ramp and construct auxiliary lane on eastbound Route 237 between Route 85 and Middlefield Road
2.7	24	2.7-3	**Modify** description of Project #21714 as follows: Widen U.S. 101 between Monterey Highway and Route 25 and construct an interchange at U.S. 101/Route 25~~/Santa Teresa Boulevard~~ (includes ~~extending Route 25~~ an extension to Santa Teresa Boulevard)
2.8	19	2.8-1	**Remove** all asterisks from all projects identified in table on pages 2.8-19 through 2.8-23 and modify table footer on page 2.8-23 as follows: ~~Projects that are part of the *Heavy Maintenance/Climate Protection Emphasis alternatives.~~
2.8	19	2.8-1	**Modify** description of Project #230508 as follows: Elevate Solano Avenue from Yountville to Dry Creek ~~Road~~
2.8	21	2.8-1	**Add** Project #230304 as follows: Widen Dixon Landing Road from 4 to 6 lanes between North Milpitas Boulevard and I-880 with Corridor as Silicon Valley.
2.8	21	2.8-1	**Modify** Project #230667 as follows: I-580 eastbound in Alameda County from Foothill Road to Greenville Road ~~to Tassajara Road~~ –

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Chapter	*Page*	*Table/ Figure*	*Correction*
			convert HOV lane to HOT lane
2.8	21	1.8-1	**Modify** description of Project #230682 as follows: I-680 northbound in Alameda County from Santa Clara County line to Route 84 — widen to add an HOT lane ~~in each direction~~
2.8	21	2.8-1	**Modify** description of Project #230683 as follows: I-680 in ~~Contra Costa County~~ Alameda County from Route 84 to Alcosta ~~Road~~ Boulevard— widen to add an HOT lane in each direction
2.9	31		**Modify** conclusion summary of Impact 2.9-7 (bottom of page) as follows: (Significant, ~~but~~ mitigable)
2.9	38	2.8-1	**Remove** all asterisks from all projects identified in table on pages 2.9-38 through 2.9-46 and modify table footer on page 2.8-23 as follows: ~~Projects that are part of the *Heavy Maintenance/Climate Protection Emphasis alternatives.~~
2.9	42	2.9-2	**Modify** description of Project #230508 as follows: Elevate Solano Avenue from Yountville to Dry Creek ~~Road~~
2.9	43	2.9-2	**Remove** Project #22008 from this list.
2.9	43	2.9-2	**Modify** Project #230200 as follows: ~~Improve local circulation on St. John Street and~~ Extend Autumn Street from Union Pacific Railroad crossing to Park Avenue
2.9	43	2.9-2	**Modify** Project #230531 as follows: Construct ~~HOV and~~ auxiliary lanes on U.S. 101 in Mountain View and Palo Alto, from Route 85 to Embarcadero Road
2.9	44	2.9-2	**Modify** description of Project #21714 as follows: Widen U.S. 101 between Monterey Highway and Route 25 and construct an interchange at U.S. 101/Route 25~~/Santa Teresa Boulevard~~ (includes ~~extending Route 25~~ an extension to Santa Teresa Boulevard)
2.9	45	2.9-2	**Modify** description of Project #230681 as follows: I-680 northbound in Santa Clara County from Calaveras Road to Alameda County line ~~to Calaveras Road~~ — widen to add an HOT lane ~~in each direction~~
2.9	45	2.9-2	**Modify** description of Project #230682 as follows: I-680 northbound in Alameda County from Santa Clara County line to Route 84 — widen to add an HOT lane ~~in each direction~~
2.9	45	2.9-2	**Modify** description of Project #230683 as follows: I-680 in ~~Contra Costa County~~ Alameda County from Route 84 to Alcosta ~~Road~~ Boulevard— widen to add an HOT lane in each direction
2.9	45	2.9-2	**Modify** Project #21116 as follows: Widen I-580 from Foothill ~~Tassajara~~ Road to Greenville Road in both directions for HOV lanes (includes auxiliary lanes)
2.9	45	2.9-2	**Modify** Project #230665 as follows: I-580 westbound in Alameda County from Foothill Road to San Joaquin County line ~~to I-680~~ – widen to add a HOT lane and convert HOV lane to HOT lane
2.10	11	2.10-2	**Modify** description of Project #230682 as follows: I-680 northbound in Alameda County from Santa Clara County line to Route 84 — widen to add an HOT lane ~~in each direction~~

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2.10	11	2.10-2	**Modify** description of Project #230683 as follows: I-680 in ~~Contra Costa County~~ Alameda County from Route 84 to Alcosta ~~Road~~ Boulevard— widen to add an HOT lane in each direction
2.10	11	2.10-2	**Modify** Project #230665 as follows: I-580 westbound in Alameda County from Foothill Road to San Joaquin County line ~~to I-680~~ – widen to add a HOT lane and convert HOV lane to HOT lane
2.10	11	2.10-2	**Modify** Project #230666 as follows: I-580 eastbound in Alameda County from Foothill Road to San Joaquin County line ~~to Greenville~~ Road – widen to add a HOT lane
2.10	14		**Modify** impact conclusion summary wording at top of page to be consistent with the actual conclusion of the analysis and the text in the Executive Summary and CEQA-Required Conclusions, as follows: (Significant Cumulative Impact, Contribution Cumulatively Considerable~~, Mitigable~~)

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Chapter	*Page*	*Table/ Figure*	*Correction*
3.1	10		**Add** text after the third paragraph before Transportation, as follows: In terms of evaluating the travel behavior impacts of the three Heavy Maintenance/ Climate Protection Emphasis alternatives, the existing and future travel models in place at MTC will never be able to capture the behavioral impacts of system maintenance or "quality of life" programs. This is because of the uniqueness of these programs and the lack of credible data, methodologies or models (either anecdotal or empirical) that can be used to analyze the environmental impact outputs that come from the standard modeling processes. In the Heavy Maintenance/Climate Protection Emphasis alternatives, $20 billion of the $26 billion in uncommitted discretionary funds would be allocated to cover the shortfalls in transit capital maintenance and local roadway (i.e., pavement, bridge) maintenance. These projects will increase the reliability of the transportation system, but will not improve either the travel times or costs of travel for the consumer. So, no changes in travel behavior can be simulated by these transit capital maintenance and roadway maintenance projects. Similarly, the projects included in the $3 billion Transportation for Livable Communities Program, $1.3 billion Regional Bicycle Program, $900 million Transportation Climate Action Campaign, or $1.1 billion Lifeline Transportation Program, cannot be model-simulated in either the existing MTC trip-based model system or the future MTC activity-based modeling system. These particular programs need their own performance metrics to analyze the "before-and-after" impacts on congestion, travel behavior, and the environment, which would need to be based on elaborate "before-and-after" panel surveys and studies, focus group surveys, stated preference surveys, and specific models that address these "quality-of-life" programs. These specific and elaborate data collection programs are beyond the scope of this program EIR. MTC instead makes general program-level assumptions about the ability of these programs to improve the quality of life in the Bay Area based on current experience and research on these kinds of programs.
3.1	14	3.1-1	**Replace** Table 3.1-1 with the following modified table titled Roadway Lane Miles and Transit Seat Miles (2006 to 2035) to reflect consistent rounding to the nearest 1,000 (as shown in attached Table 3.1-1)
Appendix C	2		**Modify** description of Project #22001 as follows: Implement Sonoma Marin Area Rail Transit District (SMART) commuter rail project (includes environmental, engineering, right-of-way, construction, vehicle procurement, and operations)
Appendix C	2		**Remove** checkmarks from all alternatives for Project #21627 Electrify Caltrain from Tamien to San Francisco (includes installation of power substations and other infrastructure)
Appendix C	6		**Modify** Project #230665 as follows: I-580 westbound in Alameda County from Foothill Road to San Joaquin County line ~~to I-680~~ – widen to add a HOT lane and convert HOV lane to HOT lane

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Appendix C	6		**Modify** Project #230666 as follows: I-580 eastbound in Alameda County from Foothill Road to San Joaquin County line ~~to Greenville~~ Road – widen to add a HOT lane
Appendix C	6		**Modify** Project #230667 as follows: I-580 eastbound in Alameda County from Foothill Road to Greenville Road ~~to Tassajara Road~~ – convert HOV lane to HOT lane
Appendix C	8		**Modify** description of Project #230681 as follows: I-680 northbound in Santa Clara County from Calaveras Road to Alameda County line~~ to Calaveras Road~~ — widen to add an HOT lane ~~in each direction~~
Appendix C	8		**Modify** description of Project #230682 as follows: I-680 northbound in Alameda County from Santa Clara County line to Route 84 — widen to add an HOT lane ~~in each direction~~
Appendix C	8		**Modify** description of Project #230683 as follows: I-680 in ~~Contra Costa County~~ Alameda County from Route 84 to Alcosta~~ Road~~ Boulevard— widen to add an HOT lane in each direction
Appendix C	9		**Add** Project #230710: Funding reserve to implement high-speed rail and related corridor improvements with Corridor as Region, Investment Type as Committed, and checkmarks for Transportation 2035 Plan, No Project, HM/CPE, HM/CPE + Pricing, and HM/CPE + Land Use
Appendix C	9		**Add** Project #230712: Install suicide barrier on Golden Gate Bridge with Corridor as Golden Gate, Investment Type as Committed, and checkmarks for Transportation 2035 Plan, No Project, HM/CPE, HM/CPE + Pricing, and HM/CPE + Land Use
Appendix C	10		**Remove** checkmarks from all alternatives for Project #21132 Extend BART from Fremont to Warm Springs
Appendix C	10		**Modify** Project #21116 as follows: Widen I-580 from Foothill ~~Tassajara~~ Road to Greenville Road in both directions for HOV lanes (includes auxiliary lanes)
Appendix C	11		**Add** Project #21151: Construct a new satellite operations and maintenance facility for operations, dispatch, maintenance, fueling, bus wash and parking facilities for LAVTA fixed route services, with Corridor as Tri-Valley, Investment Type as Committed, and checkmarks for Transportation 2035 Plan, No Project, HM/CPE, HM/CPE + Pricing, and HM/CPE + Land Use
Appendix C	12		**Move** Project #21618 to the Bay Area Region/Multi-County section on page C-2 from the Alameda County section
Appendix C	13		**Remove** checkmarks from all alternatives for Project #22455 Implement Bus Rapid Transit service on the Telegraph Avenue/International Boulevard/E. 14th Street corridor
Appendix C	14		**Remove** checkmarks from all alternatives for Project #22780 Implement Bus Rapid Transit service on the Grand-MacArthur corridor
Appendix C	14		**Remove** checkmarks from all alternatives for Project #98139 Acquire right-of-way for Ace rail service between Stockton and Niles Junction, complete track improvements between San Joaquin County and Alameda County, and expand Alameda County station platforms

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Chapter	*Page*	*Table/ Figure*	*Correction*
Appendix C	15		**Modify** the Corridor of Project #230083 to Tri-Valley from Alameda County-wide
Appendix C	16		**Modify** description of Project #230160 as follows: Tri-Valley Transit Access: Implement enhanced rapid bus service in Livermore, ~~and~~ Dublin and Pleasanton (includes higher frequencies, new stops and improved stop amenities)
Appendix C	25		**Modify** description of Project #230542 as follows: Close a bicycle/pedestrian gap at San Pablo Avenue bridge in Pinole by upgrading the existing bridge or constructing a new dedicated bicycle/pedestrian bridge
Appendix C	25		**Add** Project #230711 as follows: Implement parking improvements at Larkspur ferry terminal, with Corridor as Golden Gate, Investment Type as Committed, and checkmarks for Transportation 2035 Plan, No Project, HM/CPE, HM/CPE + Pricing, and HM/CPE + Land Use
Appendix C	26		**Add** Project #21302: Implement Marin County's bicycle and pedestrian program, with Corridor as Marin County-wide, Investment Type as Committed, and checkmarks for Transportation 2035 Plan, No Project, HM/CPE, HM/CPE + Pricing, and HM/CPE + Land Use
Appendix C	26		**Add** Project #230406: Implement transportation improvements identified in the Canal Neighborhood Community-Based Transportation Plan with Corridor as Marin County-wide, Investment Type as Committed, and checkmarks for Transportation 2035 Plan, No Project, HM/CPE, HM/CPE + Pricing, and HM/CPE + Land Use
Appendix C	26		**Modify** description of Project #21030 as follows: Improve U.S. 101/I-580 interchange and construct a freeway-to-freeway direct connector from northbound U.S. 101 to eastbound I-580 (project approval and environmental ~~design~~ document phases only)
Appendix C	27		**Add** Project #230422 as follows: Signalize Anderson/East Sir Francis Drake intersection with Corridor as Golden Gate, Investment Type as New Commitment, and checkmark for Transportation 2035 Plan
Appendix C	27		**Add** Project #230516: Implement Marin County's Safe Routes to Schools Program, with Corridor as Marin County-wide, Investment Type as Committed, and checkmarks for Transportation 2035 Plan, No Project, HM/CPE, HM/CPE + Pricing, and HM/CPE + Land Use
Appendix C	27		**Add** Project #230709 as follows: Implement routine maintenance of bicycle and pedestrian Class I facilities with Corridor as Marin County-wide, Investment Type as Committed, and checkmarks for Transportation 2035 Plan, No Project, HM/CPE, HM/CPE + Pricing, and HM/CPE + Land Use
Appendix C	27		**Modify** description of Project #230549 as follows: Implement local arterial improvements parallel to U.S. 101 and I-580 (includes signalization, signal controller upgrades, signal coordination and geometric improvements)

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Appendix C	28		**Add** Project # 94073: Construct a flyover connecting southbound Route 221 to southbound Route 29/12 (environmental and design phases), with Corridor as North Bay East-West, Investment Type as Committed, and checkmarks for Transportation 2035 Plan, No Project, HM/CPE, HM/CPE + Pricing, and HM/CPE + Land Use
Appendix C	28		**Add** Project # 94075: Construct grade separation improvements at Routes 12 and 29 (environmental phase), with Corridor as North Bay East-West, Investment Type as Committed, and checkmarks for Transportation 2035 Plan, No Project, HM/CPE, HM/CPE + Pricing, and HM/CPE + Land Use
Appendix C	29		**Modify** description of Project #230508 as follows: Elevate Solano Avenue from Yountville to Dry Creek ~~Road~~
Appendix C	37		**Modify** description of Project #21714 as follows: Widen U.S. 101 between Monterey Highway and Route 25 and construct an interchange at U.S. 101/Route 25~~/Santa Teresa Boulevard~~ (includes ~~extending Route 25~~ an extension to Santa Teresa Boulevard)
Appendix C	37		**Modify** description of Project #21719 as follows: Improve I-880/I-280/Stevens Creek Boulevard interchange (includes eliminating eastbound off-ramp loop and reconfiguring the off-ramp to eastbound Stevens Creek Boulevard and improving I-280/Winchester Boulevard)
Appendix C	37		**Modify** description of Project #21749 as follows: Extend Butterfield Boulevard from Tennant Avenue to Watsonville Road (includes new roadway segment, railroad overpass bridge, drainage channel, traffic signal upgrade, median, landscaping, bicycle lanes and sidewalks)
Appendix C	37		**Remove** checkmarks from all alternatives for Project #21921 Extend BART from Fremont to San Jose (includes environmental, preliminary engineering, property acquisition and construction phase)
Appendix C	38		**Modify** description of #22014 as follows: Implement ~~Downtown East Valley Bus Rapid Transit (BRT) and Light Rail Phases 1 and 3~~Bus Rapid Transit (BRT) as Phase 1 in the Santa Clara-Alum Rock corridor with the potential to convert to light-rail in the future (Santa Clara-Alum Rock Phase 1)
Appendix C	38		**Modify** description of #22019 as follows: Convert Bus Rapid Transit (BRT) to light-rail transit in the Santa Clara-Alum Rock corridor (~~Downtown East Valley~~ Santa Clara-Alum Rock Phase 2)
Appendix C	38		**Modify** description of #22156 as follows: Improve Route 85 northbound to Route 237 eastbound connector ramp and construct auxiliary lane on eastbound Route 237 between Route 85 and Middlefield Road
Appendix C	38		**Modify** description of Project #21923 as follows: Implement Bus Rapid Transit (BRT) ~~on~~ in the Alameda and El Camino Real ~~from Diridon Station to Palo Alto~~ corridors
Appendix C	39		**Add** Project #22246: Provide pedestrian access and facilities to overcome existing barriers in the Blossom Hill/Monterey Highway area with Corridor as Silicon Valley, Investment Type as Committed, and checkmarks for Transportation 2035 Plan, No Project, HM/CPE,

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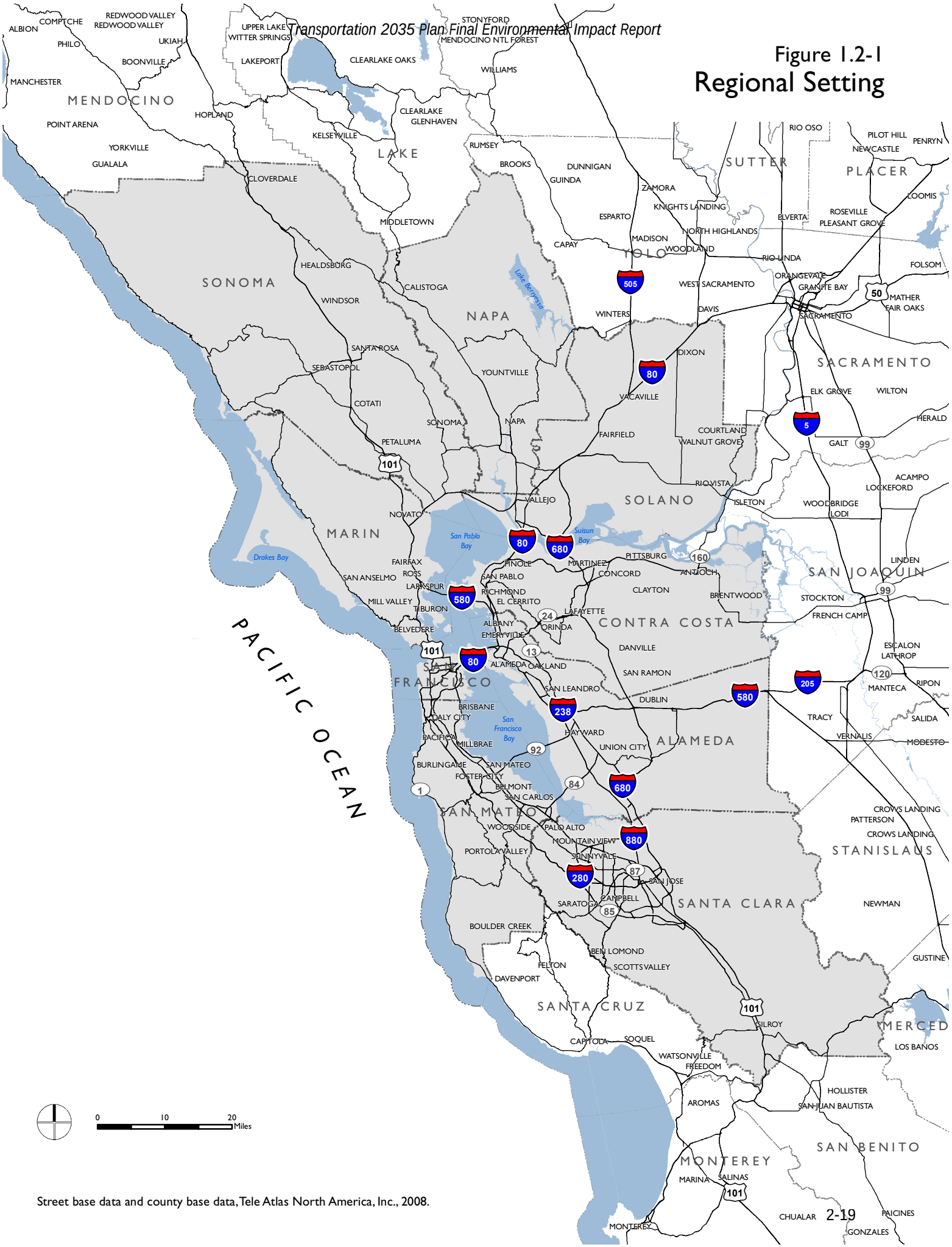
Chapter	*Page*	*Table/ Figure*	*Correction*
			HM/CPE + Pricing, and HM/CPE + Land Use
Appendix C	40		**Add** Project #22979: Construct local roadway improvements over-crossing U.S. 101 (includes local circulation improvements to Zanker Road, Old Bayshore Highway, N. 4th Street and Skyport Drive) with Corridor as Silicon Valley, Investment Type as Committed, and checkmarks for Transportation 2035 Plan, No Project, HM/CPE, HM/CPE + Pricing, and HM/CPE + Land Use
Appendix C	40		**Delete** Project #94117 as follows: ~~Improve bus stop accessibility systemwide (includes new transit centers and park-and-ride lots at De Anza College, Vasona Junction and downtown Los Gatos)~~
Appendix C	40		**Modify** description of #22978 as follows: Extend the Capitol Expressway light-rail transit (LRT) from Eastridge Transit Center to ~~the Capitol Station on the Guadalupe LRT line in Nieman (Phase 2)~~ Nieman Boulevard
Appendix C	41		**Modify** Project #230200 as follows: ~~Improve local circulation on St. John Street and~~ Extend Autumn Street from Union Pacific Railroad crossing to Park Avenue
Appendix C	42		**Add** Project #230304 as follows: Widen Dixon Landing Road from 4 to 6 lanes between North Milpitas Boulevard and I-880 with Corridor as Silicon Valley, Investment Type as Committed, and checkmarks for Transportation 2035 Plan, No Project, HM/CPE, HM/CPE + Pricing, and HM/CPE + Land Use
Appendix C	43		**Add** Project #230469 as follows: Make local circulation improvements on Santa Theresa Boulevard (includes medians, landscaping, sidewalks, and bicycle lanes) with Corridor as Santa Clara County-wide, Investment Type as Committed, and checkmarks for Transportation 2035 Plan, No Project, HM/CPE, HM/CPE + Pricing, and HM/CPE + Land Use
Appendix C	43		**Add** Project #230492 as follows: Implement local roadway improvements to Old Oakland Road over U.S. 101 with Corridor as Santa Clara County-wide, Investment Type as Committed, and checkmarks for Transportation 2035 Plan, No Project, HM/CPE, HM/CPE + Pricing, and HM/CPE + Land Use
Appendix C	43		**Modify** Project #230454 as follows: Construct bicycle/pedestrian overcrossing at Blossom Hill/Monterey Highway area over Union Pacific Railroad tracks
Appendix C	43		**Modify** Project #230531 as follows: Construct ~~HOV and~~ auxiliary lanes on U.S. 101 in Mountain View and Palo Alto, from Route 85 to Embarcadero Road
Appendix C	43		**Remove** checkmarks from all alternatives for Project #230534 Electrify Caltrain line from Tamien Station to Gilroy
Appendix C	44		**Add** Project #22808 as follows: Implement Caltrain grade separation program in Santa Clara County, with Corridor as Peninsula, Investment Type as Committed, and checkmarks for Transportation 2035 Plan, No Project, HM/CPE, HM/CPE + Pricing, and HM/CPE + Land Use

Revisions to the Draft EIR

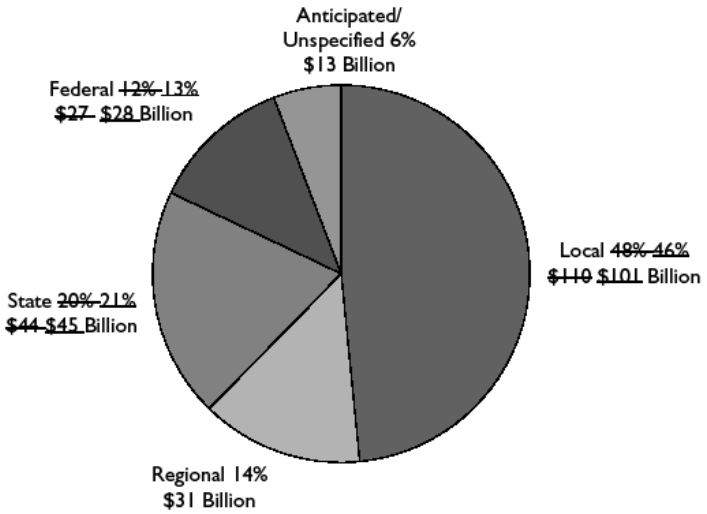
Chapter	*Page*	*Table/ Figure*	*Correction*
Appendix C	All		**Add** checkmark on Projects # 22247, 22423, and 230550 to indicate inclusion in Heavy Maintenance/Climate Protection Emphasis (HM/CP), HM/CP+Pricing, HM/CP+Land Use alternatives **Remove** checkmark on Projects # 21112, 21139, 21505, 22194, 22425, 22768, 22783, 22925, 98198, 230210, 230287, 230308, 230345, 230385, 230387, 230388, 230389, 230390, and 230518 to indicate exclusion from Heavy Maintenance/Climate Protection Emphasis (HM/CP), HM/CP+Pricing, HM/CP+Land Use alternatives
Biblio.	7		**Modify** first entry as follows: U.S. Army Corps of Engineers, 1987. Corps of Engineers Wetlands Delineation Manual. Technical Report Y-87-1. U.S. Army Engineer Waterways Experiment Station, Vicksburg, ~~MD~~ MS. Page 10.

Figure 1.2-1
Regional Setting



Street base data and county base data, Tele Atlas North America, Inc., 2008.

Figure 1.2-4: Projected 25-Year Revenue Sources (Financially Constrained Element)



In January 2008, MTC staff requested the Commission revisit the prior commitments policy adopted for the Transportation 2030 Plan (MTC Resolution 3609) and consider setting a more restrictive policy on what is considered a prior commitment. Adopting a more restrictive policy would open up more funds for discretionary action. After receiving the staff report on the prior commitment policy and hearing public comments, the Commission provisionally approved a new prior commitments policy for the Transportation 2035 Plan. Table 1.2-4 shows the new prior commitment policy in comparison to the previous one adopted for the Transportation 2030 Plan.

Table 1.2-4: Comparison of "Prior Commitments" Policies

"Old" Transportation 2030 Plan Criteria	*"New" Transportation 2035 Plan Criteria*
Committed Funds	
Local transportation sales taxes are committed.	*Locally generated or locally subvened funds are committed.*
Transportation funds for operations and maintenance as programmed in the 2003 Transportation Improvement Program, specified by law, or defined by MTC policy are committed.	*Transportation funds for operations and maintenance as programmed in the current Transportation Improvement Program, reserved by law for specific uses, or allocated by MTC action prior to the development of the Draft Transportation 2035 Plan are committed.*
Committed Projects	
Projects with completed environmental document by May 2004 with committed construction funds or 66% non-discretionary funds are committed	*Projects or project elements fully funded in the current TIP are committed* *Resolution 3434 Regional Transit Expansion Program represents the Commission's transit expansion policy and is therefore committed*
Regional programs with existing executed contracts are committed	*Ongoing regional operations programs are committed*

During June and July 2008, stakeholders and the public requested the Commission to reconsider the prior commitment policy provisionally approved in January 2008 for various reasons (including revisiting commitments made prior to the growing awareness of climate change and AB 32).

At the July 2008 Planning Committee and Commission meetings, after hearing public comments, the Commission reaffirmed its approval of the new policy because: (1) 85 percent of the committed funds are dedicated to transit and road maintenance and operations, which is consistent with the Commission's long-standing Fix-It-First policy; (2) nearly 90 percent of the committed expansion projects are fully funded with mostly local funds or earmarked regional, state, or federal funds that MTC has no discretion to redirect to other uses; (3) a majority of these projects have progressed well into the development process, and (4) most committed projects support several Transportation 2035 Plan goals. The Commission adopted the prior commitment policy for the Transportation 2035 Plan in July 2008, defined in Table 1.2-5 below.

Table 1.2-5: Adopted Prior Commitment Policy MTC Resolution 3868

Committed Funds - ~~$191 billion in total~~[1]
Locally generated or locally subvened funds are committed
Transportation funds for operations and maintenance as programmed in the current TIP
Fund expenditures reserved by law for specific uses, or allocated by MTC action prior to the development of the Draft Transportation 2035 Plan are committed
Committed Projects
Projects or project elements in the current TIP are committed
Fully funded Resolution 3434 projects are committed
Ongoing regional operations programs are committed such as TransLink®, 511 traveler information, Regional Rideshare Program, Freeway Service Patrol/Call Boxes, Freeway Operations, and Transit Connectivity (up to $10 million)

Investment Strategy

Financially Constrained Element

The total $~~226~~218 billion projected revenue is divided into two main funding categories: (1) "committed" revenues that are already committed by MTC Resolution 3868; and (2) uncommitted discretionary revenue for new projects and programs. Of the $~~226~~218 billion projected revenue, $~~194~~186 billion is committed. About $~~165~~155 billion is dedicated to maintaining and operating the existing regional transportation network – $~~113~~104 billion (~~58~~55 percent) is for transit maintenance and operations and $~~52~~51 billion (27 percent) is for road maintenance and operations. This leaves $~~29~~31 billion committed to expansion of the regional transportation network – $~~23~~25 billion (~~12~~13 percent) for transit expansion and $~~3~~6 billion for road/other expansion. For purposes of this EIR analysis, committed projects are evaluated as the No Project Alternative because these projects would otherwise occur, since they do not rely on future discretionary funding. All other project alternatives (including the proposed Project) include and thus "build upon" these committed projects.

[1] In July 2008, the committed funds totaled $191 billion; however, ~~with the passage of Prop. 1A High-Speed Rail Bond, North Bay Measure Q for SMART, and Measure B Santa Clara County BART sales tax in November 2008,~~ in March 2009, the committed funds were revised to total $186 billion.~~the committed funds increased by close to $3 billion, revising the committed funds total to $194 billion.~~

This leaves $32 billion in uncommitted discretionary revenue for new projects, also known as "new commitments." New commitment projects are so named because they require a new MTC commitment of future federal, state, regional, and local revenues which MTC forecasts will be reasonably available through the 25-year horizon of the Transportation 2035 Plan. Key new commitment projects funded by the $32 billion in discretionary funds include: $7.0 billion towards local road pavement maintenance; $6.4 billion towards transit vehicle replacement and 25 percent of the highest-rated transit assets; $6 billion for transit and roadway expansion projects; $2.2 billion toward the Transportation for Livable Communities Program; $1.6 billion toward the Freeway Performance Initiative; $400 million towards the Regional Bicycle Network; and $400 million toward the Lifeline Transportation Program. In addition, the plan includes the development of a Regional HOT Network[2] that is projected to generate revenue of $6.1 billion (net of operating, maintenance and capital expenditures) to implement other, as yet to be determined, corridor improvements.

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[2] The region has been incrementally constructing an HOV system over the past 30 years, which has been part of its ozone emission reduction strategy. The Transportation 2035 Plan proposes to convert this existing and planned Bay Area HOV system to a Regional HOT Network that would allow the system to be built out 20 years faster and provides a reliable travel option can be made available to commuters using the state highway system.

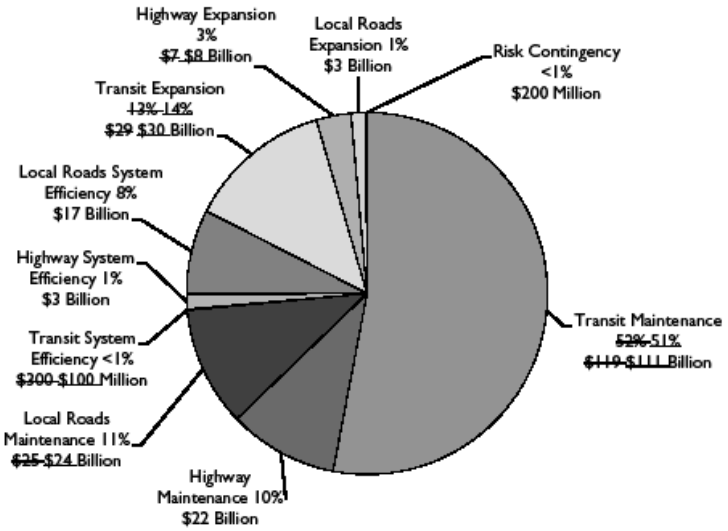
MTC has completed an initial feasibility study (included as appendix to the Plan, and incorporated herein by reference) that suggests the region's HOV system can incorporate HOT lane functions and continue to offer priority for carpoolers and express buses, while improving overall freeway efficiency over a 30-year period if developed and financed as a regional system rather than a corridor-by-corridor endeavor. Current state law currently only provides for a governance framework on a limited number of corridors rather than a truly regional network. Further discussions with state, regional and local stakeholders are necessary to define a workable regional governance structure.

Planning for a Regional HOT Network is in the initial stages. General financial feasibility, travel and air quality benefits, and policy and governance issues have been identified, but more detailed analysis is needed to address specific technical and policy matters.

This EIR analyzes a proposed HOT network as a part of the proposed Project at a programmatic level. As the HOT network is just one component of the overall Plan, this programmatic EIR does not provide a more detailed analysis of the Regional HOT Network. That analysis will occur when planning for the proposed HOT network is detailed enough to allow meaningful environmental review and public comment. More refined analysis would include, but not be limited to: corridor construction phasing; setting appropriate toll rates; identifying lane ingress/egress locations; Caltrans facility design review; and more refined cost and revenue estimates. This more refined analysis will then allow a review of equity considerations, mapping out a governance structure, facilitating a public dialogue and developing a financing plan.

In looking at how the total $~~226~~218 billion projected revenue is spent, most of the projected revenue is allocated to maintaining and operating the existing transportation system ($~~166~~177 billion, or ~~73~~81 percent of the total anticipated revenue available). The other key set of investments target strategic expansion to support anticipated population and employment growth and the accompanying travel demand in the Bay Area over the next 25-years ($~~60~~41 billion). Looking at Plan expenditures by mode, most of the projected revenue goes toward transit ($~~149~~141 billion or ~~66~~65 percent) as compared to roadways ($77 billion or ~~34~~35 percent). Figure 1.2-5 displays the 25-year plan expenditures by type for the financially constrained Transportation 2035 Plan.

Figure 1.2-5: Total 25-Year Revenue Expenditures (Financially Constrained Element)



Unconstrained Element

Although SAFETEA-LU maintains financial constraint, it allows the financial element to include, for illustrative purposes, additional projects that would be included in the adopted plan if reasonable additional resources beyond those identified in the financially constrained element were available. Illustrative projects do not have the same status as financially constrained projects. They are not included in the air quality conformity analysis of the Plan, nor can they be programmed directly into the Transportation Improvement Program (TIP). However, if additional funding sources were secured, the financially unconstrained element of the proposed Transportation 2035 Plan would be integral in delivering not just new projects but improved system performance for Bay Area travelers by targeting new funds to prioritized projects.

The illustrative projects identified for the financially unconstrained element of the proposed Transportation 2035 Plan include: Dumbarton Rail, Caltrain Express Phase 2b, and Transbay Transit Center Phase 2. These projects are not fully funded and therefore not included in the financially constrained Transportation 2035 Plan. However, should funding become available and these projects become fully funded, then they may be shifted into the financially constrained element of the plan.

Figure 1.2-7
Golden Gate Corridor

1 State Highway

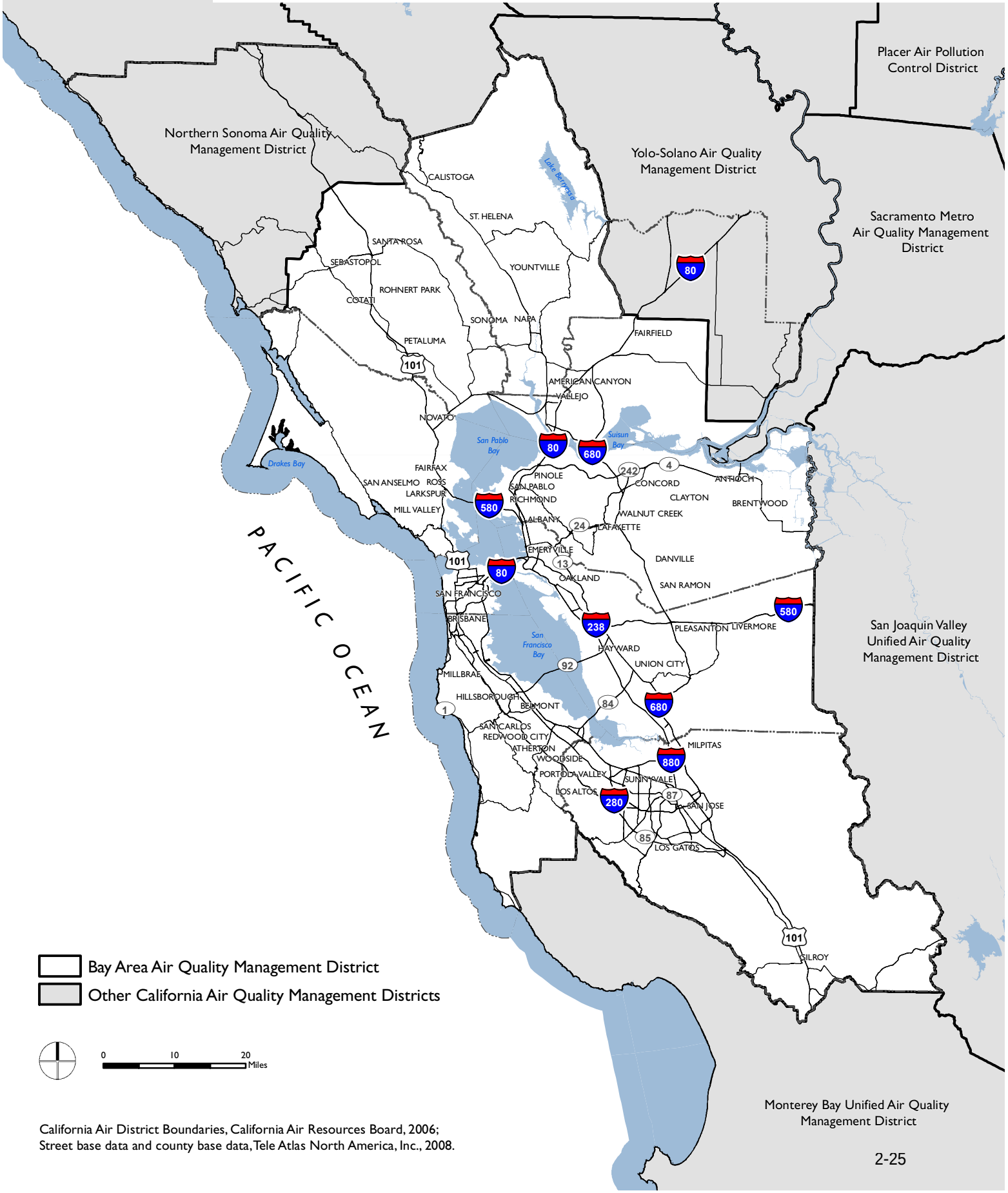
80 Interstate Highway

101 United States Highway

0 5 10 Miles

New Commitment Projects, Metropolitan Transportation Commission, 2008;
Street base data and county base data, Tele Atlas North America, Inc., 2008.

Figure 2.2-1
Bay Area Air Quality Management District Boundaries



California Air District Boundaries, California Air Resources Board, 2006;
Street base data and county base data, Tele Atlas North America, Inc., 2008.

Modify Draft EIR page 2.3-29, Table 2.3-11, as follows:

Table 2.3-11: Farmland Acres Potentially Affected by Proposed Plan, by County and Type

	Farmland of Local Importance	*Farmland of Statewide Importance*	*Grazing Land*	*Prime Farmland*	*Unique Farmland*	*Total*
Alameda		~~0~~	346	15	3	364
Contra Costa	40	21	81	18	~~0~~	160
Marin	69		12			81
Napa	~~1~~2<u>28</u>		27			~~39~~<u>55</u>
San Mateo	1		10	7	11	29
Santa Clara	4	10	103	6~~2~~<u>8</u>	5	1~~84~~<u>90</u>
Solano		3	199	155	2	360
Sonoma	~~68~~<u>95</u>	9	2~~1~~<u>4</u>	27	3	1~~28~~<u>57</u>
Total	**~~194~~<u>237</u>**	**44**	**80~~0~~<u>2</u>**	**~~284~~<u>90</u>**	**24**	**1,34~~6~~<u>97</u>**

Source: Metropolitan Transportation Commission; Dyett & Bhatia, 2008

Modify Draft EIR pages 2.3-32 and 2.3-33 text and tables as follows:

There are 1~~49~~51 projects in the proposed Transportation 2035 Plan in nine counties with the potential to impact 2,1~~54~~66 acres of existing land uses, assuming the worst-case disturbance.[1] Of that total, 43 percent is employment related land use (e.g. commercial and industrial), another 33 percent is residential, and the remaining 25 percent is urban open space, as documented in Table 2.3-13. Of those 1~~49~~51 projects, most (~~59~~60) are widening projects, 31 are related to intersection or interchanges, 15 are new roads, and the remaining are extensions or other types of physical improvement projects, like combination projects, that do not fit into any category, as illustrated in Table 2.3-14. These projects could cause temporary disruptions of homes, businesses, and urban open space.

Table 2.3-13: Generalized Urban Land Uses Potentially Disrupted by Proposed Plan

Land Use	*Acres*	*Percent*
Employment Areas	92~~0~~3	43%
Residential	70~~1~~7	33%
Urban Open Space	53~~3~~6	25%
Total	**2,1~~54~~66**	**100%**

Source: Metropolitan Transportation Commission; Dyett & Bhatia, 2008

Table 2.3-14: Types of Projects Potentially Disrupting Existing Land Use

	Type of Project in Plan					
County	*Extension*	*Intersection*	*New*	*Widening*	*Other*	*Total*
Alameda	1	9	3	9	6	28
Contra Costa	3	7	4	13	5	32
Marin		2	1		2	5
Napa	1			1		2
San Francisco				1	6	7
San Mateo	2	4	2	8	2	18
Santa Clara	6	6	4	~~1~~7~~1~~8	4~~5~~	~~3~~7~~3~~9
Solano		1	1	6	2	10
Sonoma	1	2		3		6
Regional/Multiple Counties[a]				1	3	4
Total	**14**	**31**	**15**	**5~~9~~60**	**3~~0~~1**	**14~~9~~51**

[a] This category includes projects such as BART, and other transit projects of a regional scale.

Source: Metropolitan Transportation Commission; Dyett & Bhatia, 2008

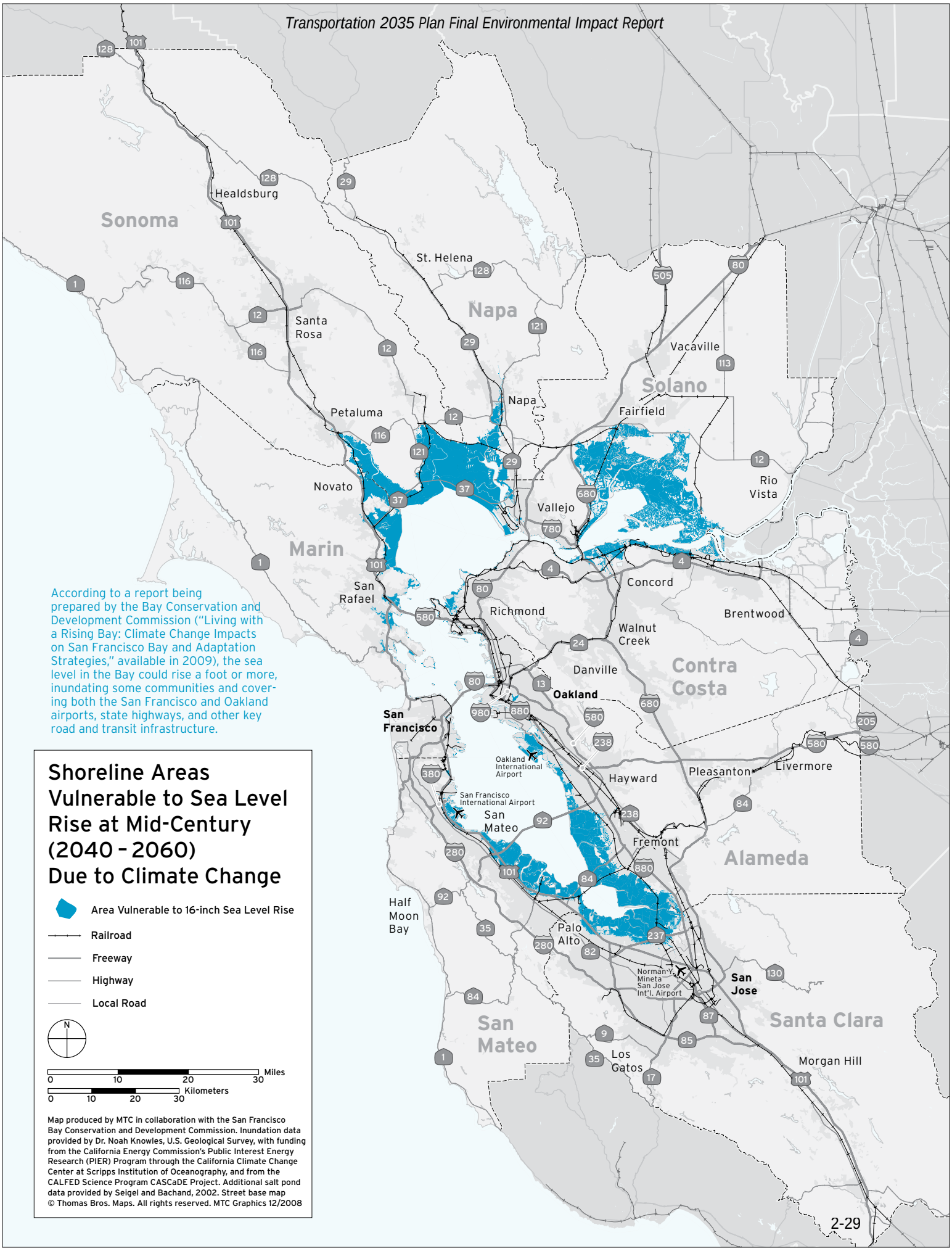
[1] The acreage calculation is based on a 100 foot buffer on either side of the centerline of a linear project and a 100 foot radius around the center of a point project, such as an intersection improvement resulting in a new configuration. Existing roadway is categorized as "roadway" and thus not counted in impact totals.

The counties containing existing land uses potentially affected by Transportation 2035 Plan projects are shown in Table 2.3-15. Solano County has the most amount of impacted land use, totaling 409 acres. The potential disruption occurs mostly in its employment areas, but there is also a substantial amount of disruption in residential and open space areas. Santa Clara County has the second largest urban land use impact, totaling 3~~72~~84 acres; this is followed by Alameda County with 357 acres. Napa County has the least amount of impacted land use at 23 acres. Overall, implementation of the proposed Transportation 2035 Plan has the potential to affect more employment land than residential areas or urban open space.

Table 2.3-15: Existing Land Use Acres by County Potentially Affected by Proposed Plan

	Land Use			
County	*Employment Areas*	*Residential*	*Urban Open Space*	*Total*
Alameda	75	128	155	357
Contra Costa	138	82	64	285
Marin	36	4	4	43
Napa	9	1	13	23
San Francisco	79	30	57	166
San Mateo	75	47	19	141
Santa Clara	~~199~~202	1~~29~~35	44~~7~~	3~~72~~84
Solano	178	101	130	409
Sonoma	131	181	47	359
Total	**92~~0~~3**	**70~~1~~7**	**53~~3~~6**	**2,1~~54~~66**

Source: Metropolitan Transportation Commission; Dyett & Bhatia, 2008



According to a report being prepared by the Bay Conservation and Development Commission ("Living with a Rising Bay: Climate Change Impacts on San Francisco Bay and Adaptation Strategies," available in 2009), the sea level in the Bay could rise a foot or more, inundating some communities and covering both the San Francisco and Oakland airports, state highways, and other key road and transit infrastructure.

Table 3.1-1: Roadway Lane Miles and Transit Seat Miles (2006 to 2035)

	2006	*2035 Project*	*2035 No Project*	*Difference from Proposed Project*	*Heavy Maintenance/ Climate Protection*	*Difference from Proposed Project*	*Heavy Maintenance/ Climate Protection + Pricing*	*Difference from Proposed Project*	*Heavy Maintenance/ Climate Protection + Land Use*	*Difference from Proposed Project*
Freeways										
Mixed Flow	4,370	4,530	4,480	-1%	4,480	-1%	4,480	-1%	4,480	-1%
HOV/HOT	380	790	520	-35%	520	-35%	520	-35%	520	-35%
Expressways										
Mixed Flow	910	1,070	1,010	-5%	1,010	-5%	1,010	-5%	1,010	-5%
HOV	50	50	40	-8%	40	-8%	40	-8%	40	-8%
Arterial / Other	14,610	15,000	14,900	-1%	14,900	-1%	14,900	-1%	14,900	-1%
Roadway Lane Miles Total	*20,310*	*21,430*	*20,950*	-2%	*20,950*	-2%	*20,950*	-2%	*20,950*	-2%
Bus Transit	1,262,000	~~1,325,280~~ 1,325,000	~~1,295,050~~ 1,295,000	-2%	1,295,000	-2%	1,295,000	-2%	1,295,000	-2%
Light Rail Transit	203,000	~~225,310~~2 25,000	~~220,190~~2 20,000	-2%	220,000	-2%	220,000	-2%	220,000	-2%
Rapid Rail Transit	1,048,000	~~1,420,250~~ 1,420,000	~~1,241,120~~ 1,241,000	-13%	1,241,000	-13%	1,241,000	-13%	1,241,000	-13%
Commuter Rail Transit	793,000	~~835,040~~8 35,000	~~653,450~~6 53,000	-22%	653,000	-22%	653,000	-22%	653,000	-22%
Ferry Transit	117,000	~~217,620~~2 18,000	~~210,870~~2 11,000	-3%	211,000	-3%	211,000	-3%	211,000	-3%
Transit Seat Miles Total	3,423,000	~~4,023,500~~ 4,024,000	~~3,620,680~~ 3,621,000	-10%	3,621,000	-10%	3,621,000	-10%	3,621,000	-10%

[1]AM peak period passenger seat miles per hour

Source: Metropolitan Transportation Commission, 2008

Appendix C: Project Listing (sorted by County, then by Reference Number)

Reference Number	Corridor	Investment Type*	Project/Program	Transportation 2035 Plan (Proposed Project)	*Alternatives* No Project	HM/CPE = Heavy Maintenance/ Climate Protection Emphasis: HM/ CPE	HM/CPE + Pricing	HM/CPE + Land
Bay Area Region/Multi-County								
21002	Region	Committed	Implement Freeway Service Patrol, Call Box, and Incident Management Programs (includes incident detection equipment and incident management systems)	☑	☑	☑	☑	☑
21005	Region	Committed	Fund and implement TransLink®	☑	☑	☑	☑	☑
21006	Region	Committed	Fund and implement Regional Transportation Marketing program	☑	☑	☑	☑	☑
21008	Region	Committed	Fund and implement 511 Traveler Information	☑	☑	☑	☑	☑
21011	Region	New Commitment	Transportation for Livable Communities (TLC): provide planning and capital funds to improve pedestrian, bicycle and transit access; and support station development areas and FOCUS Priority Development Areas (PDAs)	☑	☐	☑	☑	☑
21012	Golden Gate	Committed	Golden Gate Bridge seismic retrofit (completes Phase 3)	☑	☑	☑	☑	☑
21013	Region	Committed	Rehabilitate state-owned toll bridges in the Bay Area	☑	☑	☑	☑	☑
21015	Region	Committed	Fund Toll Bridge Seismic Retrofit Program	☑	☑	☑	☑	☑
21017	Region	New Commitment	Small transit operators in Alameda, Contra Costa, Marin, Napa, Solano and Sonoma counties – transit operating and capital improvement program (including replacement, rehabilitation and minor enhancements for rolling stock, equipment, fixed facilities and other capital assets; does not include system expansion)	☑	☐	☑	☑	☑
21154	Region	New Commitment	Procure buses for AC Transit transbay, express and local services	☑	☐	☐	☐	☐
21320	Golden Gate	Committed	Construct Golden Gate Bridge moveable median barrier	☑	☑	☑	☑	☑

* "Committed" projects are those projects that are fully funded via funds reserved by law for specific uses, or allocated by MTC action prior to the development of the Transportation 2035 Plan.
"New Commitment" projects are those projects funded in part or in full with "discretionary funds" which are flexible funds available to MTC (and not already programmed to "Committed" projects) for assignment via the Transportation 2035 Plan planning process.

Reference Number	Corridor	Investment Type*	Project/Program	Transportation 2035 Plan (Proposed Project)	*Alternatives* No Project	HM/CPE = Heavy Maintenance/ Climate Protection Emphasis HM/ CPE	HM/CPE + Pricing	HM/CPE + Land
Bay Area Region/Multi-County								
21342	San Francisco	Committed	Extend Caltrain to Transbay Terminal and replace Transbay Terminal, including the construction of the new Transbay Transit Center Building and rail foundation (Phase 1)	☑	☑	☑	☑	☑
21618	Transbay San Mateo-	Committed	Implement commuter rail service on the Dumbarton Bridge (environmental, design and right-of-way phases)	☑	☐	☐	☐	☐
21619	Peninsula	Committed	Expand Caltrain Express service: design and implement safety elements related to signal communication and positive train control (Phase 2a)	☑	☑	☑	☑	☑
21627	Peninsula	Committed	Electrify Caltrain from Tamien to San Francisco (includes installation of power substations and other infrastructure)	☑	☐	☐	☐	☐
22001	Golden Gate	Committed	Implement Sonoma Marin Area Rail Transit District (SMART) commuter rail project (includes environmental, engineering, right-of-way, construction, vehicle procurement and operations)	☑	☑	☑	☑	☑
22003	Eastshore-North	Committed	Capitol Corridor: Phase 2 enhancements (includes grade separations at High Street, Davis Street and Hesperian Street)	☑	☑	☑	☑	☑
22006	Region	Committed	Improve ferry facilities/equipment including the Downtown Ferry Terminal and procuring additional spare ferry vessels	☑	☑	☑	☑	☑
22008	San Francisco	Committed	Extend Caltrain to Transbay Terminal and replace Transbay Terminal, including preliminary engineering; environmental; planning, specifications, and estimate (PS&E); and right-of-way phases of downtown extension (Phase 2a)	☑	☑	☑	☑	☑
22009	Eastshore-North	Committed	Implement Capitol Corridor intercity rail service (includes increased track capacity, rolling stock and frequency improvements)	☑	☑	☑	☑	☑
22240	Region	Committed	Fund Regional Measure 2 Express Bus South improvements (includes park-and-ride lots, HOV access improvements and rolling stock)	☑	☑	☑	☑	☑
22241	Region	Committed	Fund Regional Measure 2 studies (Water Emergency Transportation Authority environmental studies, I-680/Pleasant Hill BART Connector Study)	☑	☑	☑	☑	☑
22243	Region	Committed	Fund Regional Measure 2 Express Bus North improvements (includes park-and-ride lots and rolling stock)	☑	☑	☑	☑	☑

* "Committed" projects are those projects that are fully funded via funds reserved by law for specific uses, or allocated by MTC action prior to the development of the Transportation 2035 Plan.
"New Commitment" projects are those projects funded in part or in full with "discretionary funds" which are flexible funds available to MTC (and not already programmed to "Committed" projects) for assignment via the Transportation 2035 Plan planning process.

Reference Number	Corridor	Investment Type*	Project/Program	Transportation 2035 Plan (Proposed Project)	*Alternatives* No Project	HM/CPE = Heavy Maintenance/ Climate Protection Emphasis: HM/ CPE	HM/CPE + Pricing	HM/CPE + Land
Bay Area Region/Multi-County								
22244	Region	Committed	Fund City CarShare	☑	☑	☑	☑	☑
22245	Region	Committed	Fund Safe Routes to Transit	☑	☑	☑	☑	☑
22247	Region	New Commitment	Regional Bicycle Program: provide capital funds to fully build out the Regional Bicycle Network as defined in MTC's Regional Bicycle Plan for the San Francisco Bay Area, 2009 Update	☑	☐	☑	☑	☑
22423	Region	New Commitment	Lifeline Transportation Program: fund programs and services that address transportation gaps specific to low-income communities	☑	☐	☑	☑	☑
22425	Region	New Commitment	Planning funds for the Metropolitan Transportation Commission, Association of Bay Area Governments, Bay Conservation and Development Commission, and nine county congestion management agencies	☑	☐	☐	☐	☐
22481	Region	New Commitment	Caltrain – transit operating and capital improvement program (including replacement, rehabilitation and system enhancements for rolling stock, equipment, fixed facilities and other capital assets); station improvements (e.g., platforms) are included	☑	☐	☑	☑	☑
22520	Region	Committed	Implement BART earthquake safety program	☑	☑	☑	☑	☑
22636	Region	Committed	Implement BART transbay tube earthquake safety improvements (Phase 1)	☑	☑	☑	☑	☑
22676	Region	New Commitment	Improve passenger capacity at 43 BART stations, including platform modifications and faregate, stair, elevator and escalator additions	☑	☐	☐	☐	☐
22765	Tri-Valley	New Commitment	Improve the connection between I-580 and I-680 via HOV direct connectors	☑	☐	☐	☐	☐
22991	Fremont-South Bay	Committed	Widen I-680 southbound in Santa Clara and Alameda counties from Route 237 to Route 84 including a HOT lane, ramp metering, auxiliary lanes and pavement rehabilitations	☑	☑	☑	☑	☑
94089	Golden Gate	New Commitment	Reconstruct south access to the Golden Gate Bridge, from Doyle Drive to Broderick Street (design and construction phases)	☑	☐	☐	☐	☐

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Bay Area Region/Multi-County								
94152	North Bay East-West	Committed	Widen Route 12 (Jamieson Canyon) from 2 lanes to 4 lanes from I-80 in Solano County to Route 29 in Napa County (Phase 1)	☑	☑	☑	☑	☑
94525	Region	New Commitment	BART– transit operating and capital improvement program (including replacement, rehabilitation and minor enhancements, equipment, fixed facilities and other capital assets)	☑	☐	☑	☑	☑
94526	Region	New Commitment	AC Transit – transit operating and capital improvement program (including replacement, rehabilitation and minor enhancements for rolling stock, equipment, fixed facilities and other capital assets; does not include system expansion)	☑	☐	☑	☑	☑
94527	Region	New Commitment	Livermore Amador Valley Transit Authority (LAVTA) – transit operating and capital improvement program (including replacement, rehabilitation and minor enhancements for rolling stock, equipment, fixed facilities and other capital assets; does not include system expansion)	☑	☐	☑	☑	☑
94541	Eastshore-North	Committed	Reconstruct existing Benicia-Martinez Bridge for southbound traffic	☑	☑	☑	☑	☑
94558	Region	New Commitment	Central Contra Costa Transit Authority (CCCTA) – transit operating and capital improvement program (including replacement, rehabilitation and minor enhancements for rolling stock, equipment, fixed facilities and other capital assets; does not include system expansion)	☑	☐	☑	☑	☑
94572	Region	New Commitment	Golden Gate Transit – transit operating and capital improvement program (including replacement, rehabilitation and minor enhancements for rolling stock, equipment, fixed facilities and other capital assets; does not include system expansion)	☑	☐	☑	☑	☑
94610	Region	New Commitment	Valley Transportation Authority (VTA) – transit operating and capital improvement program (including replacement, rehabilitation and minor enhancements for rolling stock, equipment, fixed facilities and other capital assets; does not include system expansion)	☑	☐	☑	☑	☑
94636	Region	New Commitment	San Francisco Municipal Transportation Agency (Muni) – transit operating and capital improvement program (including replacement, rehabilitation and other minor enhancements for rolling stock, equipment, fixed facilities and other capital assets, does not include system expansion)	☑	☐	☑	☑	☑

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Bay Area Region/Multi-County								
94666	Region	New Commitment	SamTrans – transit operating and capital improvement program (including replacement, rehabilitation and minor enhancements for rolling stock, equipment, fixed facilities and other capital assets; does not include system expansion)	☑	☐	☑	☑	☑
94683	Region	New Commitment	Vallejo Transit – transit operating and capital improvement program (including replacement, rehabilitation and minor enhancements for rolling stock, equipment, fixed facilities and other capital assets; does not include system expansion)	☑	☐	☑	☑	☑
98102	Golden Gate	Committed	Reconstruct the South Access to the Golden Gate Bridge: Doyle Drive (environmental study)	☑	☑	☑	☑	☑
230221	Eastshore-North	Committed	Implement I-80 Integrated Corridor Mobility (ICM) project operations and management	☑	☑	☑	☑	☑
230222	Eastshore-North	Committed	Implement San Pablo Avenue SMART Corridors operations and management	☑	☑	☑	☑	☑
230257	Silicon Valley	New Commitment	Convert HOV direct freeway connectors between I-880 and Route 237 to HOT direct freeway connectors	☑	☐	☐	☐	☐
230287	Region	New Commitment	Implement the Bay Area Air Quality Management District's Goods Movement Emission Reductions Project (includes replacement or retrofitting of up to 800 port and general goods movement trucks in the region)	☑	☐	☐	☐	☐
230290	San Francisco	Committed	Extend Caltrain to Transbay Terminal and replace Transbay Terminal, including construction phase (Phase 2b)	☑	☐	☐	☐	☐
230336	Region	Committed	Implement recommendations from MTC's Transit Connectivity Study	☑	☑	☑	☑	☑
230419	Region	New Commitment	Freeway Performance Initiative (FPI): maximize freeway performance and reliability using primarily technology and limited expansions at essential locations; includes Traffic Operations System (TOS) infrastructure, TOS maintenance and replacement, arterial coordination and management, and performance monitoring	☑	☐	☐	☐	☐

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Bay Area Region/Multi-County								
230550	Region	New Commitment	Transportation Climate Action Campaign: implement a five-year campaign to reduce greenhouse gas emissions; includes funding for a comprehensive outreach and education campaign, Safe Routes to School, Safe Routes to Transit, and Transit Priority Measures	☑	☐	☑	☑	☑
230649	Region	Committed	High-Speed Rail: fund supporting infrastructure for ACE, BART, Caltrain, MUNI and VTA	☑	☐	☐	☐	☐
230654	Delta	New Commitment	Route 4 in Contra Costa County from Route 160 to Port Chicago Highway – convert HOV lanes to HOT lanes	☑	☐	☐	☐	☐
230656	Eastshore-North	New Commitment	I-80 in Alameda County from Alameda-Contra Costa County line to Bay Bridge –- convert HOV lanes to HOT lanes	☑	☐	☐	☐	☐
230657	Eastshore-North	New Commitment	I-80 in Contra Costa County from Carquinez Bridge to Alameda-Contra Costa County line – convert HOV lanes to HOT lanes	☑	☐	☐	☐	☐
230658	Eastshore-North	New Commitment	I-80 in Solano County from Route 37 to Carquinez Bridge – widen to add a HOT lane in each direction	☑	☐	☐	☐	☐
230659	Eastshore-North	New Commitment	I-80 in Solano County from Yolo County line to Route 37 – widen to add a HOT lane in each direction from Yolo County line to Air Base Parkway and from Red Top Road to Route 37	☑	☐	☐	☐	☐
230660	Eastshore-North	New Commitment	I-80 in Solano County from Red Top Road to Air Base Parkway – convert HOV lanes to HOT lanes	☑	☐	☐	☐	☐
230661	Santa Clara County-wide	New Commitment	U.S. 101 in Santa Clara County from Cochrane Road to Route 25 – widen to add a HOT lane in each direction	☑	☐	☐	☐	☐
230662	Santa Clara County-wide	New Commitment	U.S. 101 in Santa Clara County from San Mateo/Santa Clara County line to Cochrane Road – convert HOV lanes to HOT lanes	☑	☐	☐	☐	☐
230663	Peninsula	New Commitment	U.S. 101 in San Mateo County from San Mateo/Santa Clara County line to Whipple Avenue – convert HOV lanes to HOT lanes	☑	☐	☐	☐	☐
230664	Peninsula	New Commitment	U.S. 101 in San Mateo County from Whipple Avenue to Millbrae – widen to add a HOT lane in each direction	☑	☐	☐	☐	☐

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Bay Area Region/Multi-County								
230665	Tri-Valley	New Commitment	I-580 westbound in Alameda County from Foothill Road to San Joaquin County line – widen to add a HOT lane and convert HOV lane to HOT lane	☑	☐	☐	☐	☐
230666	Tri-Valley	New Commitment	I-580 eastbound in Alameda County from Foothill Road to San Joaquin County line – widen to add a HOT lane	☑	☐	☐	☐	☐
230667	Tri-Valley	New Commitment	I-580 eastbound in Alameda County from Foothill Road to Greenville Road – convert HOV lane to HOT lane	☑	☐	☐	☐	☐
230668	Santa Clara County-wide	New Commitment	I-880 in Santa Clara County from Alameda-Santa Clara County line to U.S. 101 – convert HOV lanes to HOT lanes	☑	☐	☐	☐	☐
230669	Eastshore-South	New Commitment	I-880 in Alameda County from Alameda-Santa Clara County line to Marina Boulevard/Lewelling Boulevard – convert HOV lanes to HOT lanes	☑	☐	☐	☐	☐
230670	Eastshore-South	New Commitment	I-880 in Alameda County from Marina Boulevard/Lewelling Boulevard to Hegenberger Road – convert HOV lanes to HOT lanes	☑	☐	☐	☐	☐
230671	Eastshore-South	New Commitment	I-880 northbound in Alameda County from 16th Avenue to Bay Bridge Toll Plaza – convert HOV lane to HOT lane	☑	☐	☐	☐	☐
230672	Transbay San Mateo-	New Commitment	Route 92 westbound in Alameda County from Clawiter Road through San Mateo-Hayward Bridge toll plaza – convert HOV lane to HOT lane	☑	☐	☐	☐	☐
230673	Transbay San Mateo-	New Commitment	Route 84 westbound in Alameda County from I-880 through Dumbarton Bridge toll plaza – convert HOV lane to HOT lane	☑	☐	☐	☐	☐
230674	Santa Clara County-wide	New Commitment	Route 85 in Santa Clara County from U.S. 101 in Mountain View to U.S. 101 in South San Jose – convert HOV lanes to HOT lanes	☑	☐	☐	☐	☐
230675	Santa Clara County-wide	New Commitment	Route 87 in Santa Clara County from Route 85 to U.S. 101 – convert HOV lanes to HOT lanes	☑	☐	☐	☐	☐
230676	Santa Clara County-wide	New Commitment	Route 237 in Santa Clara County from I-880 to Mathilda Avenue – convert HOV lanes to HOT lanes	☑	☐	☐	☐	☐
230677	Santa Clara County-wide	New Commitment	Route 237 in Santa Clara County from Mathilda Avenue to Route 85 – widen to add a HOT lane in each direction	☑	☐	☐	☐	☐

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Bay Area Region/Multi-County								
230678	Santa Clara County-wide	New Commitment	I-280 in Santa Clara County from Magdalena Avenue to Leland Avenue – convert HOV lanes to HOT lanes	☑	☐	☐	☐	☐
230679	Santa Clara County-wide	New Commitment	I-280 in Santa Clara County from Leland Avenue to U.S. 101 – widen to add a HOT lane in each direction	☑	☐	☐	☐	☐
230680	Santa Clara County-wide	New Commitment	I-680 in Santa Clara County from Calaveras Road to U.S. 101 – widen to add a HOT lane in each direction	☑	☐	☐	☐	☐
230681	Sunol Gateway	New Commitment	I-680 northbound in Santa Clara County from Calaveras Boulevard to Alameda County line – widen to add a HOT lane	☑	☐	☐	☐	☐
230682	Sunol Gateway	New Commitment	I-680 northbound in Alameda County from Santa Clara County line to Route 84 – widen to add a HOT lane	☑	☐	☐	☐	☐
230683	Sunol Gateway	New Commitment	I-680 in Alameda County from Route 84 to Alcosta Boulevard – widen to add a HOT lane in each direction	☑	☐	☐	☐	☐
230684	Tri-Valley	New Commitment	I-680/I-580 direct HOT connector in Alameda County – widen to add a HOT lane at connector and eastbound to Tassajara Road	☑	☐	☐	☐	☐
230685	Diablo	New Commitment	I-680 in Contra Costa County from Alcosta Road to Benicia-Martinez Bridge – widen to add a HOT lane in each direction through Walnut Creek and convert HOV lanes to HOT lanes on the remaining segment	☑	☐	☐	☐	☐
230686	Diablo	New Commitment	I-680 in Solano County from Benicia-Martinez Bridge to I-80 – widen to add a HOT lane in each direction	☑	☐	☐	☐	☐
230687	Diablo	New Commitment	I-680/I-80 direct HOT connector in Solano County – widen to add a HOT lane	☑	☐	☐	☐	☐
230688	Golden Gate	New Commitment	U.S. 101 in Marin County from Corte Madera to Route 37 – convert HOV lanes to HOT lanes	☑	☐	☐	☐	☐
230689	Golden Gate	New Commitment	U.S. 101 in Sonoma County from Windsor River Road to Old Redwood Highway – widen to add a HOT lane in each direction and convert HOV lanes to HOT lanes	☑	☐	☐	☐	☐
230690	Delta	New Commitment	I-680/Route 4 direct HOT connector in Contra Costa County – widen to add a HOT lane in each direction	☑	☐	☐	☐	☐

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Bay Area Region/Multi-County								
230701	Golden Gate	New Commitment	Widen U.S. 101 (adding an HOV lane in each direction) from Route 37 to Marin/Sonoma County line (Marin County portion) and from Marin/Sonoma County line to Old Redwood Highway in Petaluma	☑	☐	☐	☐	☐
230702	Golden Gate	New Commitment	U.S. 101 in Marin and Sonoma counties from Route 37 to Old Redwood Highway – convert HOV lanes to HOT lanes	☑	☐	☐	☐	☐
230703	Region	New Commitment	With net HOT revenue, fund corridor improvements including transit operating and capital needs, freeway operations, interchanges, roadway maintenance and local access	☑	☐	☐	☐	☐
230710	Region	Committed	Funding reserve to implement High-Speed Rail and related corridor improvements	☑	☑	☑	☑	☑
230712	Golden Gate	Committed	Install suicide barrier on Golden Gate Bridge	☑	☑	☑	☑	☑

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Alameda								
21093	Eastshore-South	Committed	Upgrade Route 92/Clawiter Road interchange, add ramps and overcrossing for Whitesell Street extension, and signalize ramp intersections	☑	☑	☑	☑	☑
21100	Tri-Valley	New Commitment	Construct auxiliary lanes on I-580 between Vasco Road and First Street and modify I-580/Vasco Road interchange	☑	☐	☐	☐	☐
21101	Eastshore-South	Committed	Reconstruct Stargell Avenue from Webster Street to 5th Avenue	☑	☑	☑	☑	☑
21103	Eastshore-South	New Commitment	Construct grade separation structure on Central Avenue at Union Pacific Railroad crossing	☑	☐	☐	☐	☐
21105	Tri-Valley	Committed	Construct interchange at the extension of Isabel Avenue (Route 84) to I-580	☑	☑	☑	☑	☑
21112	Sunol Gateway	New Commitment	Improve Crow Canyon Road by widening shoulders, realigning curves and constructing retaining walls	☑	☐	☐	☐	☐
21114	Fremont-South Bay	Committed	Construct grade separations on Washington Boulevard/Paseo Padre Parkway at the Union Pacific railroad tracks and proposed BART extension	☑	☑	☑	☑	☑
21116	Tri-Valley	Committed	Widen I-580 from Foothill Road to Greenville Road in both directions for HOV lanes (includes auxiliary lanes)	☑	☑	☑	☑	☑
21123	Fremont-South Bay	New Commitment	Expand Union City BART station to create intermodal rail station	☑	☐	☐	☐	☐
21125	Fremont-South Bay	Committed	Extend HOV lane westbound on Route 84 between Newark Avenue undercrossing and west of the I-880 interchange	☑	☑	☑	☑	☑
21126	Fremont-South Bay	Committed	Construct westbound Route 84 HOV on-ramp at Newark Boulevard	☑	☑	☑	☑	☑
21131	Eastshore-South	Committed	Build a BART Oakland Airport Connector between Coliseum BART station and Oakland International Airport	☑	☑	☑	☑	☑
21132	Fremont-South Bay	Committed	Extend BART from Fremont to Warm Springs	☑	☐	☐	☐	☐
21133	Tri-Valley	Committed	Construct new West Dublin/Pleasanton BART station along the I-580 median	☑	☑	☑	☑	☑

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Alameda								
21139	Tri-Valley	New Commitment	Improve Vasco Road with safety features including realignment, widening and installation of median barriers	☑	☐	☐	☐	☐
21144	Eastshore-North	New Commitment	Reconstruct I-80/Gilman Avenue interchange into a roundabout	☑	☐	☐	☐	☐
21151	Tri-Valley	Committed	Construct a new satellite operations and maintenance facility for operations, dispatch, maintenance, fueling, bus wash and parking facilities for LAVTA fixed route services	☑	☑	☑	☑	☑
21159	Alameda County-wide	New Commitment	Expand/enhance AC Transit facilities in northern Alameda County, including new operating facility	☑	☐	☐	☐	☐
21451	Eastshore-South	New Commitment	Construct additional turn- and bus-loading lanes on Hesperian Boulevard and East 14th Street	☑	☐	☐	☐	☐
21455	Tri-Valley	Committed	Widen I-238 to 6 lanes between I-580 and I-880, including auxiliary lanes on I-880 between I-238 and A Street	☑	☑	☑	☑	☑
21456	Tri-Valley	Committed	Construct auxiliary lanes on I-580 between Santa Rita Road/Tassajara Road and Airway Boulevard	☑	☑	☑	☑	☑
21460	Tri-Valley	Committed	Construct bicycle/pedestrian roadway in existing Alameda County and Southern Pacific right-of-way between the Dublin/Pleasanton BART station and Dougherty Road; construct bus lane on Dougherty Road	☑	☑	☑	☑	☑
21464	Alameda County-wide	Committed	Provide paratransit service for AC Transit, BART and non-mandated city programs to coordinate and close paratransit service gaps	☑	☑	☑	☑	☑
21465	Alameda County-wide	Committed	Enhance transit throughout the county using transit center development funds	☑	☑	☑	☑	☑
21466	Eastshore-South	Committed	Improve Washington Avenue/Beatrice Street interchange at I-880 through reconstruction and widening of on/off ramps	☑	☑	☑	☑	☑
21472	Sunol Gateway	Committed	Improve I-680/Bernal Avenue interchange	☑	☑	☑	☑	☑
21473	Tri-Valley	Committed	Construct a 4-lane arterial connecting Dublin Boulevard and North Canyons Parkway in Livermore	☑	☑	☑	☑	☑

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Alameda								
21475	Tri-Valley	New Commitment	Improve I-580/First Street interchange in Livermore	☑	☐	☐	☐	☐
21477	Tri-Valley	New Commitment	Reconstruct I-580/Greenville Road interchange in Livermore	☑	☐	☐	☐	☐
21482	Fremont-South Bay	Committed	Extend Fremont Boulevard to connect with Dixon Landing Road in Milpitas	☑	☑	☑	☑	☑
21484	Fremont-South Bay	Committed	Widen Kato Road from Warren Avenue to Milmont Drive and include bicycle lanes	☑	☑	☑	☑	☑
21489	Tri-Valley	Committed	Improve I-580/San Ramon Road/Foothill Road interchange	☑	☑	☑	☑	☑
21992	Alameda County-wide	New Commitment	Implement AC Transit transit priority measures (TPM) and corridor improvements (Element 1)	☑	☐	☐	☐	☐
22002	Transbay Bay Bridge	Committed	Extend I-880 northbound HOV lane from Maritime Street to the Bay Bridge toll plaza	☑	☑	☑	☑	☑
22007	Alameda County-wide	Committed	Implement bicycle and pedestrian projects/programs in Alameda County	☑	☑	☑	☑	☑
22013	Tri-Valley	Committed	Construct I-580 eastbound truck climbing lane at the Altamont Summit	☑	☑	☑	☑	☑
22021	Eastshore-South	New Commitment	Expand AC Transit transfer centers and park-and-ride facilities in central Alameda County	☑	☐	☐	☐	☐
22056	Alameda County-wide	Committed	Improve Ashby BART station to support Ed Roberts Campus and future transit-oriented development	☑	☑	☑	☑	☑
22062	Fremont-South Bay	Committed	Construct infrastructure to support future Irvington BART station	☑	☑	☑	☑	☑
22063	Eastshore-South	Committed	Improve Route 238 corridor near Foothill Boulevard/I-580 by removing parking during peak periods and spot widening	☑	☑	☑	☑	☑
22082	Eastshore-South	Committed	Improve 7th Street/Union Pacific Railroad entry at Port of Oakland intermodal yards to include grade separation	☑	☑	☑	☑	☑

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Alameda								
22084	Eastshore-South	New Commitment	Improve access to Oakland International Airport's North Field, connecting Route 61 (Doolittle Drive) with Earhart Road and extending infield area at North Field	☑	☐	☐	☐	☐
22087	Eastshore-South	Committed	Reconstruct I-880/Oak Street on-ramp	☑	☑	☑	☑	☑
22089	Eastshore-North	New Commitment	Improve Martinez Subdivision to include two additional mainline tracks, including crossovers and signaling	☑	☐	☑	☑	☑
22100	Eastshore-South	Committed	Replace overcrossing structure at I-880/Davis Street interchange and add additional travel lanes on Davis Street (includes ramp, intersection and signal improvements)	☑	☑	☑	☑	☑
22106	Eastshore-South	Committed	Construct street extensions in Hayward near Clawiter and Whitesell streets	☑	☑	☑	☑	☑
22455	Eastshore-North	Committed	Implement Bus Rapid Transit service on the Telegraph Avenue/International Boulevard/E. 14th Street corridor	☑	☐	☐	☐	☐
22509	Transbay Bay Bridge	Committed	Provide ferry service between Alameda/Oakland and San Francisco and between Harbor Bay and San Francisco	☑	☐	☐	☐	☐
22511	Transbay Bay Bridge	Committed	Provide ferry service between Berkeley/Albany and San Francisco	☑	☑	☑	☑	☑
22670	Eastshore-South	Committed	Construct HOV lane for southbound I-880 from Hegenberger Road to Marina Boulevard (includes reconstructing bridges at Davis Street and Marina Boulevard)	☑	☑	☑	☑	☑
22760	Eastshore-South	Committed	Relocate the Outer Harbor Intermodal Terminal (OHIT) to the former Oakland Army Base (includes rail yard, storage tracks, lead tracks, truck gates and administrative/operations and maintenance buildings)	☑	☑	☑	☑	☑
22766	Eastshore-South	New Commitment	Assess Fruitvale Avenue rail bridge for seismic retrofit	☑	☐	☐	☐	☐
22768	Eastshore-South	New Commitment	Retrofit and repair three Oakland-Alameda Estuary bridges for seismic safety	☑	☐	☐	☐	☐

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Alameda								
22769	Eastshore-South	Committed	Improve northbound I-880 ramp geometries at 23rd and 29th avenues (includes modifications to local streets, landscaping and soundwall construction)	☑	☑	☑	☑	☑
22770	Eastshore-North	Committed	Install traffic signal on Grand Avenue at Rose Avenue/Arroyo Avenue in Piedmont	☑	☑	☑	☑	☑
22776	Tri-Valley	New Commitment	Widen Route 84 from 2 to 4 lanes from north of Pigeon Pass to Stanley Boulevard and from 2 to 6 lanes from Stanley Boulevard to Jack London Boulevard	☑	☐	☐	☐	☐
22777	Tri-Valley	Committed	Reconstruct on/off-ramps on I-580 in Castro Valley	☑	☑	☑	☑	☑
22779	Fremont-South Bay	Committed	Reconstruct Route 262/I-880 interchange and widen I-880, including grade separation at Warren Avenue and the Union Pacific Railroad (Phase 2)	☑	☑	☑	☑	☑
22780	Eastshore-North	Committed	Implement Bus Rapid Transit on the Grand-MacArthur corridor	☑	☐	☐	☐	☐
22783	Eastshore-South	New Commitment	Assess Fruitvale Avenue roadway bridge for seismic retrofit	☑	☐	☐	☐	☐
94012	Fremont-South Bay	Committed	Implement the Union City BART station transit-oriented development project, including construction of pedestrian grade separations under the BART and Union Pacific Railroad tracks and reconfiguring existing station to provide multimodal loop road (Phase 1)	☑	☑	☑	☑	☑
94030	Fremont-South Bay	Committed	Reconstruct I-880/Route 262 interchange and widen I-880 from 8 lanes to 10 lanes (8 mixed-flow and 2 HOV lanes) from Route 262 (Mission Boulevard) to the Santa Clara County line (Phase 1)	☑	☑	☑	☑	☑
94506	Fremont-South Bay	New Commitment	Construct an improved east-west connection between I-880 and Route 238 (Mission Boulevard) from North Fremont to Union City	☑	☐	☐	☐	☐
94514	Transbay San Mateo-	Committed	Reconstruct I-880/Route 92 interchange with direct connectors	☑	☑	☑	☑	☑
98139	Sunol Gateway	Committed	Acquire right-of-way for ACE rail service between Stockton and Niles Junction, complete track improvements between San Joaquin County and Alameda County, and expand Alameda County station platforms	☑	☐	☐	☐	☐

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Alameda								
98207	Eastshore-South	New Commitment	Improve I-880/Broadway-Jackson interchange in Oakland (includes new on- and off-ramps and new signals)	☑	☐	☐	☐	☐
98208	Alameda County-wide	New Commitment	Construct soundwalls in various locations in Alameda County	☑	☐	☐	☐	☐
230047	Eastshore-South	New Commitment	Reconstruct I-880/West A Street interchange in Hayward (includes new sidewalks)	☑	☐	☐	☐	☐
230052	Eastshore-South	Committed	Construct auxiliary lanes on I-880 near Winton in Hayward	☑	☑	☑	☑	☑
230053	Eastshore-South	New Commitment	Reconstruct I-880 Industrial Parkway interchange (Phase 1)	☑	☐	☐	☐	☐
230054	Eastshore-South	Committed	Construct auxiliary lanes on I-880 at Industrial Parkway	☑	☑	☑	☑	☑
230057	Eastshore-South	Committed	Reconstruct I-880/Industrial Parkway interchange, including construction of new northbound I-880 on-ramp and modifications to southbound on-ramp to include an HOV lane (Phase 2)	☑	☑	☑	☑	☑
230066	Eastshore-South	Committed	Improve I-880/Marina Boulevard interchange (includes on- and off-ramp improvements, overcrossing modification, and street improvements)	☑	☑	☑	☑	☑
230083	Tri-Valley	Committed	Tri-Valley Transit Access: acquire right-of-way along I-580 from Hacienda Drive to the Vasco Road interchange to accommodate rail transit	☑	☑	☑	☑	☑
230086	Tri-Valley	New Commitment	Reconstruct I-580/Fallon Road interchange and I-580/Hacienda Drive interchange in Dublin	☑	☐	☐	☐	☐
230088	Eastshore-South	Committed	Extend existing northbound I-880 HOV lane from north of Hacienda Avenue to Hegenberger Road	☑	☑	☑	☑	☑
230091	Eastshore-South	Committed	Install traffic monitoring systems, signal priority and coordination, ramp metering, and HOV bypass lanes in the I-880, I-238 and I-580 corridors	☑	☑	☑	☑	☑
230094	Eastshore-North	Committed	Construct soundwalls in central Alameda County	☑	☑	☑	☑	☑
230099	Alameda County-wide	New Commitment	Construct northbound I-680 to westbound I-580 connector	☑	☐	☐	☐	☐

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Alameda								
230108	Eastshore-North	New Commitment	Widen I-80 eastbound Powell Street off-ramp in Emeryville	☑	☐	☐	☐	☐
230110	Fremont-South Bay	New Commitment	Construct a grade separation at Route 262/Warm Springs Drive/Mission Boulevard	☑	☐	☐	☐	☐
230114	Fremont-South Bay	New Commitment	Widen Auto Mall Parkway from 4 to 6 lanes between I-680 and I-880, including intersection improvements	☑	☐	☐	☐	☐
230116	Alameda County-wide	New Commitment	Improve rail crossings in Berkeley, including grade separation at Gilman Street, road closures and at-grade crossing improvements (Phase 1)	☑	☐	☐	☐	☐
230120	Eastshore-South	New Commitment	Construct truck parking facilities in northern Alameda County (Phase 1)	☑	☐	☐	☐	☐
230122	Alameda County-wide	New Commitment	Implement a Value-Pricing Parking and Transportation Demand Management program in Berkeley	☑	☐	☐	☐	☐
230125	Alameda County-wide	New Commitment	Improve Ashby/I-80 interchange/Aquatic Park access, including streetscaping, bicycle/pedestrian improvements and minor interchange improvements	☑	☐	☐	☐	☐
230132	Tri-Valley	New Commitment	Improve I-580/Isabel Avenue interchange, including streetscaping and bicycle/pedestrian improvements	☑	☐	☐	☐	☐
230156	Tri-Valley	Committed	Extend West Jack London Boulevard from west of Isabel/Route 84 to El Charro Road	☑	☑	☑	☑	☑
230157	Tri-Valley	Committed	Construct a two-lane gap closure on Las Positas Road from Arroyo Vista to west of Vasco Road	☑	☑	☑	☑	☑
230160	Tri-Valley	Committed	Tri-Valley Transit Access: implement enhanced rapid bus service in Livermore, Dublin and Pleasanton (includes higher frequencies, new stops and improved stop amenities)	☑	☑	☑	☑	☑
230169	Eastshore-South	New Commitment	Provide Intelligent Transportation System (ITS) elements for arterial management in Oakland (includes new controllers, signal coordination, transit priority, automatic vehicle locators, speed and level of service monitoring through radar detection, and real time arrival information)	☑	☐	☐	☐	☐
230170	Eastshore-South	New Commitment	Improve access to I-880 from 42nd Avenue and High Street	☑	☐	☐	☐	☐

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Alameda								
230171	Eastshore-South	New Commitment	Improve Route 24/Caldecott Tunnel including bicycle and transit access and soundwall improvements	☑	☐	☐	☐	☐
230198	Eastshore-South	New Commitment	Upgrade traffic signal systems with Intelligent Transportation System (ITS) elements (includes new controllers, improved system communication, facilities upgrades and relocations, emergency vehicle pre-emption, and improved speed and level of service monitoring)	☑	☐	☐	☐	☐
230244	Alameda County-wide	New Commitment	Prepare supplemental project study report for Route 84 widening from Pigeon Pass to I-680	☑	☐	☐	☐	☐
230396	Alameda County-wide	New Commitment	Implement recommendations from the Community-Based Transportation Plan to improve the mobility of low-income residents	☑	☐	☐	☐	☐
230412	Alameda County-wide	New Commitment	Additional AC Transit and BART transit capital replacement	☑	☐	☐	☐	☐
230608	Tri-Valley	New Commitment	Construct a westbound auxiliary lane on I-580 between First Avenue and Isabel Avenue in the Tri-Valley area	☑	☐	☐	☐	☐
230630	Tri-Valley	Committed	Tri-Valley Transit Access: construct westbound off-ramp to connect I-580 to Dublin/Pleasanton BART station or make other transit access improvements at the BART station	☑	☑	☑	☑	☑
230692	Alameda County-wide	New Commitment	Local streets and roads maintenance	☑	☐	☑	☑	☑

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Contra Costa								
21205	Diablo	New Commitment	Improve the I-680/Route 4 interchange with direct connectors and widen Route 4 from 2 lanes to 3 lanes in each direction between Route 242 and Morello Avenue	☑	☐	☐	☐	☐
21206	Diablo	Committed	Construct a fourth bore at the Caldecott Tunnel complex north of the three existing bores	☑	☑	☑	☑	☑
21207	Diablo	Committed	Construct Martinez Intermodal Station, including site acquisition, demolition and construction of 200 interim parking spaces (Phase 3 initial segment)	☑	☑	☑	☑	☑
21208	Eastshore-North	Committed	Construct Richmond Parkway Transit Center, including signal timing and reconfiguration, parking facility and security improvements	☑	☑	☑	☑	☑
21209	Eastshore-North	Committed	Relocate and expand Hercules Transit Center, including relocation of park-and-ride facility and construction of express bus facilities	☑	☑	☑	☑	☑
21210	Eastshore-North	Committed	Construct Capitol Corridor train station in Hercules	☑	☑	☑	☑	☑
21211	Delta	Committed	Extend BART/East Contra Costa Rail (eBART) eastward from the Pittsburg/Bay Point BART station into eastern Contra Costa County	☑	☑	☑	☑	☑
21214	Delta	Committed	Widen Wilbur Avenue over Burlington Northern Santa Fe Railroad from 2 lanes to 4 lanes	☑	☑	☑	☑	☑
21225	Contra Costa County-wide	Committed	Improve regional and local pedestrian and bicycle system, including construction overcrossings, and expanding sidewalks and facilities	☑	☑	☑	☑	☑
22122	Transbay Bay Bridge	Committed	Implement ferry service from Richmond to San Francisco	☑	☑	☑	☑	☑
22352	Diablo	New Commitment	Improve I-680/Norris Canyon Road, including reconstruction of overcrossing, widening of median, construction of new HOV ramps and modifications to the local street network in San Ramon	☑	☐	☐	☐	☐
22353	Diablo	Committed	Construct HOV lane on I-680 southbound between North Main Street and Livorna Road	☑	☑	☑	☑	☑
22354	Diablo	New Commitment	Relocate the western half of the Marina Vista interchange off southbound I-680	☑	☐	☐	☐	☐

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Contra Costa								
22355	Eastshore-North	New Commitment	Modify I-80/Central Avenue interchange	☑	☐	☐	☐	☐
22360	Eastshore-North	New Commitment	Reconstruct I-80/San Pablo Dam Road interchange and modify adjacent interchanges	☑	☐	☐	☐	☐
22365	Diablo	Committed	Improve Martinez Ferry landside facilities	☑	☑	☑	☑	☑
22388	Diablo	New Commitment	Construct Route 242 on-ramp and off-ramp at Clayton Road	☑	☐	☐	☐	☐
22390	Delta	New Commitment	Reconstruct Route 4/Willow Pass Road ramps in Concord to support new infill development at the Concord Naval Weapons Station	☑	☐	☐	☐	☐
22402	Diablo	Committed	Implement the San Ramon School Bus Program, and continue the Lamorinda School Bus Program	☑	☑	☑	☑	☑
22600	Delta	Committed	Widen Somersville Road Bridge in Antioch from 2 lanes to 4 lanes	☑	☑	☑	☑	☑
22602	Diablo	New Commitment	Construct I-680 auxiliary lanes in both directions from Sycamore Valley Road to Crow Canyon Road	☑	☐	☐	☐	☐
22603	Eastshore-North	Committed	Construct 6-level, roughly 785-space parking garage at Richmond Intermodal Transfer Station	☑	☑	☑	☑	☑
22607	Delta	Committed	Widen and extend major streets, and improve interchanges in east Contra Costa County	☑	☑	☑	☑	☑
22609	Diablo	Committed	Widen and extend major streets, and improve interchanges in central Contra Costa County	☑	☑	☑	☑	☑
22610	Eastshore-North	Committed	Widen and extend major streets, and improve interchanges in west Contra Costa County	☑	☑	☑	☑	☑
22611	Eastshore-North	Committed	Implement a low-income student bus pass program in West Contra Costa County	☑	☑	☑	☑	☑

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Contra Costa								
22613	Eastshore-North	Committed	Widen and extend major streets, and improve interchanges in southwest Contra Costa County (includes widening Camino Tassajara to 4 lanes between Danville and Windemere Parkway, and to 6 lanes from Windemere Parkway to Alameda County line)	☑	☑	☑	☑	☑
22614	Diablo	New Commitment	Construct Martinez Intermodal Station, including an additional 425 parking spaces and vehicle and pedestrian bridges (Phase 3)	☑	☐	☐	☐	☐
22637	Diablo	Committed	Construct BART crossover at Pleasant Hill BART station	☑	☑	☑	☑	☑
94045	Eastshore-North	Committed	Purchase new express buses for I-80 express service to be provided by AC Transit, Vallejo Transit and WestCAT (capital costs)	☑	☑	☑	☑	☑
94046	Delta	Committed	Improve interchanges and parallel arterials to Route 4	☑	☑	☑	☑	☑
94048	Eastshore-North	Committed	Improve interchanges and parallel arterials to I-80	☑	☑	☑	☑	☑
94532	Diablo	Committed	Implement the Gateway Lamorinda Traffic Program (includes carpool lot in Lafayette, structural and safety improvements on Moraga Road, intersection realignments, turn lanes, pedestrian accommodation and signal coordination)	☑	☑	☑	☑	☑
94538	Delta	Committed	Implement the Route 4 transportation management system	☑	☑	☑	☑	☑
98115	Delta	Committed	Widen Ygnacio Valley/Kirker Pass roads from 4 lanes to 6 lanes from Michigan Boulevard to Cowell Road	☑	☑	☑	☑	☑
98126	Diablo	Committed	Improve interchanges and arterials parallel to I-680 and Route 24	☑	☑	☑	☑	☑
98132	Diablo	Committed	Widen and extend Bollinger Canyon Road to 6 lanes from Alcosta Boulevard to Dougherty Road	☑	☑	☑	☑	☑
98133	Diablo	New Commitment	Widen Pacheco Boulevard from 2 to 4 lanes from Blum Road to Arthur Road	☑	☐	☐	☐	☐
98134	Diablo	Committed	Widen Dougherty Road to 6 lanes from Red Willow to Contra Costa County line	☑	☑	☑	☑	☑

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Contra Costa								
98142	Delta	Committed	Widen Route 4 from 4 lanes to 8 lanes, with HOV lanes, from Loveridge Road to Somersville Road	☑	☑	☑	☑	☑
98157	Eastshore-North	Committed	Enhance AC Transit bus service in San Pablo corridor	☑	☑	☑	☑	☑
98193	Delta	Committed	Extend Panoramic Drive from North Concord BART station to Willow Pass Road	☑	☑	☑	☑	☑
98194	Diablo	Committed	Extend Commerce Avenue to Waterworld Parkway, including construction of vehicular bridge over Pine Creek, installation of trails and a pedestrian bridge and connecting Willow Pass Road to Concord Avenue/Route 242 interchange	☑	☑	☑	☑	☑
98196	Diablo	Committed	Construct auxiliary lanes on Route 24 from Gateway Boulevard to Brookwood Road/Moraga Way	☑	☑	☑	☑	☑
98198	Tri-Valley	New Commitment	Improve safety and operations on Vasco Road in Contra Costa County	☑	☐	☐	☐	☐
98211	Eastshore-North	Committed	Extend I-80 eastbound HOV lanes from Route 4 to the Crockett interchange	☑	☑	☑	☑	☑
98222	Delta	New Commitment	Construct freeway-to-freeway direct connectors between Route 4 Bypass and Route 160	☑	☐	☐	☐	☐
98999	Delta	Committed	Widen Route 4 from Somersville Road to Route 160 and improve interchanges	☑	☑	☑	☑	☑
230084	Eastshore-North	New Commitment	Construct a railroad grade separation at the Richmond Waterfront on the Marina Bay Parkway	☑	☐	☐	☐	☐
230090	Contra Costa County-wide	New Commitment	Expand and enhance AC Transit facilities in western Contra Costa County, including environmental sustainability projects, zero emission improvements and a new operating facility	☑	☐	☐	☐	☐
230123	Contra Costa County-wide	New Commitment	Expand existing WestCAT maintenance facility (includes land purchase)	☑	☐	☐	☐	☐
230127	Contra Costa County-wide	Committed	Construct new satellite WestCAT maintenance facility (includes land purchase)	☑	☑	☑	☑	☑

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Contra Costa								
230129	Contra Costa County-wide	Committed	Expand WestCAT service, including purchase of vehicles	☑	☑	☑	☑	☑
230185	Contra Costa County-wide	New Commitment	Establish express bus service and eBART support network (includes park-and-ride lots and rolling stock)	☑	☐	☐	☐	☐
230188	Delta	Committed	Purchase land in Oakley for use as a park-and-ride lot	☑	☑	☑	☑	☑
230193	Eastshore-North	Committed	Enhance AC Transit Zero Emission Bus (ZEB) program, including fueling stations and new maintenance bays	☑	☑	☑	☑	☑
230194	Eastshore-North	Committed	Implement AC Transit Environmental Sustainability Program	☑	☑	☑	☑	☑
230195	Eastshore-North	Committed	Improve safety and security on AC Transit vehicles and in facilities, including installing surveillance systems and emergency operations improvements	☑	☑	☑	☑	☑
230196	Eastshore-North	Committed	Implement AC Transit San Pablo Dam Road Transit Priority Measures (TPM), including passenger safety improvements and road improvements	☑	☑	☑	☑	☑
230202	Delta	Committed	Widen Route 4 Bypass to 4 lanes from Laurel Road to Sand Creek Road	☑	☑	☑	☑	☑
230203	Delta	Committed	Construct Route 4 Bypass interchange at Sand Creek Road	☑	☑	☑	☑	☑
230205	Delta	Committed	Widen Route 4 Bypass to 4 lanes from Sand Creek Road to Balfour Road	☑	☑	☑	☑	☑
230206	Delta	Committed	Construct Route 4 Bypass interchange at Balfour Road (Phase 1)	☑	☑	☑	☑	☑
230212	Diablo	Committed	Improve Clayton Road/Treat Boulevard intersection and increase capacity (includes upgrading traffic signal and geometric improvements)	☑	☑	☑	☑	☑
230216	Diablo	New Commitment	Construct 2-lane bridge connecting Waterworld Parkway with Meridian Park Boulevard	☑	☐	☐	☐	☐
230225	Eastshore-North	Committed	Improve and expand arterial streets in central Hercules for express bus and rail transit facilities to support transit-oriented development at I-80/Route 4 intersection	☑	☑	☑	☑	☑

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Contra Costa								
230227	Eastshore-North	Committed	Conduct engineering, environmental and financial feasibility assessment of rail mass transit to western Contra Costa County (includes future station site acquisition)	☑	☑	☑	☑	☑
230229	Eastshore-North	New Commitment	Widen Pinole Valley Road ramps at I-80 to provide a dedicated right-turn lane on eastbound on-ramp and bus turnout/shelter on westbound on-ramp	☑	☐	☐	☐	☐
230232	Delta	New Commitment	Construct new interchange at Route 4/Phillips Lane	☑	☐	☐	☐	☐
230233	Delta	Committed	Extend James Donlon Boulevard to Kirker Pass Road by constructing a new 2-lane expressway	☑	☑	☑	☑	☑
230236	Delta	Committed	Widen Pittsburg-Antioch Highway from 2 lanes to 4 lanes	☑	☑	☑	☑	☑
230237	Delta	New Commitment	Extend West Leland Road from San Marco Boulevard to Willow Pass Road (includes a raised median, bicycle lanes and sidewalks)	☑	☐	☐	☐	☐
230238	Delta	Committed	Widen California Avenue from 2 lanes to 4 lanes with 2 left-turn lanes	☑	☑	☑	☑	☑
230239	Diablo	Committed	Widen and improve Buskirk Avenue between Monument Boulevard and Hookston Road to provide 2 through lanes in each direction (includes road realignment, new traffic signals and bicycle/pedestrian streetscape improvements)	☑	☑	☑	☑	☑
230240	Diablo	New Commitment	Add additional left- or right-turn lanes at various intersections along Contra Costa Boulevard (between Monument Boulevard and 2nd Avenue)	☑	☐	☐	☐	☐
230247	Delta	New Commitment	Widen Lone Tree Way to 6 lanes from O'Hara Avenue to Brentwood Boulevard	☑	☐	☐	☐	☐
230249	Delta	Committed	Construct a 6-lane grade separation undercrossing along the Union Pacific Railroad line at Lone Tree Way	☑	☑	☑	☑	☑
230250	Delta	Committed	Widen Brentwood Boulevard from 2 lanes to 4 lanes between Marsh Creek and Delta Road	☑	☑	☑	☑	☑
230253	Delta	Committed	Replace the old 2-lane Fitzuren Road with a new, 4-lane divided arterial (includes shoulders, bicycle lanes, a park-and-ride lot and sidewalks)	☑	☑	☑	☑	☑

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Contra Costa								
230274	Delta	Committed	Widen Main Street to 6 lanes from Route 160 to Big Break Road	☑	☑	☑	☑	☑
230279	Eastshore-North	New Commitment	Extend John Muir Parkway in Hercules with 4 traffic lanes, a bridge, bicycle path and landscaping	☑	☐	☐	☐	☐
230288	Delta	Committed	Widen Empire Avenue from 2 to 4 lanes between Lone Tree Way and Union Pacific Railroad right-of-way/Antioch city limits	☑	☑	☑	☑	☑
230289	Delta	New Commitment	Construct Main Street Downtown Bypass road between Vintage Parkway and 2nd Street	☑	☐	☐	☐	☐
230291	Delta	New Commitment	Add northbound truck climbing lane and a bicycle lane on Kirker Pass Road from Clearbrook Drive in Concord to just beyond the crest of Kirker Pass	☑	☐	☐	☐	☐
230293	Eastshore-North	Committed	Add transit stops, sidewalks, and bicycle and pedestrian amenities on San Pablo Dam Road in El Sobrante	☑	☑	☑	☑	☑
230306	Delta	New Commitment	Add a second southbound lane on Alhambra Avenue from Walnut Avenue to the south side of Highway 4 (includes signal modifications)	☑	☐	☐	☐	☐
230307	Diablo	New Commitment	Widen Camino Tassajara Road from 2 lanes to 4 lanes from Windemere Parkway to the Alameda/Contra Costa County line	☑	☐	☐	☐	☐
230308	Diablo	New Commitment	Straighten curves to improve safety and operation of Alhambra Valley Road	☑	☐	☑	☑	☑
230309	Diablo	New Commitment	Provide rolling stock, infrastructure and information technology for Bus Rapid Transit service in the Pacheco/Contra Costa Boulevard/North Main corridor	☑	☐	☐	☐	☐
230318	Eastshore-North	New Commitment	Extend North Richmond truck route along Soto Street from Market Avenue to Parr Boulevard	☑	☐	☐	☐	☐
230320	Diablo	Committed	Extend the I-680 southbound HOV lane northward from Livorna Road to north of Rudgear Road	☑	☑	☑	☑	☑
230321	Eastshore-North	New Commitment	Construct Phase 2 of Hercules Intermodal Station (includes station building and approximately 350 parking spaces)	☑	☐	☐	☐	☐

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Contra Costa								
230397	Contra Costa County-wide	Committed	Construct and develop infrastructure enhancements to improve operations of transit service within the WestCAT service area, including park-and-ride lots, signal prioritization, bus-only lanes and freeway drop ramps	☑	☑	☑	☑	☑
230401	Eastshore-North	Committed	Construct bicycle- and pedestrian-friendly improvements along San Pablo Avenue from El Cerrito to Crockett to support transit-oriented development	☑	☑	☑	☑	☑
230402	Eastshore-North	Committed	Install new or upgraded corridor management and traveler information elements along the I-80 corridor from the Carquinez Bridge to the San Francisco-Oakland Bay Bridge Toll Plaza (Phase 1)	☑	☑	☑	☑	☑
230505	Eastshore-North	Committed	Provide transportation improvements on the east side of the Richmond BART station to accommodate redevelopment for a transit village	☑	☑	☑	☑	☑
230535	Delta	Committed	Realign curves along Marsh Creek Road to improve safety and operations	☑	☑	☑	☑	☑
230538	Delta	Committed	Widen Bailey Road lanes and shoulders	☑	☑	☑	☑	☑
230542	Eastshore-North	Committed	Close a bicycle/pedestrian gap at San Pablo Avenue bridge in Pinole by upgrading the existing bridge or constructing a new dedicated bicycle/pedestrian bridge	☑	☑	☑	☑	☑
230596	Diablo	Committed	Construct Pacheco Boulevard Transit Hub on Blum Road at the I-680/Route 4 interchange (includes 6 bus bays and a 110-space park-and-ride lot)	☑	☑	☑	☑	☑
230597	Eastshore-North	Committed	Install new or upgraded corridor management and real-time traveler information improvements in I-80 corridor between the Carquinez Bridge and the San Francisco-Oakland Bay Bridge Toll Plaza (Phase 2)	☑	☑	☑	☑	☑
230613	Transbay Bay Bridge	Committed	Implement ferry service between Hercules and San Francisco	☑	☑	☑	☑	☑
230631	Diablo	Committed	Double the existing rail track between Oakley and Port Chicago	☑	☑	☑	☑	☑
230693	Contra Costa County-wide	New Commitment	Local streets and roads maintenance	☑	☐	☑	☑	☑

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Marin								
21030	Golden Gate	New Commitment	Improve U.S. 101/I-580 interchange and construct a freeway-to-freeway direct connector from northbound U.S. 101 to eastbound I-580 (project approval and environmental document phases only)	☑	☐	☐	☐	☐
21302	Marin County-wide	Committed	Implement Marin County's bicycle and pedestrian program	☑	☑	☑	☑	☑
21315	Golden Gate	New Commitment	Signalize ramp intersections at U.S. 101/Miller Creek Road interchange	☑	☐	☐	☐	☐
21325	Golden Gate	New Commitment	Improve local access to U.S. 101 from Tamalpais Drive to just north of Sir Francis Drake Boulevard	☑	☐	☐	☐	☐
22437	Golden Gate	New Commitment	Construct auxiliary lanes at various locations along U.S. 101 and provide bus-on-shoulder options where feasible	☑	☐	☐	☐	☐
22753	Golden Gate	New Commitment	Construct park-and-ride lots to support regional express bus service	☑	☐	☐	☐	☐
94563	Golden Gate	Committed	Widen U.S. 101 for HOV lanes (one in each direction) from Lucky Drive in Corte Madera to North San Pedro Road in San Rafael	☑	☑	☑	☑	☑
98179	Golden Gate	New Commitment	Improve U.S. 101/Tiburon Boulevard interchange, including circulation and signal improvements to nearby intersections	☑	☐	☐	☐	☐
230060	Marin County-wide	New Commitment	Implement Transit Priority Measures (TPM) on major transit corridors (includes signal priority, queue-jump lanes, real-time information and enhanced passenger board areas)	☑	☐	☐	☐	☐
230095	Marin County-wide	Committed	Widen Route 1 at Pacific Way to provide a Muir Beach bus stop	☑	☑	☑	☑	☑
230105	Marin County-wide	New Commitment	Replace Pacific Way Bridge with new two-lane bridge with a separate bicycle and pedestrian path	☑	☐	☐	☐	☐
230252	Marin County-wide	New Commitment	Expand Marin County local bus service	☑	☐	☐	☐	☐
230400	Marin County-wide	Committed	Improve access to Southern Marin parklands	☑	☑	☑	☑	☑

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Marin								
230406	Marin County-wide	Committed	Implement initial set of transportation improvements identified in the Canal Neighborhood Community-Based Transportation Plan	☑	☑	☑	☑	☑
230418	Marin County-wide	New Commitment	Rehabilitate major roads of countywide significance	☑	☐	☐	☐	☐
230422	Golden Gate	New Commitment	Signalize Andersen/East Sir Francis Drake intersection	☑	☐	☐	☐	☐
230431	Golden Gate	New Commitment	Construct intermodal transit hub in Southern Marin Priority Development Area and/or in the city of Novato	☑	☐	☐	☐	☐
230502	Transbay Bay Bridge	Committed	Construct westbound I-580 to northbound U.S. 101 connector	☑	☑	☑	☑	☑
230516	Marin County-wide	Committed	Implement Marin County's Safe Routes to Schools program	☑	☑	☑	☑	☑
230549	Marin County-wide	New Commitment	Implement local arterial improvements parallel to U.S. 101 and I-580 (includes signalization, signal controller upgrades, signal coordination and geometric improvements)	☑	☐	☐	☐	☐
230694	Marin County-wide	New Commitment	Local streets and roads maintenance	☑	☐	☑	☑	☑
230709	Marin County-wide	Committed	Implement routine maintenance of bicycle and pedestrian Class I facilities	☑	☑	☑	☑	☑
230711	Golden Gate	Committed	Implement parking improvements at Larkspur ferry terminal	☑	☑	☑	☑	☑

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Napa								
22746	Napa Valley	New Commitment	Widen Route 29/First Street overcrossing to 4 lanes	☑	☐	☐	☐	☐
94073	North Bay East-West	Committed	Construct a flyover connecting southbound Route 221 to southbond Routes 12 and 29 (environmental and design phases)	☑	☑	☑	☑	☑
94075	North Bay East-West	Committed	Construct grade separation improvements at Routes 12 and 29 (environmental phase)	☑	☑	☑	☑	☑
94076	Napa Valley	New Commitment	Construct the Trancas intermodal facility adjacent to the Route 29 and Redwood Road/Trancas Street interchange	☑	☐	☐	☐	☐
230371	Napa Valley	New Commitment	Construct ADA-compliant pedestrian and bicycle path from Presidents Circle to railroad track in Yountville	☑	☐	☐	☐	☐
230373	Napa Valley	New Commitment	Construct pedestrian and bicycle pathway from Madison Street to Solano Avenue	☑	☐	☐	☐	☐
230374	Napa Valley	New Commitment	Construct pedestrian crosswalk at Charter Oak and Main Streets in St. Helena	☑	☐	☐	☐	☐
230376	Napa Valley	New Commitment	Construct pedestrian and bicycle crossing at Tunnel of Elms in St. Helena	☑	☐	☐	☐	☐
230377	Napa Valley	New Commitment	Construct pedestrian and bicycle crossing over Sulphur Creek at Oak Avenue in St. Helena	☑	☐	☐	☐	☐
230378	Napa Valley	New Commitment	Implement accessibility improvement projects in downtown St. Helena, including curb cuts	☑	☐	☐	☐	☐
230379	Napa Valley	New Commitment	Improve the truck route between Adams Street and Main Street	☑	☐	☐	☐	☐
230381	Napa Valley	New Commitment	Improve signalization along Main Street in St. Helena	☑	☐	☐	☐	☐
230387	Napa Valley	New Commitment	Construct a roundabout or improve traffic signals to improve safety at the Deer Park/Silverado Trail intersection	☑	☐	☐	☐	☐
230388	Napa Valley	New Commitment	Improve the safety of the Oak Knoll/Silverado Trail intersection	☑	☐	☐	☐	☐

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Napa								
230389	Napa Valley	New Commitment	Improve the safety of the Yountville Cross/Silverado Trail intersection	☑	☐	☐	☐	☐
230390	Napa Valley	New Commitment	Improve the safety of the Oakville Crossroad/Route 29 intersection	☑	☐	☐	☐	☐
230392	Napa Valley	New Commitment	Extend Devlin Road from Fagan Creek to Green Island Road	☑	☐	☐	☐	☐
230393	Napa Valley	New Commitment	Construct middle-turn lane on Route 29 from Galleron Lane to St. Helena	☑	☐	☐	☐	☐
230394	Napa County-wide	New Commitment	Improve the traffic signals at Solano and Wine Country avenues (includes road widening, drainage and rail crossing improvements)	☑	☐	☐	☐	☐
230483	Napa Valley	New Commitment	Prepare Project Study Report (PSR) to improve Silverado Trail/Third/Coombsville/East intersection and improve Silverado Trail south of First Street	☑	☐	☐	☐	☐
230484	Napa Valley	New Commitment	Install traffic signals on Imola Avenue at Route 29 ramps in Napa	☑	☐	☐	☐	☐
230486	Napa Valley	New Commitment	Extend Devlin Road from Tower Road to Airpark Road in American Canyon	☑	☐	☐	☐	☐
230498	Napa Valley	New Commitment	Construct Class I bicycle trail from Route 29 to Silverado Trail	☑	☐	☐	☐	☐
230499	Napa Valley	New Commitment	Construct bicycle/pedestrian path from Oak Circle to south Yountville town limit	☑	☐	☐	☐	☐
230508	Napa Valley	New Commitment	Elevate Solano Avenue from Yountville to Dry Creek	☑	☐	☐	☐	☐
230518	Napa Valley	New Commitment	Construct a roundabout at Forest Road/Route 128	☑	☐	☐	☐	☐
230519	Napa Valley	New Commitment	Improve the safety of the Route 29/Route 128 (Rutherford Crossroad) intersection by constructing a roundabout or improving signal operations	☑	☐	☐	☐	☐
230599	North Bay East-West	New Commitment	Implement Phase 2 improvements to Route 12 (Jamieson Canyon), including grade realignment and full safety barrier	☑	☐	☐	☐	☐

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					No Project	HM/ CPE	HM/CPE + Pricing	HM/CPE + Land
Napa								
230622	Napa Valley	New Commitment	Construct new bicycle/pedestrian trail through American Canyon	☑	☐	☐	☐	☐
230695	Napa County-wide	New Commitment	Local streets and roads maintenance	☑	☐	☑	☑	☑

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San Francisco								
21502	San Francisco	New Commitment	Implement pedestrian projects, including sidewalk repair, crossing signal, signage improvements and an education campaign	☑	☐	☐	☐	☐
21503	San Francisco	New Commitment	Implement a traffic calming program aimed at reducing auto traffic speeds and improving pedestrian and bicyclist safety throughout San Francisco	☑	☐	☐	☐	☐
21504	San Francisco	New Commitment	Improve roadways throughout San Francisco by installing new traffic signs and signals, providing new transit lane markings, installing new parking meters and relocating a traffic maintenance shop	☑	☐	☐	☐	☐
21505	San Francisco	New Commitment	Repair and retrofit local bridge structures and pedestrian overcrossings	☑	☐	☐	☐	☐
21510	San Francisco	Committed	Extend the Third Street Light Rail line from north of King Street to Clay Street in Chinatown via a new Central Subway, including the purchase of light-rail vehicles	☑	☑	☑	☑	☑
21533	San Francisco	New Commitment	Plant trees and maintain new and existing trees in public rights-of-way throughout San Francisco	☑	☐	☐	☐	☐
21535	San Francisco	New Commitment	Implement Travel Demand Management (TDM) program, including transit route planning, bicycle and pedestrian planning and transit-oriented development studies and planning	☑	☐	☐	☐	☐
21549	Peninsula	New Commitment	Implement direct access route from Hunters Point Shipyard to U.S. 101, including repaving existing roadway and adding new curbs and curb ramps, sidewalks, street lighting, trees and route signage	☑	☐	☐	☐	☐
22249	San Francisco	New Commitment	Upgrade and extend streets and other vehicular facilities throughout San Francisco	☑	☐	☐	☐	☐
22412	San Francisco	New Commitment	Purchase light-rail vehicles to expand Muni rail service	☑	☐	☐	☐	☐
22415	San Francisco	New Commitment	Provide new historic streetcar service along the Embarcadero between the Caltrain Station and Fisherman's Wharf; extend streetcar service from Fisherman's Wharf to Fort Mason	☑	☐	☐	☐	☐
22420	San Francisco	New Commitment	Implement Bus Rapid Transit (BRT) and Transit Preferential Streets (TPS) programs throughout San Francisco	☑	☐	☐	☐	☐

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San Francisco								
22462	San Francisco	New Commitment	Implement bicycling programs, including construction and rehabilitation of bicycle lanes and paths; improve signage and crossings; and implement a public awareness campaign	☑	☐	☐	☐	☐
22512	Transbay Bay Bridge	New Commitment	Provide capital improvements to support ferry service between Treasure Island and San Francisco	☑	☐	☐	☐	☐
22982	San Francisco	New Commitment	Enhance transit programs in San Francisco that promote system connectivity and accessibility, close service gaps and expand transit service	☑	☐	☐	☐	☐
22984	San Francisco	New Commitment	Construct new/reconstruct existing wheelchair curb ramps	☑	☐	☐	☐	☐
94632	San Francisco	Committed	Extend Third Street Light Rail from Fourth and King Streets to Bayshore Caltrain Station	☑	☑	☑	☑	☑
98593	San Francisco	New Commitment	Fund the Integrated Transportation Management System (SFgo)	☑	☐	☐	☐	☐
230161	San Francisco	Committed	Implement a Bus Rapid Transit (BRT) project on Van Ness Avenue (includes dedicated transit lanes, signal priority and pedestrian and urban design upgrades)	☑	☑	☑	☑	☑
230164	San Francisco	New Commitment	Implement a Bus Rapid Transit (BRT) project on Geary Boulevard (includes dedicated transit lanes, signal priority and pedestrian and urban design upgrades)	☑	☐	☐	☐	☐
230168	San Francisco	New Commitment	Improve the Great Highway between Lincoln Way and 48th Avenue (includes resurfacing roadway, installing drainage systems and constructing medians)	☑	☐	☐	☐	☐
230207	San Francisco	New Commitment	Implement a Bus Rapid Transit (BRT) project on the Geneva Avenue/Harney Way corridor (includes new infrastructure and rolling stock)	☑	☐	☐	☐	☐
230211	San Francisco	New Commitment	Extend trolley coach infrastructure into Mission Bay along 16th Street and Third Street, and implement transit signal priority along 16th Street and Fillmore Street	☑	☐	☐	☐	☐
230215	San Francisco	New Commitment	Extend existing trolley coach lines throughout San Francisco	☑	☐	☐	☐	☐

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San Francisco								
230364	San Francisco	Committed	Improve water access to San Francisco parks	☑	☑	☑	☑	☑
230490	San Francisco	New Commitment	Reconstruct and widen Harney Way to 8 lanes (6 mixed flow, 2 bus-only for Bus Rapid Transit service) and improve bicycle lanes and sidewalks	☑	☐	☐	☐	☐
230517	San Francisco	New Commitment	Improve transit and roadway connectivity between San Francisco and San Mateo counties	☑	☐	☐	☐	☐
230555	Transbay Bay Bridge	Committed	Reconstruct ramps on the east side of the San Francisco-Oakland Bay Bridge's Yerba Buena Island tunnel	☑	☑	☑	☑	☑
230581	San Francisco	New Commitment	Improve San Francisco ferry infrastructure, including terminals, intermodal connections, ferry berths, emergency response systems and landside improvements	☑	☐	☐	☐	☐
230585	San Francisco	New Commitment	Improve the functionality, safety and attractiveness of local streets and arterials in San Francisco	☑	☐	☐	☐	☐
230594	San Francisco	New Commitment	Improve San Francisco BART stations to enhance passenger safety, accessibility and capacity, improve signage and provide real time transit information	☑	☐	☐	☐	☐
230696	San Francisco	New Commitment	Local streets and roads maintenance	☑	☐	☑	☑	☑

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San Mateo								
21602	Peninsula	New Commitment	Reconstruct U.S. 101/Broadway interchange	☑	☐	☐	☐	☐
21603	Peninsula	New Commitment	Modify U.S. 101/Woodside Road interchange	☑	☐	☐	☐	☐
21604	Peninsula	New Commitment	Construct auxiliary lanes (one in each direction) on U.S. 101 from Sierra Point to San Francisco County line	☑	☐	☐	☐	☐
21606	Peninsula	Committed	Reconstruct U.S. 101/Willow Road interchange	☑	☑	☑	☑	☑
21607	Peninsula	New Commitment	Modify University Avenue overcrossing of U.S. 101 to improve operational efficiency and safety (includes widening of overcrossing, constructing new southbound off-ramp and auxiliary lane, and adding bicycle lanes)	☑	☐	☐	☐	☐
21608	Peninsula	Committed	Construct auxiliary lanes (one in each direction) on U.S. 101 from Marsh Road to Embarcadero Road	☑	☑	☑	☑	☑
21609	Peninsula	Committed	Improve local access from Sneath Lane and San Bruno Avenue to I-280/I-380 interchange (study phase only)	☑	☑	☑	☑	☑
21610	Peninsula	New Commitment	Construct auxiliary lanes (one in each direction) on U.S. 101 from San Bruno Avenue to Grand Avenue	☑	☐	☐	☐	☐
21612	Peninsula	New Commitment	Improve access to/from west side of Dumbarton Bridge on Route 84 connecting to U.S. 101 (includes flyovers, interchange improvements and conversion of Willow Road between Route 84 and U.S. 101 to expressway)	☑	☐	☐	☐	☐
21613	Peninsula	New Commitment	Improve Route 92 from San Mateo-Hayward Bridge to I-280 (includes widening and uphill passing lane from U.S. 101 to I-280)	☑	☐	☐	☐	☐
21615	Peninsula	New Commitment	Reconstruct I-280/Route 1 interchange, including ramps	☑	☐	☐	☐	☐
21623	Peninsula	New Commitment	Improve Caltrain stations (includes upgrades/relocation of platforms, new platforms, pedestrian tunnels, pedestrian crossings and parking improvements)	☑	☐	☐	☐	☐
21624	San Mateo County-wide	New Commitment	Implement an incentive program to support transit-oriented developments within 1/2-mile of Caltrain stations that have a minimum density of 40 units per acre	☑	☐	☐	☐	☐

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San Mateo								
21626	Peninsula	New Commitment	Implement Caltrain grade separation program in San Mateo County	☑	☐	☐	☐	☐
21892	Peninsula	New Commitment	Widen Woodside Road from 4 to 6 lanes from El Camino Real to Broadway	☑	☐	☐	☐	☐
21893	Peninsula	New Commitment	Widen Route 92 from Half Moon Bay city limits and Pilarcitos Creek (includes widening shoulders and travel lanes to standard widths and straightening curves)	☑	☐	☐	☐	☐
22120	Transbay San Mateo-	Committed	Construct ferry terminal at Redwood City	☑	☑	☑	☑	☑
22226	Peninsula	New Commitment	Construct Bayshore Intermodal Facility for Caltrain, Muni light rail, and Muni and SamTrans buses (includes cross-platform transit transfers between Muni Third Street light-rail station and Caltrain Bayshore station)	☑	☐	☐	☐	☐
22227	Peninsula	New Commitment	Extend Geneva Avenue to the U.S. 101/Candlestick Point interchange (includes Caltrain grade separation at Tunnel Avenue and other local street improvements)	☑	☐	☐	☐	☐
22229	Peninsula	New Commitment	Reconstruct U.S. 101/Sierra Point Parkway interchange (includes extension of Lagoon Way to U.S. 101)	☑	☐	☐	☐	☐
22230	Peninsula	New Commitment	Construct auxiliary lanes (one in each direction) on I-280 from I-380 to Hickey Boulevard	☑	☐	☐	☐	☐
22232	Peninsula	Committed	Construct streetscape improvements on Mission Street (Route 82) from John Daly Boulevard to San Pedro Road	☑	☑	☑	☑	☑
22239	Peninsula	New Commitment	Widen Manor Drive overcrossing at Route 1 (includes new traffic signals at intersection)	☑	☐	☐	☐	☐
22261	Peninsula	New Commitment	Replace San Pedro Creek Bridge over Route 1	☑	☐	☐	☐	☐
22268	San Mateo County-wide	New Commitment	Provide countywide shuttle service between Caltrain stations and major activity centers (includes purchase of vehicles)	☑	☐	☐	☐	☐
22271	Peninsula	New Commitment	Widen Skyline Boulevard (Route 35) from 2 to 4 lanes between I-280 and Sneath Lane	☑	☐	☐	☐	☐

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San Mateo								
22274	San Mateo County-wide	New Commitment	Install an Intelligent Transportation System (ITS) and a Traffic Operation System (TOS) countywide	☑	☐	☐	☐	☐
22279	Peninsula	New Commitment	Construct new U.S. 101/Produce Avenue interchange (includes replacement of Produce Avenue on- and off-ramps and South Airport Boulevard ramps to U.S. 101 at Wondercolor Lane)	☑	☐	☐	☐	☐
22282	Peninsula	New Commitment	Improve U.S. 101 operations near Route 92	☑	☐	☐	☐	☐
22615	Transbay San Mateo-	Committed	Improve station facilities and other rail improvements in Redwood City, Menlo Park and East Palo Alto in conjunction with the Dumbarton Rail Corridor	☑	☑	☑	☑	☑
22726	Peninsula	Committed	Implement ferry service between South San Francisco and Alameda/Oakland	☑	☑	☑	☑	☑
22751	Peninsula	New Commitment	Improve operations and safety of Route 1 in Half Moon Bay (includes extending Route 1 to Half Moon Bay city limits and channelization at local intersections)	☑	☐	☐	☐	☐
22756	Peninsula	New Commitment	Reconstruct U.S. 101/Candlestick Point interchange	☑	☐	☐	☐	☐
94643	Peninsula	Committed	Widen Route 92 from Half Moon Bay city limits to Route 1 (includes adding left-turn lanes, signal modifications, shoulders and bicycle lanes)	☑	☑	☑	☑	☑
94644	Peninsula	New Commitment	Construct westbound slow-vehicle lane on Route 92 from Route 35 to I-280	☑	☐	☐	☐	☐
94656	Peninsula	Committed	Construct Devil's Slide Bypass between Montara and Pacifica	☑	☑	☑	☑	☑
94667	San Mateo County-wide	Committed	Provide SamTrans Americans with Disabilities Act (ADA) paratransit services (includes operating support and purchase of new paratransit vehicles)	☑	☑	☑	☑	☑
98176	Peninsula	Committed	Construct auxiliary lanes on U.S. 101 from 3rd Avenue to Millbrae and reconstruct U.S. 101/Peninsula interchange	☑	☑	☑	☑	☑
98204	Peninsula	New Commitment	Add travel lane (one in each direction) on Route 1 (Calera Parkway) between Fassler Avenue and Westport Drive in Pacifica (includes traffic signal coordination on Fassler Avenue and Reina Del Mar Avenue)	☑	☐	☐	☐	☐

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San Mateo								
230192	San Mateo County-wide	Committed	Improve SamTrans bus services (includes enhanced service levels, transit priority measures, signal timing and dedicated bus lanes)	☑	☑	☑	☑	☑
230349	Peninsula	Committed	Improve local access to National Park Service (NPS) lands in San Mateo	☑	☑	☑	☑	☑
230417	Peninsula	Committed	Modify U.S. 101/Holly Street interchange (includes widening eastbound to northbound loop to 2 lanes and eliminating northbound to westbound loop)	☑	☑	☑	☑	☑
230424	Peninsula	Committed	Modify Route 92/El Camino Real interchange	☑	☑	☑	☑	☑
230428	Peninsula	Committed	Extend Blomquist Street over Redwood Creek to East Bayshore and Bair Island Road	☑	☑	☑	☑	☑
230430	Peninsula	Committed	Implement San Mateo's bicycle and pedestrian program	☑	☑	☑	☑	☑
230434	Peninsula	Committed	Implement local circulation improvements and the local streets traffic management program	☑	☑	☑	☑	☑
230592	Peninsula	Committed	Improve streetscape and traffic calming along Bay Road, and construct new northern access connection between Demeter Street and University Avenue	☑	☑	☑	☑	☑
230697	San Mateo County-wide	New Commitment	Local streets and roads maintenance	☑	☐	☑	☑	☑
230704	Peninsula	Committed	Make Route 92 operational improvements to Chess Drive on-ramps	☑	☑	☑	☑	☑

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Santa Clara								
21702	Silicon Valley	New Commitment	Construct interchange at U.S. 101 and Buena Vista Avenue	☑	☐	☐	☐	☐
21714	Silicon Valley	New Commitment	Widen U.S. 101 between Monterey Highway and Route 25 and construct an interchange at U.S. 101/Route 25 (includes an extension to Santa Teresa Boulevard)	☑	☐	☐	☐	☐
21719	Silicon Valley	New Commitment	Improve I-880/I-280/Stevens Creek Boulevard interchange (includes eliminating eastbound off-ramp loop, reconfiguring the off-ramp to eastbound Stevens Creek Boulevard and improving Winchester Boulevard at I-280)	☑	☐	☐	☐	☐
21720	Silicon Valley	New Commitment	Improve U.S. 101/Tennant Avenue interchange, including constructing a new bridge parallel to existing bridge over U.S. 101, widening Tennant Avenue from 2 lanes to 4 lanes with bicycle lanes and sidewalks, and adding a new northbound loop on-ramp	☑	☐	☐	☐	☐
21722	Silicon Valley	New Commitment	Improve U.S. 101 southbound Trimble Road/De La Cruz Boulevard/Central Expressway interchange	☑	☐	☐	☐	☐
21749	Silicon Valley	New Commitment	Extend Butterfield Boulevard from Tennant Avenue to Watsonville Road (includes new roadway segment, railroad overpass bridge, drainage channel, traffic signal upgrade, median, landscaping, bicycle lanes and sidewalks)	☑	☐	☐	☐	☐
21760	Silicon Valley	Committed	Double-track segments of the Caltrain line between San Jose and Gilroy	☑	☑	☑	☑	☑
21785	Silicon Valley	New Commitment	Reconfigure local roadway and interchange at U.S. 101/Blossom Hill Road in San Jose (includes widening Blossom Hill Road over U.S. 101)	☑	☐	☐	☐	☐
21787	Silicon Valley	Committed	Expand the Palo Alto Caltrain Station and Bus Transit Center	☑	☑	☑	☑	☑
21790	Silicon Valley	Committed	Provide VTA´s share of funds for additional train sets, passenger facilities, and service upgrades for the ACE service from San Joaquin and Alameda counties	☑	☑	☑	☑	☑
21797	Silicon Valley	Committed	Implement Route 17 bus service improvements between downtown San Jose and downtown Santa Cruz	☑	☑	☑	☑	☑

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Santa Clara								
21921	Fremont-South Bay	Committed	Extend BART from Fremont (Warm Springs) to San Jose (includes environmental, preliminary engineering, property acquisition and construction phases)	☑	☑	☑	☑	☑
21922	Silicon Valley	Committed	Implement the Mineta San Jose International Airport automated people-mover service	☑	☑	☑	☑	☑
21923	Silicon Valley	Committed	Implement Bus Rapid Transit (BRT) in the Alameda and El Camino Real corridors	☑	☑	☑	☑	☑
22014	Silicon Valley	Committed	Implement Bus Rapid Transit (BRT) as Phase 1 in the Santa Clara-Alum Rock Corridor with the potential to convert to light-rail in the future (Santa Clara-Alum Rock Phase 1)	☑	☑	☑	☑	☑
22019	Silicon Valley	Committed	Convert Bus Rapid Transit (BRT) to light-rail transit in the Santa Clara-Alum Rock corridor (Santa Clara-Alum Rock Phase 2)	☑	☑	☑	☑	☑
22118	Silicon Valley	New Commitment	Extend Hill Road from East Main Avenue to Peet Avenue	☑	☐	☐	☐	☐
22134	Silicon Valley	Committed	Construct a lane on southbound U.S. 101 using the existing median from south of Story Road to Yerba Buena Road; modify the U.S. 101/Tully road interchange to a partial cloverleaf	☑	☑	☑	☑	☑
22142	Silicon Valley	New Commitment	Improve U.S. 101/Capitol Expressway interchange (includes new northbound on-ramp from Yerba Buena Road)	☑	☐	☐	☐	☐
22145	Silicon Valley	New Commitment	Widen westbound Route 237 on-ramp from Route 237 to northbound U.S. 101 to 2 lanes and add auxiliary lane on northbound U.S. 101 from Route 237 on-ramp to Ellis Street interchange (includes Traffic Operation System/TOS elements)	☑	☐	☐	☐	☐
22153	Silicon Valley	New Commitment	Extend Mary Avenue north across Route 237 (includes reconfiguring the Mathilda Avenue/U.S. 101 interchange)	☑	☐	☐	☐	☐
22156	Silicon Valley	New Commitment	Improve Route 85 northbound to Route 237 eastbound connector ramp and construct auxiliary lane on eastbound Route 237 between Route 85 and Middlefield Road	☑	☐	☐	☐	☐

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Santa Clara								
22162	Silicon Valley	New Commitment	Improve Route 237 westbound to Route 85 southbound connector ramp (includes widening off-ramp to Route 85 to 2 lanes and adding a southbound auxiliary lane between Route 237 and El Camino Real interchange on Route 85)	☑	☐	☐	☐	☐
22175	Silicon Valley	New Commitment	Widen Almaden Expressway to 8 lanes between Coleman Road and Blossom Hill Road	☑	☐	☐	☐	☐
22179	Silicon Valley	New Commitment	Widen Central Expressway from 4 to 6 lanes between Lawrence Expressway and San Tomas Expressway	☑	☐	☐	☐	☐
22180	Silicon Valley	New Commitment	Widen Central Expressway between Lawrence Expressway and Mary Avenue to provide auxiliary lanes	☑	☐	☐	☐	☐
22186	Silicon Valley	New Commitment	Widen San Tomas Expressway to 8 lanes between El Camino Real (Route 82) and Williams Road	☑	☐	☐	☐	☐
22246	Silicon Valley	Committed	Provide pedestrian access and facilities to overcome existing barriers in the Blossom Hill/Monterey Highway area	☑	☑	☑	☑	☑
22808	Peninsula	Committed	Implement Caltrain grade separation program in Santa Clara County	☑	☑	☑	☑	☑
22809	Silicon Valley	New Commitment	Realign DeWitt Avenue/Sunnyside Avenue intersection	☑	☐	☐	☐	☐
22814	Silicon Valley	New Commitment	Extend Foothill Expressway westbound deceleration lane at San Antonio Road	☑	☐	☐	☐	☐
22815	Silicon Valley	New Commitment	Upgrade Miramonte Avenue bikeway to Class II between Mountain View and Foothill Expressway	☑	☐	☐	☐	☐
22822	Santa Clara County-wide	New Commitment	Provide real-time expressway traffic information in Santa Clara County	☑	☐	☐	☐	☐
22839	Silicon Valley	Committed	Convert the HOV lane on Central Expressway between San Tomas and De La Cruz to a general purpose lane	☑	☑	☑	☑	☑
22842	Silicon Valley	New Commitment	Improve Route 152/Ferguson Road intersection, includes lighting and widening	☑	☐	☐	☐	☐

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Santa Clara								
22843	Silicon Valley	New Commitment	Widen Lawrence Expressway from 6 to 8 lanes between Moorpark Avenue/Bollinger Road and south of Calvert Court	☑	☐	☐	☐	☐
22854	Silicon Valley	New Commitment	Improve bicycle/pedestrian safety at I-280/Oregon-Page Mill interchange	☑	☐	☐	☐	☐
22873	Silicon Valley	New Commitment	Widen Loyola Bridge over Foothill Expressway to add a third lane for left turns and improve bicycle/pedestrian access	☑	☐	☐	☐	☐
22878	Silicon Valley	New Commitment	Realign Wildwood Avenue to connect with Lawrence Expressway (includes new traffic signal)	☑	☐	☐	☐	☐
22883	Silicon Valley	New Commitment	Modify medians on Lawrence Expressway (including those at Lochinvar Avenue, De Sota Avenue, Golden State Drive, Granada Avenue, Buckley Street and St. Lawrence Drive/Lawrence Station Road) for limited access	☑	☐	☐	☐	☐
22895	Silicon Valley	New Commitment	Improve the operations of San Tomas Expressway/Route 17 interchange (includes restriping the eastbound through lane on White Oaks Road and adding a second right-turn lane on the southbound off-ramp)	☑	☐	☐	☐	☐
22909	Silicon Valley	Committed	Fund the operating and capital needs of Measure A transit services	☑	☑	☑	☑	☑
22910	Silicon Valley	New Commitment	Add Traffic Operations System (TOS) infrastructure on Santa Teresa Boulevard between Day Road and Mesa Road	☑	☐	☐	☐	☐
22925	Silicon Valley	New Commitment	Realign existing curve on DeWitt Avenue between Edmundson Avenue and Spring Avenue	☑	☐	☐	☐	☐
22944	Santa Clara County-wide	Committed	Widen I-880 for HOV lanes in both directions from Route 237 in Milpitas to U.S. 101 in San Jose	☑	☑	☑	☑	☑
22956	Silicon Valley	Committed	Extend the Capitol Avenue light-rail line from the Alum Rock Transit Center to a rebuilt Eastridge Transit Center	☑	☑	☑	☑	☑
22965	Silicon Valley	New Commitment	Construct U.S. 101/Mabury Road/Taylor Street interchange	☑	☐	☐	☐	☐
22978	Silicon Valley	Committed	Extend the Capitol Expressway light-rail transit (LRT) from Eastridge Transit Center to Nieman Boulevard	☑	☑	☑	☑	☑

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Santa Clara								
22979	Silicon Valley	Committed	Construct local roadway improvements over-crossing U.S. 101 (includes local circulation improvements to Zanker Road, Old Bayshore Highway, N. 4th Street and Skyport Drive)	☑	☑	☑	☑	☑
98119	Silicon Valley	Committed	Extend light-rail transit from Winchester Station to Route 85 (Vasona Junction)	☑	☑	☑	☑	☑
230174	Santa Clara County-wide	New Commitment	Construct a 4-lane bridge across Uvas Creek connecting the east and west sides of Tenth Street, including 4 travel lanes, bicycle lanes, sidewalks and a new traffic signal at the intersection of Tenth Street and Uvas Park Drive	☑	☐	☐	☐	☐
230175	Santa Clara County-wide	New Commitment	Construct a new 2-lane overcrossing on Las Animas Avenue at U.S. 101 (includes shoulders, bicycle lanes and sidewalks)	☑	☐	☐	☐	☐
230200	Santa Clara County-wide	New Commitment	Extend Autumn Street from Union Pacific Railroad crossing to Park Avenue	☑	☐	☐	☐	☐
230201	Santa Clara County-wide	New Commitment	Widen Coleman Avenue from 4 to 6 lanes from I-880 to Taylor Street	☑	☐	☐	☐	☐
230210	Silicon Valley	New Commitment	Rebuild box culvert under San Tomas Expressway	☑	☐	☐	☐	☐
230242	Silicon Valley	New Commitment	Add Capitol Expressway Traffic Operations System (TOS) between U.S. 101 and Almaden Expressway	☑	☐	☐	☐	☐
230246	Santa Clara County-wide	New Commitment	Improve intersection at Lawrence Expressway and Prospect Road by adding a second left-turn lane and modifying the existing traffic signals	☑	☐	☐	☐	☐
230251	Santa Clara County-wide	New Commitment	Improve expressway traffic operations system (TOS) in Santa Clara county (includes automated traffic count collection system, wireless controller communication system, wireless vehicular detection system, and signal and video infrastructure upgrades)	☑	☐	☐	☐	☐
230262	Silicon Valley	New Commitment	Construct a new interchange at U.S. 101 and Montague Expressway	☑	☐	☐	☐	☐
230265	Silicon Valley	New Commitment	Improve the operations of the intersection of Montague Expressway and Mission College Boulevard	☑	☐	☐	☐	☐

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Santa Clara								
230267	Silicon Valley	Committed	Widen Montague Expressway to 8 lanes for HOV lanes between Lick Mill and Trade Zone boulevards and on Guadalupe River Bridge and Penitencia Creek Bridge	☑	☑	☑	☑	☑
230269	Silicon Valley	Committed	Construct a new interchange at Trimble Road and Montague Expressway	☑	☑	☑	☑	☑
230273	Silicon Valley	New Commitment	Widen Montague Expressway to 8 lanes between Trade Zone Boulevard and I-680 and to 6 lanes between I-680 and Park Victoria Drive for HOV lanes	☑	☐	☐	☐	☐
230292	Santa Clara County-wide	New Commitment	Implement signal coordination between expressway and major cross-street signals in Santa Clara county	☑	☐	☐	☐	☐
230294	Santa Clara County-wide	Committed	Conduct environmental and design studies to widen and create new alignment for Route 152 (from Route 156 to U.S. 101)	☑	☑	☑	☑	☑
230298	Silicon Valley	New Commitment	Replace Calaveras Boulevard 4-lane bridge over the Union Pacific Railroad tracks with new 6-lane structure with bicycle and pedestrian facilities and circulation improvements	☑	☐	☐	☐	☐
230302	Silicon Valley	New Commitment	Improve the intersection of Dixon Landing Road and North Milpitas Boulevard	☑	☐	☐	☐	☐
230304	Silicon Valley	Committed	Widen Dixon Landing Road from 4 to 6 lanes between North Milpitas Boulevard and I-880	☑	☑	☑	☑	☑
230339	Silicon Valley	Committed	Convert HOV queue-jump lanes along Central Expressway at Bowers Avenue to general purpose lanes	☑	☑	☑	☑	☑
230347	Santa Clara County-wide	New Commitment	Improve U.S. 101 southbound ramps at 10th Street	☑	☐	☐	☐	☐
230350	Santa Clara County-wide	New Commitment	Widen southbound U.S. 101 off-ramp at Cochrane Road from 2 to 3 lanes	☑	☐	☐	☐	☐
230356	Silicon Valley	Committed	Construct interchange at Lawrence Expressway and Arques Avenue	☑	☑	☑	☑	☑
230363	Silicon Valley	Committed	Construct interchange at I-880 and Montague Expressway (includes improvements to Montague Expressway)	☑	☑	☑	☑	☑

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Santa Clara								
230385	Peninsula	New Commitment	Purchase and install emergency vehicle pre-emption detectors and video detection cameras at signalized intersections in downtown Palo Alto	☑	☐	☐	☐	☐
230407	Santa Clara County-wide	New Commitment	Widen Route 17 off-ramp southbound at Hamilton Avenue	☑	☐	☐	☐	☐
230445	Santa Clara County-wide	New Commitment	Improve Great America Parkway and Mission College Boulevard intersection (includes adding triple left-turn lanes in two directions and traffic signal upgrades)	☑	☐	☐	☐	☐
230449	Santa Clara County-wide	New Commitment	Extend Charcot Avenue over I-880 as a new 2-lane roadway with bicycle and pedestrian improvements to connect to North San Jose employment center	☑	☐	☐	☐	☐
230451	Santa Clara County-wide	New Commitment	Rehabilitate Fatjo Place, Thompson Place, Arguello Place, Bray Avenue and Graham Lane	☑	☐	☐	☐	☐
230452	Santa Clara County-wide	New Commitment	Convert downtown one-way couplets to two-way streets along 10th/11th Streets, Almaden Boulevard/Vine Street and 2nd/3rd Streets	☑	☐	☐	☐	☐
230454	Santa Clara County-wide	Committed	Construct bicycle/pedestrian overcrossing at Blossom Hill/Monterey Highway area over Union Pacific Railroad tracks	☑	☑	☑	☑	☑
230456	Santa Clara County-wide	Committed	Widen Zanker Road from 4 to 6 lanes	☑	☑	☑	☑	☑
230457	Santa Clara County-wide	New Commitment	Improve Oakland Road from U.S. 101 to Montague Expressway by providing landscaping and operational improvements	☑	☐	☐	☐	☐
230458	Santa Clara County-wide	New Commitment	Widen Berryessa Road from U.S. 101 to I-680 to provide access to planned Berryessa BART station	☑	☐	☐	☐	☐
230459	Santa Clara County-wide	New Commitment	Extend Chynoweth Avenue from Almaden Expressway to Winfield Road	☑	☐	☐	☐	☐
230460	Santa Clara County-wide	New Commitment	Widen Snell Avenue from Branham Lane to Chynoweth Avenue	☑	☐	☐	☐	☐
230461	Santa Clara County-wide	New Commitment	Widen Branham Lane from Vista Park Drive to Snell Avenue (includes bicycle and pedestrian facilities)	☑	☐	☐	☐	☐

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Santa Clara								
230469	Santa Clara County-wide	Committed	Make local circulation improvements on Santa Theresa Boulevard (includes medians, landscaping, sidewalks, and bicycle lanes)	☑	☑	☑	☑	☑
230471	Santa Clara County-wide	Committed	Widen intersections and improve sidewalks throughout the city of Sunnyvale	☑	☑	☑	☑	☑
230492	Santa Clara County-wide	Committed	Implement local roadway improvements to Old Oakland Road over U.S. 101	☑	☑	☑	☑	☑
230531	Santa Clara County-wide	Committed	Construct auxiliary lanes on U.S. 101 in Mountain View and Palo Alto, from Route 85 to Embarcadero Road	☑	☑	☑	☑	☑
230532	Santa Clara County-wide	Committed	Improve interchange at Route 237/North 1st Street	☑	☑	☑	☑	☑
230534	Santa Clara County-wide	Committed	Electrify Caltrain line from Tamien Station to Gilroy	☑	☐	☐	☐	☐
230547	Santa Clara County-wide	Committed	Implement Bus Rapid Transit (BRT) on Monterey Highway	☑	☑	☑	☑	☑
230551	Santa Clara County-wide	Committed	Implement the Zero Emissions Bus (ZEB) program	☑	☑	☑	☑	☑
230552	Santa Clara County-wide	Committed	Install and modify VTA facilities to support the Zero Emissions Bus (ZEB) program	☑	☑	☑	☑	☑
230554	Santa Clara County-wide	Committed	Implement Bus Rapid Transit (BRT) between Sunnyvale and Cupertino	☑	☑	☑	☑	☑
230573	Santa Clara County-wide	New Commitment	Improve ramps and intersections on Fremont and Bernardo avenues at Route 85	☑	☐	☐	☐	☐
230574	Santa Clara County-wide	Committed	Improve the Route 85/Cottle Road interchange	☑	☑	☑	☑	☑
230577	Santa Clara County-wide	New Commitment	Improve ramp and intersection on Route 152 eastbound at Bloomfield Avenue	☑	☐	☐	☐	☐
230579	Santa Clara County-wide	New Commitment	Improve ramp/intersection on Route 152 eastbound at Frazier Lake Road	☑	☐	☐	☐	☐

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Reference Number	Corridor	Investment Type*	Project/Program	Transportation 2035 Plan (Proposed Project)	*Alternatives* No Project	HM/CPE = Heavy Maintenance/ Climate Protection Emphasis: HM/ CPE	HM/CPE + Pricing	HM/CPE + Land
Santa Clara								
230584	Santa Clara County-wide	New Commitment	Improve ramp/intersection at Route 152 westbound at Watsonville Road	☑	☐	☐	☐	☐
230595	Santa Clara County-wide	Committed	Implement Bus Rapid Transit (BRT) on Stevens Creek Boulevard from Diridon Station to DeAnza College	☑	☑	☑	☑	☑
230641	Santa Clara County-wide	Committed	Implement bicycle and pedestrian improvements in North San Jose	☑	☑	☑	☑	☑
230644	Santa Clara County-wide	Committed	Implement miscellaneous intersection improvements in North San Jose	☑	☑	☑	☑	☑
230645	Santa Clara County-wide	Committed	Implement improvements to the North First Street Core Area grid	☑	☑	☑	☑	☑
230698	Santa Clara County-wide	New Commitment	Local streets and roads maintenance	☑	☐	☑	☑	☑
230705	Santa Clara County-wide	Committed	Improve local interchanges and auxiliary lanes	☑	☑	☑	☑	☑
230706	Santa Clara County-wide	Committed	Make local streets and roads improvements (includes street channelization, overcrossings, bicycle and pedestrian access, and safety improvements)	☑	☑	☑	☑	☑

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Solano								
21341	Eastshore-North	New Commitment	Construct new Fairfield/Vacaville multimodal train station for Capitol Corridor intercity rail service (Phases 1, 2 and 3)	☑	☐	☐	☐	☐
22629	Eastshore-North	New Commitment	Construct new Vallejo Baylink Ferry Terminal (includes additional parking, upgrade of bus transfer facilities and pedestrian access improvements)	☑	☐	☐	☐	☐
22630	Eastshore-North	Committed	Improve Parkway Boulevard overcrossing over Union Pacific Railroad tracks	☑	☑	☑	☑	☑
22631	Eastshore-North	Committed	Construct Route 12 westbound truck climbing lane at Red Top Road	☑	☑	☑	☑	☑
22632	Eastshore-North	Committed	Widen American Canyon Road overpass at I-80	☑	☑	☑	☑	☑
22633	Eastshore-North	Committed	Widen Azuar Drive/Cedar Avenue from 2 to 4 lanes between P Street and Residential Parkway (includes bicycle lanes, railroad signals and rehabilitation improvements)	☑	☑	☑	☑	☑
22634	Eastshore-North	Committed	Construct an adjacent 200-space, at-grade parking lot at the Vacaville Intermodal Station (Phase 1)	☑	☑	☑	☑	☑
22700	Eastshore-North	New Commitment	Construct parallel corridor north of I-80 from Red Top Road to Abernathy Road	☑	☐	☐	☐	☐
94151	Eastshore-North	New Commitment	Construct 4-lane Jepson Parkway from Route 12 to Leisure Town Road	☑	☐	☐	☐	☐
230311	Solano County-wide	Committed	Widen and improve Peterson Road with the addition of a truck-stacking lane (includes drainage improvements)	☑	☑	☑	☑	☑
230322	Eastshore-North	Committed	Rebuild and relocate eastbound Cordelia Truck Scales Facility (includes a new 4-lane bridge across Suisun Creek and new ramps at eastbound Route 12 and eastbound I-80)	☑	☑	☑	☑	☑
230326	Eastshore-North	New Commitment	Improve I-80/I-680/Route 12 interchange, including connecting I-680 northbound to Route 12 westbound (Jamieson Canyon), adding connectors and reconstructing local interchanges (Phase 1)	☑	☐	☐	☐	☐

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Reference Number	Corridor	Investment Type*	Project/Program	Transportation 2035 Plan (Proposed Project)	*Alternatives* No Project	HM/CPE = Heavy Maintenance/ Climate Protection Emphasis HM/ CPE	HM/CPE + Pricing	HM/CPE + Land
Solano								
230468	Eastshore-North	New Commitment	Provide auxiliary lanes on I-80 in eastbound and westbound directions from I-680 to Air Base Parkway (includes a new eastbound mixed flow lane from Route 12 east to Air Base Parkway)	☑	☐	☐	☐	☐
230635	Eastshore-North	New Commitment	Construct new 400-space parking garage at the Vacaville Intermodal Station (Phase 2)	☑	☐	☐	☐	☐
230650	Eastshore-North	Committed	Widen I-80 from Red Top Road to Air Base Parkway to add HOV lanes in both directions (includes pavement rehabilitation and ramp metering)	☑	☑	☑	☑	☑
230699	Solano County-wide	New Commitment	Local streets and roads maintenance	☑	☐	☑	☑	☑
230708	Solano County-wide	Committed	Improve local interchanges and auxiliary lanes and make local streets and roads improvements (includes street channelization, overcrossings, bicycle and pedestrian access, and safety improvements)	☑	☑	☑	☑	☑

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Sonoma								
21070	North Bay East-West	Committed	Realign and widen Route 116 (Stage Gulch Road) along Champlin Creek to improve safety, adding shoulders to accommodate pedestrians and bicyclists	☑	☑	☑	☑	☑
21884	Golden Gate	Committed	Construct Petaluma crosstown connector/interchange	☑	☑	☑	☑	☑
21902	Golden Gate	Committed	Widen U.S. 101 for HOV lanes from Pepper Road to Rohnert Park Expressway (Central Phase A)	☑	☑	☑	☑	☑
21908	Golden Gate	Committed	Study the environmental impacts of a future Port Sonoma ferry service and facility	☑	☑	☑	☑	☑
22190	North Bay East-West	New Commitment	Improve channelization and traffic signalization at Route 116/Route 121 intersection (includes Arnold Drive improvements)	☑	☐	☐	☐	☐
22191	Golden Gate	New Commitment	Improve U.S. 101 North/Airport Boulevard interchange (includes widening Airport Boulevard to 2 lanes in each direction and adding turn lanes)	☑	☐	☐	☐	☐
22193	Golden Gate	New Commitment	Construct new bypass on Route 116 in Forestville	☑	☐	☐	☐	☐
22194	Golden Gate	New Commitment	Improve safety on Mark West Springs Road/Porter Creek Road (includes adding standard shoulders and turn pockets)	☑	☐	☐	☐	☐
22195	Golden Gate	New Commitment	Improve U.S. 101/Old Redwood Highway interchange (includes modifying/replacing existing 2-lane interchange to at least a 5-lane interchange and improving ramps)	☑	☐	☐	☐	☐
22197	Golden Gate	New Commitment	Improve local circulation at various locations in Town of Penngrove (includes improvements to Main Street, Petaluma Hill Road, Adobe Road, Old Redwood Highway and U.S. 101/Railroad Avenue)	☑	☐	☐	☐	☐
22203	Golden Gate	New Commitment	Improve channelization and traffic signalization on River Road from Fulton Road to the town of Guerneville	☑	☐	☐	☐	☐
22204	Golden Gate	New Commitment	Widen Fulton Road from 2 to 4 lanes from Guerneville Road to U.S. 101 and construct Route 12/Fulton Road interchange	☑	☐	☐	☐	☐
22205	Golden Gate	New Commitment	Improve U.S. 101/Hearn Avenue interchange (includes widening overcrossing and ramps)	☑	☐	☐	☐	☐

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Sonoma								
22207	Golden Gate	New Commitment	Extend Farmers Lane from Bellevue Avenue to Bennett Valley Road as a 3-lane or 4-lane arterial (includes a bicycle lane and sidewalk)	☑	☐	☐	☐	☐
22438	Golden Gate	New Commitment	Improve Bodega Highway west of Sebastopol (includes straightening curves near Occidental and adding turn pockets)	☑	☐	☐	☐	☐
22490	Sonoma County-wide	New Commitment	Convert bridges in Sonoma County from 1-lane to 2-lane	☑	☐	☐	☐	☐
22652	Golden Gate	Committed	Rehabilitate pavement on U.S. 101 from Steele Lane to Grant Avenue overhead in Healdsburg	☑	☑	☑	☑	☑
22655	Golden Gate	Committed	Widen U.S. 101 for HOV lanes (one in each direction) from Rohnert Park Expressway to Santa Rosa Avenue (includes interchange improvements and ramp metering)	☑	☑	☑	☑	☑
22656	Golden Gate	Committed	Improve U.S. 101/East Washington Street interchange (includes new northbound on-ramp and improvements to southbound on-ramp)	☑	☑	☑	☑	☑
94689	Golden Gate	New Commitment	Improve U.S. 101/Arata Lane interchange in Windsor, including new on- and off-ramps and realignment of Los Amigos Road north of Arata Lane (Phase 4)	☑	☐	☐	☐	☐
94691	North Bay East-West	New Commitment	Install traffic signal system on Route 121 and improve channelization at 8th Street	☑	☐	☐	☐	☐
98183	Golden Gate	Committed	Widen U.S. 101 for HOV lanes between Steele Lane and Windsor River Road (Phase A)	☑	☑	☑	☑	☑
230341	Sonoma County-wide	New Commitment	Improve channelization and traffic signalization on Mirabel Road and Route 116	☑	☐	☐	☐	☐
230345	Golden Gate	New Commitment	Rehabilitate or replace existing Healdsburg Avenue Bridge	☑	☐	☐	☐	☐
230437	Sonoma County-wide	New Commitment	Provide infrastructure for two high-frequency Bus Rapid Transit corridors in Santa Rosa (includes vehicle purchases, infrastructure such as bus stops/intermodal nodes, and technology support)	☑	☐	☐	☐	☐
230442	Sonoma County-wide	New Commitment	Implement service enhancements for Santa Rosa CityBus (includes technology enhancements such as video, automatic vehicle location and farebox upgrades, operations and maintenance facilities improvements and vehicle purchases)	☑	☐	☐	☐	☐

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Sonoma								
230700	Sonoma County-wide	New Commitment	Local streets and roads maintenance	☑	☐	☑	☑	☑

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3 Comments on the Draft EIR

This section contains copies of the comment letters and oral comments received on the Draft EIR on the Transportation 2035 Plan, outlined in the table below. A total of 29 letters (plus three sets of comments from the MTC joint advisors workshop and two public hearings) were received during the 45-day comment period, from December 19, 2008 through February 2, 2009. Although several comments were received late, they are included in this Final EIR (indicated in the table below with an asterisk). Each comment letter is numbered, and each individual comment is lettered in the left-hand margin. Responses to each comment are provided in Section 4 of this document. Please note that only comments on the Draft EIR are addressed in this Final EIR. Comments on the Transportation 2035 Plan are addressed separately by MTC. When a letter was found to comment entirely on the Plan, or a subsection of a letter was labeled "Plan Comments", those comments were not individually numbered for EIR response.

Where appropriate, the information and/or revisions suggested in these comment letters have been incorporated into the Final EIR. These revisions are included in Section 2 of this document.

All documents incorporated herein by reference are available for review at the MTC offices located at 101 Eighth Street, Oakland, CA 94607.

Comments Received on the Transportation 2035 Plan Draft Environmental Impact Report

Letter #	*Date*	*Agency/Organization*	*Commenter*
Agencies (Federal, State Regional, Local)(A)			
A1	February 2, 2009	U.S. Environmental Protection Agency	Kathleen Goforth
A2	February 2, 2009	Caltrans District 4	Bijan Sartipi
A3	February 2, 2009	Bay Conservation and Development Commission	Lindy Lowe
A4	February 2, 2009	Bay Area Rapid Transit District	Marianne Payne
A5	January 30, 2009	Transbay Joint Powers Authority	Maria Ayerdi-Kaplan
A6	February 2, 2009	Alameda County Congestion Management Agency	Dennis Fay
A7	February 2, 2009	Alameda County Public Health Department	Sandra Witt
A8	February 2, 2009	City/County Association of Governments of San Mateo County	Richard Napier
A9	February 2, 2009	Santa Clara Valley Transportation Authority	John Ristow
A10	February 2, 2009	Caltrain	G. Ted Yurek
A11	February 2, 2009	City of San Jose, Department of Planning, Building, and Code Enforcement	Janis Moore
A12	January 22, 2009	Contra Costa Transportation Authority	David E. Hudson, CCTA Chair

Comments Received on the Transportation 2035 Plan Draft Environmental Impact Report

Letter #	*Date*	*Agency/Organization*	*Commenter*
A13	January 23, 2009	Solano Transportation Authority	Jim Spering, STA Chair
Organizations/Individuals (B)			
B1	January 14, 2009		William J. Allen
B2	January 15, 2009		Sherman Lewis
B3	January 20, 2009		Sherman Lewis
B4	January 20, 2009	Bay Area Bicycle Coalition	Andrew Casteel
B5	January 27, 2009		Michael Cluster
B6	January 27, 2009		Charlie Cameron
B7	January 28, 2009	Friends of BRT	Len Conly
B8	January 29, 2009		Charles Kroupa
B9	January 29, 2009	TransForm	Carli Payne
B10	January 31, 2009		John Blayney
B11	January 31, 2009	Transportation Solutions Defense and Education Fund	David Schonbrunn
B12	February 2, 2009	San Francisco Tomorrow	Jennifer Clary and Norman Rolfe
B13	February 2, 2009		Omar Chatty
B14	February 2, 2009		Libby Lucas
B15	February 2, 2009	RAFT	Unsigned
B16	February 2, 2009	Gerald P. Cauthen & Associates	Gerald P. Cauthen
B17	February 2, 2009	Breathe California	Andy Katz
B18	February 2, 2009	Sierra Club, Bay Area Transportation Committee	Irvin Dawid
B19*	February 3, 2009		Sherman Lewis
B20*	February 6, 2009		Michael Sarabia
Oral Testimony (C)			
C1	January 7, 2009	Joint Advisor Workshop	Oral Comments
C2	January 27, 2009	Public Hearing on Draft Plan and EIR	
C2-A			Norman Rolfe
C2-B			Fred Doolittle
C2-C			Roger Bazeley
C2-D			Jaimie Whitaker
C2-E			Bob Allen
C2-F			Rodney Llewellyn
C2-G			Woody Hastings

Comments Received on the Transportation 2035 Plan Draft Environmental Impact Report

Letter #	*Date*	*Agency/Organization*	*Commenter*
C2-H			Paul Brooke
C2-I			Arly Cassidy
C2-J			Michael Ludwig
C2-K			Shirley Johnson
C2-L			Jonathan Frieman
C2-M			Sheryl Karpoinz
C2-N			Paul Webber
C2-O			Don Rothblatt
C2-P			Amanda Ekin
C3	January 28, 2009	Public Hearing on Draft Plan and EIR	
C3-A			Duane De Witt
C3-B			Robert Allen
C3-C			Charlie Cameron
C3-D			Cal Simone
C3-E			Andrew Casteel
C3-F			David Schonbrunn
C3-G			Jonathan Bair
C3-H			Norman Rolfe
C3-I			Carli Paine
C3-J			Tom Blalock
C3-K			Frank James
C3-L			Christine Culver
C3-M			Len Conley
C3-N			Gerald Cauthen
C3-O			Athena Applon
C3-P			Shirley Stahlke

* Comments received after the official comment period was closed.

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Letter A1

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

February 2, 2009

Ashley Nguyen
EIR Project Manager
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

Subject: U.S. EPA Comments on the Draft Transportation 2035 Plan for the San Francisco Bay Area and the Draft Environmental Impact Report for the Transportation 2035 Plan

Dear Ms. Nguyen:

The U.S. Environmental Protection Agency (EPA) appreciates the opportunity to provide feedback on the Metropolitan Transportation Commission's (MTC) Draft Transportation 2035 Plan (the Plan) and the accompanying Draft Environmental Impact Report (DEIR). EPA is committed to the goal of incorporating environmental considerations early in the transportation planning process. This early coordination results in greater opportunities to avoid sensitive resources and minimize impacts associated with future transportation projects.

In November 2008, EPA participated in a resource agency consultation meeting and provided comments on the draft mitigation measures for the Transportation 2035 Plan's DEIR. This early meeting was part of an expanded consultation effort by MTC under Section 6001 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

SAFETEA-LU directs metropolitan planning organizations (MPOs) to consult with resource agencies when developing long-range transportation plans. It also requires such plans to discuss potential environmental mitigation activities and potential locations for these activities to restore and maintain environmental functions that could be affected by the plan. EPA provides the following comments in support of compliance with these requirements.

Transportation Conformity and Air Quality

EPA's air planning staff has an established relationship with MTC for transportation conformity consultation (40 CFR 93.105) and has undergone separate discussions with MTC on conformity; therefore, the comments provided in this letter address non-conformity-related elements of the plan. If you have conformity-related or

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air quality questions on the RTP, please contact Ginger Vagenas of our Air Planning Office at (415) 972-3964 or vagenas.ginger@epa.gov.

Addressing climate change at the regional level through "focused" growth and vehicle miles traveled (VMT) per capita reductions.

EPA commends MTC for integrating goals and strategies to address climate change at the regional level in the Transportation 2035 Plan and DEIR. While climate change is a new component in MTC's long-range transportation plan and DEIR, the agency nevertheless aims high in setting formidable targets to achieve the Plan's goal of "climate protection" and statewide goals established by the Global Warming Solutions Act of 2006. These targets include a 10% reduction in per capita VMT and a 40% reduction in CO_2 emissions (below today) by 2035.

EPA also recognizes MTC as a leading proponent of "focused" growth as a means to generate VMT and CO_2 emissions reductions. Through the FOCUS blueprint, MTC has worked with the Association of Bay Area Governments and other regional agencies to promote more compact growth in the Bay Area. MTC has also provided $42 million in grants to support the designation of priority development areas, or PDAs, located near existing transit and within existing communities that surround the San Francisco Bay.

EPA encourages MTC's continued participation in the FOCUS effort and its exploration of strategies to promote focused growth and, as a result, VMT per capita reductions. EPA also hopes that MTC will continue to be an example for other MPOs.

A1-A **Clearly describe MTC's Regional Mitigation Strategy in the Transportation 2035 Plan, as required by SAFETEA-LU.**

As noted above, SAFETEA-LU requires long-range transportation plans to include "*a discussion of types of potential environmental mitigation activities, and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.*" Because the long-range transportation planning process occurs at a regional scale, SAFETEA-LU requires that the mitigation strategy included in the long-range transportation plans promote *regional* avoidance, minimization, and mitigation to preserve pristine areas, or restore or enhance areas with the greatest potential for success. In developing this regional mitigation strategy, the long-range transportation plan should identify: 1) what mitigation is proposed, 2) where it would be most successful, and 3) how specific mitigation activities will restore or maintain critical environmental functions.

The DEIR identifies "'advance' mitigation designed to be implemented at a countywide or other regional level rather than…project-level mitigation" as an "area of known controversy" (ES-9). Having noted this, the DEIR does not contain a specific discussion of a regional mitigation strategy for the Transportation 2035 Plan, and therefore the document does not meet the requirements of SAFETEA-LU. In order to

meet the requirements, EPA recommends that MTC define "advanced" and "regional" mitigation and include a regional mitigation strategy in the final Transportation 2035 Plan and EIR. EPA offers the following discussion to assist in developing a regional mitigation strategy for the Transportation 2035 Plan.

Defining "Potential Environmental Mitigation Activities"

Advanced mitigation typically applies to projects or plans that fall under Section 404 of the Clean Water Act or Section 7 of the Endangered Species Act. This form of early mitigation has proven to be a successful way to: 1) provide net benefits for the environment and 2) greater predictability in the regulatory process and for conservation outcomes.[1] Advance mitigation can be applied at a regional- or project-level, although this approach typically applies when multiple projects are mitigated in the same manner or location (i.e. via mitigation banking).

A regional mitigation strategy, on the other hand, can be much broader and may contain advanced mitigation as part of the larger, more comprehensive strategy. Regional mitigation activities include those already identified in the Plan and DEIR to mitigate regional air quality impacts, such as the Lower-Emissions School Bus Program, the Statewide Goods Movement Emissions Reduction Plan, and the San Francisco Bay Area Green Port Initiative. EPA supports these initiatives but encourages MTC to develop a more comprehensive regional mitigation strategy to address additional impacts of the Plan at a larger scale and through a coordinated approach. This includes addressing impacts to Farmland and Farmland of Statewide Importance, biologically unique and sensitive communities, and critical habitats, among others. All of these impacts are proposed to be mostly mitigated at a project-level in the current DEIR.

EPA offers the following recommendations to consider when developing a regional mitigation strategy:

- Use conservation plans and recovery plans to identify critical wildlife corridors, the most important areas to protect for sensitive species, and areas with a high concentration of resources.
- Give conservation plans as much weight as General Plans when planning transportation investments.
- Use parcel maps to identify larger, undivided parcels for ease of acquisition and preservation, and designate areas as potential future mitigation sites.

Information used to develop the regional mitigation strategy should be directly linked to transportation decision-making:

[1] American Association of State Highway and Transportation Officials (AASHTO) Standing Committee on the Environment. "Early Mitigation for Net Environmental Benefit: Meaningful Off-Setting Measures for Unavoidable Impacts." http://www.trb.org/NotesDocs/25-25(10)_FR.pdf

- Clearly demonstrate in the Transportation 2035 Plan how reducing impacts to environmental resources and planning for a regional mitigation strategy were used to inform decision-making. Specifically, the Plan should note where deciding to avoid specific environmental resources or conservation areas resulted in the alignment of specific corridors or roadway improvements.

The regional mitigation strategy should also establish the foundation for innovative regional mitigation solutions. EPA provides the following as recommended activities that help to establish this foundation:

- Identify financial mechanisms to fund mitigation, such as development fees, sales tax, or the use of funds from alternative methods to identify and protect critical resource areas.
- Establish conservation easements that connect to and expand existing conservation areas.
- Describe locally-developed measures such as county/city designation of open-space, measures requiring development set-backs near streams, etc.

A1-B

Clearly describe how MTC will minimize the financial impact of the Transportation 2035 Plan's aggressive pricing strategies on lower-income communities.

According to the Plan and the DEIR, MTC has selected the Heavy Maintenance/Climate Protection Emphasis + Pricing alternative as the environmentally superior alternative for the Transportation 2035 Plan. Under this alternative, MTC hopes to encourage more transit use, bicycling, and walking by increasing the cost of driving between approximately 20-200 percent, depending on the trip length, time of day, etc. The DEIR indicates that this alternative was chosen in part because "aggressive pricing strategies that increased the cost of driving had a much bigger effect in the short-term" on VMT reductions and other objectives of the Plan (EIR 3.1-2).

While EPA supports MTC's goal to encourage less driving and more walking, bicycling, and transit, we are concerned about the impact that these aggressive pricing strategies may have on lower-income populations that cannot afford to live near transit or in areas that support safe and efficient bicycling and walking. This is especially concerning when considering the disparity between the length of time needed to implement pricing changes and the time needed to diversify affordable housing options and to develop new transit, walking, and bicycling facilities.

The Plan acknowledges the equity issues posed by aggressive pricing strategies and indicates that the "analysis of the pricing strategies assumes that a discount program of some kind would be available to help mitigate the financial impact for lower-income travelers" (26). However, the Plan and the DEIR lack a specific description of this discount program. In the final Transportation 2035 Plan and EIR, EPA recommends that MTC develop and describe how the discount program mentioned in the Plan or other equitable mobility programs will minimize the financial burden that may be placed on these lower-income populations. EPA also recommends that the final Plan and EIR

provide an analysis of how specific pricing strategies specifically will likely impact the share of income spent on transportation for low- and moderately-low income households, since this is one of the goals of the Transportation 2035 Plan.

A1-C **Describe how the FOCUS regional blueprint will facilitate the avoidance of climate change impacts and inform or influence land use decision-making at the local level.**

EPA commends MTC for working with the Association of Bay Area Governments and other regional agencies to integrate resource, transportation, and land use planning efforts via the FOCUS regional blueprint. As previously discussed, EPA also supports MTC's involvement in the designation of priority development areas (PDAs) near existing transit and within existing communities that surround the San Francisco Bay as a means to mitigate anticipated future increases in VMT and CO_2 (EIR 2.1-21). However, the DEIR notes that, because of their close proximity to the Bay margins, many of these PDAs are vulnerable to sea level rise and storm surge (EIR 2.5-22). For this reason, EPA recommends that MTC continue to work closely with the Association of Bay Area Governments to prioritize growth in PDAs that are less vulnerable to sea level rise and other potential climate change impacts of climate change. Additionally, the FOCUS blueprint should consider sea-level rise when planning alternative and mass transit for PDAs and other communities in the Bay Area to ensure that new facilities are not vulnerable to risks posed by sea level rise and storm surge.

Finally, EPA also encourages MTC to continue to provide support and resources to local jurisdictions to make their planning policies, general plans, and proposed projects consistent with the Transportation 2035 Plan and the FOCUS blueprint. Similarly, we support efforts to limit future amendments to the Transportation 2035 Plan that would be inconsistent with the goals of the FOCUS blueprint.

A1-D **Update the draft Transportation 2035 Plan and DEIR to further address regional impacts related to goods movement.**

According to the draft Transportation 2035 Plan, goods movement in the Bay Area is expected to grow in the range of years covered by the Transportation 2035 Plan. The development of new goods movement businesses to support this growth, however, is expected to occur in the inland San Joaquin Valley as affordable, close-in location options for these businesses are becoming more difficult to find in the Bay Area. This migration of goods movement businesses is expected to result in more and longer truck trips with a net increase in emissions. Under this scenario, Bay Area communities that already experience adverse air quality impacts from goods movement will likely see these impacts worsen in the long term, and communities located in the regions that will absorb relocated goods movement businesses will begin to experience adverse impacts as well.

Taking this into consideration, EPA provides the following recommendations for the final Transportation 2035 Plan and EIR:

- Discuss the public health implications to the region and, specifically, to communities adjacent to the Port of Oakland and major freight transport corridors.
- Describe the cumulative impacts on public health and the current environment as well as trends that have contributed to impacts and/or losses to these resources.
- Identify opportunities and MTC's commitments to engage the public and other agencies to address goods movement emissions and health impacts issues.

A1-E

Include additional performance objectives and baseline data that MTC will use to evaluate the effectiveness of the policies, programs, and projects contained in the Transportation 2035 Plan.

In the draft Transportation 2035 Plan, MTC demonstrates how the "3 Es"—equity, economy, and environment—give way to several specific performance objectives and "numerical benchmarks to measure the region's progress in carrying out the vision" (Transportation 2035, pg. 13). Under "Environment" the EPA agrees with MTC's inclusion of objectives and goals to reduce daily per-capita VMT and to reduce emissions of CO_2, fine particulates ($PM_{2.5}$), and coarse particulates (PM_{10}). Additionally, EPA commends MTC for setting impressive goals for 2035 related to these objectives, including goals to reduce VMT per capita by 10%, $PM_{2.5}$ emissions by 10%, PM_{10} emissions by 45%, and CO_2 emissions by 40%, all compared to today. To add to these performance measures; however, EPA recommends that MTC consider additional objectives that tie to some of the other broader environmental goals of the Plan. For example, we suggest that MTC consider performance measures that evaluate the Plan's effectiveness at protecting endangered species, critical habitats, and open space.

EPA values the opportunity to be involved in the regional transportation planning process. When the final Transportation 2035 Plan and EIR are available, please send a copy of each to the address above at mail code CED-2. If you have any questions about these comments, please contact Maggie Witt of my staff at 415-972-3370 or by electronic mail at witt.maggie@epa.gov.

Sincerely,

Connell Dunning

for Kathleen Goforth, Manager
Environmental Review Office

Cc: Marilee Mortenson, Caltrans
Jerry Roe, U.S. Fish and Wildlife Service
Tami Grove, California Coastal Commission
Bruce Gwynne, California Department of Conservation

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
111 GRAND AVENUE
P. O. BOX 23360
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PHONE (510) 286-5900
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Letter A2

Flex your power!
Be energy efficient!

February 2, 2009

BAG0011
SCH#2008022101

Ms. Ashley Nguyen
Project Manager
Metropolitan Transportation Commission
Oakland, CA 94607

Dear Ms. Nguyen:

"Change in Motion" – Draft Environmental Impact Report and Draft Transportation 2035 Plan for the San Francisco Bay Area – December 2008

Thank you for including the California Department of Transportation (Department) in the review of the Draft Environmental Impact Report (DEIR) and the Draft Transportation 2035 Plan (Plan) for the San Francisco Bay Area, the Bay Area's Regional Transportation Plan (RTP).

We have reviewed both the DEIR and the Draft Plan for the San Francisco Bay Area – December 2008, and have the following comments to offer.

The Department would also like to recognize the Metropolitan Transportation Commission (MTC) for their extensive public outreach for the Transportation Planning process for the Transportation 2035 Plan for the San Francisco Bay Area. We particularly wish to recognize MTC's efforts to involve underrepresented segments of the Bay Area community, especially federally recognized tribes in the Bay Area.

COMMENTS ON DEIR

Transportation

A2-A

Chapter 2.1 Transportation, Page 2.1-7, Significance Criteria.
Comment: The DEIR erroneously asserts that the State CEQA Guidelines claim that "a project will normally have a significant effect if it would cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system or if it would exceed an adopted level of service standard." However, this language actually appears in the State CEQA

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checklist, rather than the guidelines themselves, and this checklist is only a list of sample questions for local agencies to decide whether to use. The Guidelines therefore make no claim as to what would normally be a significant transportation impact. In terms of impact measures, CEQA only requires that those chosen by the lead agency be consistent with local policy. Please make this clarification in the DEIR.

A2-B **Chapter 2.1 Transportation, Pages 2.1-19 to 2.1-22, Cumulative Impacts 2.1-2 and 2.13.**
Comment: The DEIR shows that implementation of the RTP would reduce regional daily vehicle miles of travel (VMT) per capita compared to the No Project alternative in 2035, representing an improvement over the No Project alternative. However, the 2035 No Project alternative shows a 5% increase in daily VMT per capita (21.3 in the 2035 No Project alternative compared with 20.3 in 2006). Implementation of the RTP would decrease this impact by about a half of a percentage point, to a 4.4% increase in per capita VMT. The benefit of the RTP in decreasing per capita VMT is therefore small. In addition, Table 2.5-2 of the DEIR shows that the region's already unacceptable carbon dioxide emissions are projected to increase significantly by 2035 with or without the RTP.

The RTP should therefore do more to effectively address these problems. The inclusion of promoting "value pricing of parking and other innovative parking strategies" as a mitigation measure is commendable. However, the RTP has demonstrated that roadway pricing strategies hold great promise for decreasing VMT and associated impacts like greenhouse gas emissions. The RTP and DEIR should therefore commit to instituting roadway pricing strategies, and extending these beyond HOT lanes to price whole corridors relative to fluctuations in demand, as a means of reducing the transportation and associated environmental problems that the region will face in 2035.

A2-C **Chapter 2.1 Transportation, Page 2.1-19, Cumulative Impact 2.1-2.**
Comment: Peak period VMT at LOS F appears to be a poor indicator of transportation system performance and, as a measure, is inconsistent with reducing climate change impacts, at least for freeway segments. It should be noted that, for freeway segments, level of service F includes the 40 to 50 mph range, which is the range at which greenhouse gas emissions per mile are at their lowest. This is also the speed range that Caltrans has identified as a consistent traffic target speed for optimal operation of already congested freeway corridors in order to maximize capacity while avoiding stop-and-go conditions. Although the RTP bases LOS F on the volume to capacity ratio, freeway speeds will remain above the 40 to 50 mph range where the volume to capacity ratio is below 1.00. This is not to say that this speed range is desirable for all freeway segments in the AM peak period, but that, where freeway segments are or will become congested, maintaining this consistent speed range is a strategy for maximizing throughput while avoiding funneling high-speed traffic into stop-and-go bottlenecks. We suggest that vehicle hours of delay be used as an impact measure rather than VMT at LOS F.

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A2-D **Chapter 2.1 Transportation, Page 2.1-12, Table 2.1-9; RTP Pages 66-69.**
Comment: The DEIR shows a very small increase in the walk mode share and no increase in the bike mode share by 2035 compared to 2006, with the implementation of the RTP making no difference in either. According to the Federal Highway Administration 2001 National Household Travel Survey, of the auto trips in the United States, half are less than two miles long, more than 25% are one mile or less, and 14% are a half-mile or less. This survey also showed that less than 20% of trips are work-related. The data strongly indicate an unmet opportunity to increase walk and bike trips and reap the associated regional environmental benefits.

MTC should address the bike mode share problem by committing to fund, or pursue funding for, a study on what it would take in terms of infrastructure and bicycle parking to significantly increase the bike mode share in the Bay Area on par with many Northern European countries. Land use differences alone cannot explain the low bike mode share in the US and Bay Area, as densely developed areas of San Francisco also have low bike mode shares compared to these countries. Such a study could make the planned $1 billion investment in the Regional Bicycle Network much more effective, point to additional cost-effective funding needs, and help MTC to reach its stated goal of reducing bicycle-involved injury and fatality collisions by 25% by 2035.

MTC should address the pedestrian mode share problem by instituting, or seeking funding for, programs to 1) conduct pedestrian counts at numerous key locations around the region, both those with high pedestrian traffic and others with high pedestrian collision numbers, in order to better understand pedestrian demand, collision rates, and the relationship between these and the street context; and 2) inventory cities and counties regarding their pedestrian street improvement needs around the region. The TLC, Safe Routes to Schools, and Safe Routes to Transit Programs and Transportation Climate Action Campaign listed on page 68 of the RTP will help to fund pedestrian infrastructure, but will not cover all of the need, such as pedestrian safety projects not within a Priority Development Area or related to school or transit access. The RTP admits on page 68 that, "it is hard to accurately gauge the regional investment needed for pedestrian upgrades and safety countermeasures. As a result, the Draft Transportation 2035 Plan contains no analog to the Regional Bicycle Network for pedestrians." The above-described pedestrian studies would enable MTC to understand the extent and cost of the regional pedestrian need in order to create a corresponding program for the next RTP, while helping MTC to reach its stated goal of reducing pedestrian injury and fatality collisions by 25% by 2035.

Cultural Resources

A2-E **Chapter 2.11 Cultural Resources, Page 2.11-9, Method of Analysis.**
Comment: The DEIR states that, "Since the specific locations of some cultural resources are not mapped, and since the extent of ground disturbance associated with various Transportation 2035 Plan projects is unknown at this time, it is not possible to assess specific cultural resource impacts based on the location of these projects."

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Early involvement of Native American Tribes, organizations, groups (including unrecognized Tribes), and individuals through the Public Participation outreach process for compliance with federal and State regulations and statutes is vital. Proactive coordination will assist MTC in gaining insight, knowledge, and/or information on potential cultural resources (i.e., prehistoric sites, religious and ancestral places, etc.) that require preservation for future generations.

Commendably, MTC has taken steps to do the necessary coordination with the federally-recognized Tribes in the Bay Area and has held one-on-one consultations with one tribe during the development of the T2035 Plan. However, the Department strongly encourages the continued expansion and extension of this outreach effort to all the federally-recognized Tribes as well as the unrecognized Tribes in the Bay Area. Such outreach demonstrates a good faith effort to involve Native American Tribes in the regional transportation planning process as well as to protect and preserve the Bay Area's Cultural Resources.

To obtain an expanded list of Native American Tribes, organizations, and individuals within MTC boundaries you may send a request to the Native American Heritage Commission, 915 Capitol Mall, Sacramento, California 95814, or call (916) 653-4082

A2-F **COMMENTS ON DRAFT T-2035 PLAN**

General Comments

Comment: The report constitutes a very informative presentation on mobility and other issues within the region including, but not limited to, transportation efficiencies, energy, pricing, equity, multi-modalism and air quality. The document, however, is less focused on a spatial, or geographic presentation of the vision for T2035. Inclusion of the "geography" of T2035 would further the ability of the reader to better understand the effects of included transportation improvements on the local, regional and interregional person and freight trips. Additional information of this type would include, among other items, mapping showing, for example, the State Highway System including the State IRRS and Focus Routes, all rail systems in the context of serving local, regional and interregional transportation demand, access points enabling transfer between rail modes and port and intermodal freight terminal locations. The document should also include a text presentation of regional geography pertinent to travel demand, major modal transfer points and other factors that are relevant to travel demand including, for example, housing affordability and interregional commuting.

Comment: The federal SAFETEA-LU regulations appear to be interwoven into broader, more generalized topic discussions. The 3 E formatting approach blurs the distinction between federal and State requirements throughout the document. The introductory chapters (pp 1-5) discuss change, but do not enable or set the stage for the reader to identify goals, polices, and actions that MTC is committed to implementing.

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Transportation priorities seem to be unclear given the lack of the conceptual framework that would be provided by a discussion of the federal Planning factors as a starting point for the document. Any mention of the federal Planning factors is scattered or missing (e.g. economic vitality, the environment and equity/access) is mentioned in passing on page 11, while safety, security, and maintenance are identified as MTC goals. Multi-modal connectivity and preservation of the existing transportation system appear to be missing from Chapter 1. Federal and State mandates and goals are not separated therefore it is difficult to identify how the RTP addresses federal SAFETEA-LU requirements.

Comment: The document mentions three infrastructure alternatives, but does not link them to each other. "Smart growth" is promoted but not clearly linked to either reduced auto use or the transit services that would be needed to accrue significant benefits.

Demand Pricing

Comment: With major budgetary and financing concerns facing California, pricing should be a larger element of the Plan. The Plan should explore a regional gas tax or peak transit pricing as potential funding sources. Equity, as one of the 3 Es, should require that peak-hour pricing be equally applied to the roadways (i.e., HOT lanes) and to transit usage.

Highway Efficiency

Comment: The plan also promotes technical solutions to congestion. Clearly, this is a more efficient solution than simply building new freeway lanes. However, efficiency is just one goal of the Plan and other goals including reduction in VMT and improved air quality should also be considered before any project is approved. With the recent passage of AB 32, projects that help to reduce green house gases emissions may take priority over operational efficiency.

Transit

Comment: The only Regional Planning initiative mentioned in the Plan is Translink; other transit improvement initiatives should be explored. Translink is more of a transit "charge card" as it simply replicates individual agency fare policies but it is not linked to any regional transit policies. Effective transit is needed if goals on smart growth, improved air quality, reduced VMT, increased walking and bicycling are going to be met. Regionwide transit policies for Bus

Rapid Transit (BRT), dedicated bus lanes, pre-boarding fare payment and a single Bay Area zone based fare system should also be considered as potential transit improvement initiatives.

Native American Tribal Coordination

Comment: MTC has six (6) federally recognized Tribal Governments within the nine-county Bay Area, all in Sonoma County. It is necessary for MTC to conduct appropriate Government-to-Government interactions with all Tribal Governments within its jurisdiction on all Transportation Planning and programming processes. These efforts involve early coordination, consultation, and participation measures as mandated by federal and State guidelines, regulations, and/or statutes to ensure the needs of Native American Tribes are identified, considered, and addressed during the Planning stages to: 1) avoid potential project delays and cost overruns; and 2) protect unique biological, cultural, and historic/prehistoric resources. These formal Tribal Government-to-Government relations should be documented separately from Public Participation efforts.

State Route (SR) 25 Widening Project

Comment: A project to widen the segment of SR 25 in Santa Clara County was originally nominated for inclusion in T2035, but is not listed in the Draft RTP. SR 25 is included in the Interregional Road System (IRRS) and as such, is of major importance to the statewide movement of people and goods. It is also of potential significance to the development of the SR 152 corridor. SR 152 is designated by the State as a "Focus Route," a subset of the IRRS that is of the highest priority improvements to minimum facility standard, and is established as the region's southern State highway link to I-5, the State's north-south Interstate facility.

Specifically, VTA has been awarded funding to study the SR 152 corridor between US 101 and SR 99. This effort includes among other tasks work to determine a new alignment for SR 152 east of US 101 to SR 156. Current SR 152 realignment alternatives include the use of the Santa Clara County portion of SR 25. It is the Department's concern that the SR 25 improvement is not included in the T2035 project list. Given not only the interregional function of SR 25 but also its incorporation in alternatives to realign and expand SR 152, a significant interregional highway link.

Specific Comments

Table of Contents and individual chapter headings, Page 1.
Comment: It would be beneficial to label which Chapter and/or parts of a Chapter constitute your Policy Element, Financial Element, and Action Element. Additionally, the Chapter names do not align very closely with their contents. Chapter 1 (Overview) identifies trends that impact Transportation Planning while Chapter 2, Trends gives a brief overview of some demographics and scenario modeling for existing and future conditions.

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Call for Change, Page 3, Second Column.
Comment: Replace term "throughput" with "effectiveness of." Sentence should read "... Freeway Performance Initiative to maximize effectiveness of existing highways..."

Overview, Page 7, Climate Change on Region's Radar.
Comment: Please cite a reference for "transportation accounting for 50 percent of the region's greenhouse gas emissions..." Does the 50 percent include more than mobile sources? Because of the number of freeways and people, does the Bay area exceed the statewide contribution of 30 percent?

Overview, Page 8, Land Use Changes in FOCUS.
Comment: In order to get a sense of the magnitude of support for the FOCUS Regional Planning initiative, we suggest noting the total number of local governments (i.e. 60 out of a total of X number of local governments). It would also be helpful for the reader to know more about what the phrase, "volunteer to facilitate PDAs," means (e.g., are local governments processing General Plan and zoning redesignations to accommodate the high density PDAs)? Please clarify the phrase, "A PDA is locally designated..."

Overview, Page 11, Planning to Cause Change.
Comment: Will MTC use this RTP as their Sustainable Communities Strategy pursuant to Senate Bill 375 which is intended to address land use, air quality and particularly greenhouse gases as well as transportation? The first sentence on page 11 seems to imply that the T2035 "change in analytic approach" fits this bill.

Overview, Page 11, Vision Before Budget subsection.
Comment: A "special effort" was made to look beyond infrastructure solutions to a range of operational and policy innovations. Why not a special effort to look at revenue enhancement innovations beyond HOT? Only mention of other revenue enhancement possibilities is on page 84, and that is only a very short bulleted list. Suggested revenue enhancements might include a regional gas tax, regional developer fee, VMT fee and/or regional carbon exchange program.

Overview, Page 13, Three Es Guide Transportation 2035 Vision.
Comment: Please footnote the original source for the "Three E's" of sustainability that are the subject of this section. Will the performance objectives listed as "TBD" be approved prior to approval of this draft document?

Overview, Page 13, Table on Three Es Principles/Goal/Performance Objective
Comment: The Performance Objectives for the three Goals: Efficient Freight Travel, Security and Emergency Management, and Livable Communities are indicated as *To Be Determined* (TBD). It could be surmised that there is difficulty in finding the appropriate indicators to measure how investment decisions support these goals. Yet, the question remains, how does the $32 billion in new investments support these goals?

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Overview, Page 15, Maximize System Performance Through Technology.
Comment: This subsection fails to reference MTC's own Bay Area Regional ITS Architecture and System Plan, developed by MTC in 2004 and updated in 2007. It is the ITS Planning framework for the Bay Area that was developed and currently maintained by MTC in cooperation with partner agencies (including Caltrans). It is noted in Appendix Five of the T2030 document as a component of MTC's Regional Transportation Plan. This architecture was developed and maintained in compliance with the FHWA ITS Final Rule (23 CFR 940). A Regional ITS Architecture is the ITS planning framework for integrated ITS project development in a region specified by its stakeholders.

Overview, Page 15, Investing in Change
Comment: This section notes the $400 million set aside for Transportation Climate Action Campaign. Then on page 17, under Putting Future Change in Motion, there is mention of "undiscovered technological improvements, such as cleaner vehicles and improved emission-control systems" that can help meet greenhouse gas reduction and air quality goals. The pages cited seem to not have any clear acknowledgement of the Plan by the three major cities in the Bay Area (San Francisco, San Jose and Oakland). The plan is to invest in a $1 billion network of electric car stations that will populate the Bay Area highways by 2012. This plan according to Mayor Newsom of San Francisco aims to make the Bay Area the electric-vehicle capital of the world. Does the T2035 Plan support this effort?

Overview, Page 15, Investing in Change (sidebar and the document cover page)
Comment: Please add the specific Planning horizon years that the 25-year Plan will cover, namely 2010 to 2035.

Overview, Page 16, Take Bold Steps Towards Focused Growth
Comment: This section mentions Transportation Planning grants that are provided by FOCUS. The Department supports these efforts and notes that many entities within the MTC area have been awarded Community Based Transportation Planning (CBTP) grants from the State. These grant funded studies include Fruitvale Transit Village, Bay Fair BART Access Plan, Napa County Community Based Transportation and Land Use Plan and Columbus Avenue Revitalization Master Plan. The intent of these grants is to enable community-based entities to develop innovative and inclusive solutions to problems and to provide potential templates for other entities with similar challenges.

The document frequently mentions collaborative efforts within the region. Despite substantial collaborative efforts by the Department, little mention of this is made in the document. For example, the Department has provided a substantial amount of funds for public engagement efforts in addition to the CBTP grants and is an important stakeholder in the collaborative process.

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Overview, Page 17.
Comment: Suggest adding section on "Planning for Integrated Corridor Management." The Region is planning for the integrated management of travel modes and roadways so as to facilitate the efficient and effective mobility of people and goods within our most congested transportation corridors. The Department is leading the development of Corridor System Management Plans (CSMPs) for corridors within which projects are funded from the Corridor Mobility Improvement Account (CMIA) as part of Proposition 1B. The Department is working with MTC to develop CSMPs in partnership with the Freeway Performance Initiative as codified in MTC Resolutions 3792 and 3794. While the near term goal of CSMPs is to demonstrate that CMIA funds through Prop 1B are being spent wisely, the intent is to eventually develop CSMPs for all major travel corridors. Each CSMP will address State highways, local parallel roadways, regional transit services, and other regional modes pertinent to corridor mobility. CSMPs will be used to inform future investment decisions throughout the regional Transportation Planning process, including future Regional Transportation Plans.

Overview, Page 17.
Comment: Suggest adding a section that promotes aggressive advocacy for transportation revenue enhancements to reverse historic underinvestment in transportation needs. Potential solutions should go beyond HOT proposals and be consistent with T2035 principles (such as a regional gas tax, regional developer fee, VMT fee and/or regional carbon exchange program).

Trends, Page 21, 2nd paragraph.
Comment: Please clarify the difference between the "goals" stated on page 8 and the performance objectives on page 21 that are defined as goals. This is a confusing use of terminology.

Trends, Page 22, Snapshot of the Bay Area in 2035.
Comment: This subsection should discuss trends of historic underinvestment in transportation needs with projected revenues vs. projected needs.

Trends, Page 27, Projecting Regional Growth.
Comment: This subsection needs to correct mistaken references to Projections 2007. Projections 2009 is what should be referenced.

Trends, Page 30, Results Show No Easy Answers.
Comment: This subsection needs to acknowledge that both policies and funding are insufficient to achieve performance goals.

Finances, Page 33, 2nd Column.
Comment: The Bay Area HOT Network Study was completed in February 2008, and updated in December 2008.

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Investments, Page 41, Investing in Change
Comment: This subsection would benefit from an acknowledgement that the proposed investments still fall short of identified needs.

Investments, Page 42, Change in Motion subsection, 3rd bullet.
Comment: All partner agencies must share responsibility in finding solutions to maintenance shortfalls, not just the Department. MTC can help the Department craft regional solutions to this ongoing difficulty.

Investments, Page 45, State Highways, 3rd column.
Comment: Text notes that MTC has not yet identified new funding sources for unfunded SHOPP needs, and that lack of funding will delay maintenance unless "a new source of State funding can be identified." Please remove the word "State," as MTC should not limit itself to finding new funding from State sources. MTC can be a leader in helping develop more creative funding solutions in partnership with the Department.

Investments, Page 52, Change in Motion subsection.
Comment: An additional bullet should be added to acknowledge the role of MTC's own Bay Area Regional ITS Architecture and System Plan as the Planning framework for transportation technology integration in the Bay Area. As previously noted, the Bay Area Regional ITS Architecture and System Plan was noted in Appendix Five of the T2030 document as a component of MTC's Regional Transportation Plan. As a result, it should be noted here as a component of T2035 as well.

Investments, Page 52, Maximize System Performance Through Technology subsection, 2nd paragraph.
Comment: Reword "cost-effective strategies" to read "cost-effective system management strategies."

Investments, Page 52, Freeway Performance Initiative subsection.
Comment: First sentence should be reworded to read, "The Freeway Performance Initiative (FPI), which began in 2007 in cooperation with Caltrans, is an effort to improve …"

Investments, Page 52, Freeway Performance Initiative subsection, 2nd paragraph.
Comment: Reword second sentence to say "MTC and Caltrans have developed a comprehensive picture of the region's current capability …"

Investments, Page 54, 3rd column.
Comment: In paragraph that starts "looking beyond the Freeway Performance Initiative," acknowledge that MTC's Regional ITS Architecture and System Plan is the Planning framework upon which Bay Area transportation technology integration and enhancements will take place.

Investments, Page 58, Price Highway Demand subsection.
Comment: HOT lanes are only one method of many potential methods to price highway travel. Other means should be discussed in this section, especially if this subsection title is to be used. Otherwise, chose a title that correctly limits the discussion to HOT lanes.

Investments, Page 65, Coordinated Plan/Mobility Management, 1st paragraph.
Comment: Please add the following to 2nd sentence, "... and low income populations including Native American Tribal Governments, organizations, groups, and individuals in the region."

Investments, Page 65, Coordinated Plan/Mobility Management, 2nd column.
Comment: Please add to the following to the 3rd bullet, **"Improve coordination** among...populations and Tribal Governments."

Investments, Page 66, Keep Walking and Rolling subsection.
Comment: Text notes that investments in bicycle network are "excluding bicycle access on toll bridges." If exclusions are to be noted here, please note all other policy or regulatory exclusions of these funds. Otherwise please remove this exclusion text.

Investments, Page 73, Land-Use Changes Impact Goods Movement.
Comment: Please note that a large percentage of the goods being moved in the region, estimated at over 45 percent, are local in both origin and destination. Also worth noting, citing the Regional Goods Movement Study for the San Francisco Bay Area, in terms of volume, more than 80 percent of the Goods Movement in the Bay Area involves trucking in several major corridors (Interstates 80, 580 and 880, and US 101). While increasing pressures from development and regional growth trends continue to look at industrial lands as potential sites for redevelopment and conversion, this trend may cause adverse impacts to the freight industry and, as the Plan states, on the region in the form of additional truck trips and reduced air quality.

Investments, Page 74, Land-Use Changes Impact Goods Movement, 2nd column.
Comment: With respect to developing specific strategies to address Goods Movement business displacement, in addition to, "coordinated planning to ensure that FOCUS PDAs do not adversely affect the economic potential of goods movement industries; educating cities and counties about the impacts of their local land-use decisions; and exploring best practices for making goods movement businesses a better neighbor," the Department also feels that good land use planning ensures adequate buffers between residential/commercial development and industrial uses alleviating potential congestion, noise complaints, increased biological impacts and increased exposure to harmful pollutants. The Department further recommends that all aspects concerning community benefit be thoroughly researched and that industrial lands use be an integral part of the Community Planning process.

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Building Momentum for Change, Page 84, 1) Fix It, Finally?
Comment: In this section please add under potential strategies:

- Carbon Tax or Regional Carbon Trading Program
- VMT Fee
- Regional Development Fee

Building Momentum for Change, Page 84, 1) Fix It, Finally?
Comment: In this section please remove, "pennies for potholes" text. Regional Gas Tax should be listed as a strategy without implication that funding would only be used for local streets & road repair ("potholes").

APPENDIX 1 – PROJECTS BY COUNTY

Comments include specific changes to project listings.

RN# 22991
Comment: Suggest modifying to: Widen I-680 ~~southbound~~ northbound in Santa Clara and Alameda counties from Route 237 to Route 84 including a High Occupancy Toll (HOT) lane, ramp metering, auxiliary lanes and Pavement rehabilitation.

RN# 230663
Comment: Suggest modifying to: US 101 San Mateo County from San Mateo/Santa Clara County line to Whipple Avenue - convert HOV lanes to HOT lanes.

RN# 230664
Comment: Suggest modifying to: US 101 in San Mateo County from Whipple Avenue to Millbrae - widen to add a HOT lane in each direction

RN# 230683 (Listed under Regional HOT Network-I-680 Corridor)
Comment: Suggest modifying to: I-680 in Alameda and Contra Costa County from Route 84 to Alcosta Road--widen to add an HOT lane in each direction.

RN# 230099: "Construct northbound I-680 to westbound I-580 connector."
Comment: The project cost increased from $392.5 M (June 2008) to $572.0 M on this list, a 46 percent cost increase. Please check with the T2035 project sponsor to find out the reason since the Department is unaware of this increase.

RN# 230681 and # 230682
Comment: The project descriptions have a conflict. The description is I-680 'northbound' but it shows 'each direction'. A southbound HOT lane is supposed to be complete by 2011 unless the budget delays it. If the description is supposed to cover both, than the 'northbound' should be deleted.

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RN# 94030 and # 22779
Comment: This project is divided into two phases. Phase 1 (RN# 94030) will be completed by April 2009 except for mitigation. With T-2035 being completed in the same year, should the Phase 1 project continue to remain in the plan? Phase 2 (RN# 22779) is listed separately.

APPENDIX 2 – SUPPLEMENTARY REPORTS

Comment: In addition to simply referencing the mitigation strategies cited in the Environmental Impact Report (EIR) and its Executive Summary, the RTP should also include a general discussion of potential mitigation activities that result in environmental protection needs.

If you have any questions, please contact Lee Taubeneck, Deputy District Director, Transportation Planning and Local Assistance at (510) 286-5908.

Sincerely,

Dan McKinney

for BIJAN SARTIPI
District Director

Letter A3

From: Lindy Lowe <lindyl@bcdc.ca.gov>
To: Ashley Nguyen <ANguyen@mtc.ca.gov>
CC: Joe Curley <jcurley@mtc.ca.gov>, Tim Doherty <timd@bcdc.ca.gov>
Date: 2/2/2009 3:37 PM
Subject: Sea level rise map in the draft EIR

Hello Ashley,

A3-A

I am sorry that I have not sent in a more formal comment letter on the draft EIR. For some reason the office routing did not work and I just received the document. There is one thing I wanted to make sure was changed in the document and that is the sea level rise map in the draft EIR. I think that this map is an earlier version that was updated for the draft 2035 plan. I think that we assumed that the updated map would go into both the EIR and the plan, but the disconnect was probably due to consultants working on the EIR and staff working on the plan. We would like for the maps in both the EIR and the plan to be the same and the one that is in the plan is an updated version of the map with the citations and legends that are important for understanding the data and the content of the map. Please let me know if you have any questions. Thanks!

Both the plan and the EIR look good and it must feel good to have them both out to the public after all of that hard work.

Best,
Lindy
--
Lindy L. Lowe
Senior Planner
San Francisco Bay Conservation
and Development Commission
(415)352-3642
lindyl@bcdc.ca.gov

Letter A4

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
300 Lakeside Drive, P.O. Box 12688
Oakland, CA 94604-2688
(510) 464-6000

2009

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7TH DISTRICT

James Fang
8TH DISTRICT

Tom Radulovich
9TH DISTRICT

Ms. Ashley Nguyen
EIR Project Manager
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

February 2, 2009

RE: BART Comments on Draft Environmental Impact Report on Regional Transportation Plan, December 2008, SC No. 2008022101

Dear ~~Ms. Nguyen~~ Ashley:

We appreciate the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Regional Transportation Plan (RTP), released December 2008. More significant than our comments on the DEIR, however, will be the work we would like to undertake with MTC on the issues of climate change, funding maintenance projects, and BART's system capacity. Recognizing that this DEIR is programmatic, and not at the project level, we want to partner with you and others to address the shortcomings of the current document.

A4-A

Climate Change and GHG Emissions
We read with interest the section on Climate Change and Greenhouse gases. As you know, we share your concern about climate change and greenhouse gas emissions, and are committed to participating in local solutions. We believe that recently enacted SB 375 will guide us all in defining and implementing appropriate measures in future RTPs. We look forward to working with MTC on this very important and complex set of issues.

Maintenance Needs
The DEIR supports the "Fix It First" prioritization that we have championed. Our customers consistently tell us that BART's on-time performance is a critical factor in their decision to leave the car at home. The region's "Fix It First" investment is essential for transit to sustain existing ridership levels and to attract new riders. The investment levels in the draft RTP and DEIR are a good first step, but woefully insufficient to enable BART to adequately renovate our aging system. The investment level described leaves a $16 billion regional capital replacement shortfall. BART's maintenance needs are not

proposed to be met, while at the same time BART's rider load associated with Priority Development Areas is very significant.

Among the region's operators, BART has the largest need, due to having the largest capital asset base. We have more physical plant requiring replacement, renovation and maintenance than any other transit operator. Our 25-year capital shortfall is $7 billion, exclusive of critical core capacity improvement needs. We appreciate that the plan proposed to fully fund our vehicle replacement needs, but it funds only 25 percent of our other highest-rated needs. Important projects like track replacement, traction power, and train control may go unfunded if we cannot find the means to cover them.

BART System Capacity Needs
Your DEIR states, "The Transportation 2035 Plan has a city-centered focus that is consistent with Projections 2007, and gives priority to transportation improvements that serve urbanized locations," and prioritizes projects that "support the development of higher density housing, mixed uses and jobs in existing communities near transit." (See page 2.12-11.) However, BART is very concerned about our ability to meet our system capacity needs in the future envisioned by the draft RTP and draft EIR. As you describe, most of the regional growth anticipated in the DEIR is contemplated around existing and future transit stations and corridors, specifically BART stations and corridors. This is appropriate, and applauded here at BART. However, there is no direct link made between clustering and stacking dwelling units and jobs at BART stations, and investment in the capacity of the rail system to carry the new riders. The analysis fails to connect the dots, apparently relying on BART to undertake system capacity expansion without resources. The DEIR is insufficient in its recognition and commitment to resolving this problem.

We are working towards a goal of effectively carrying 500,000 weekday riders on our system. Yet the DEIR posits a ridership level of over 600,000, with much of the new ridership associated with new development around our system. We welcome new riders, but must make clear that we are not able to shoulder the burden of providing transit service to this very large number of new passengers without new resources. The task of providing transit must be linked to the sources of new riders: new housing and jobs near BART. We look forward to working with MTC, cities making the land use decisions, and employers to provide the transit required by such development.

Significantly, BART's system capacity needs must be included in the HOT analysis. Some of the potential HOT Lane facilities are in corridors where, according to future models, BART will be capacity constrained (e.g., I-80/Bay Bridge Corridor). The EIR should analyze the capacity impacts of road pricing on parallel transit systems. If there is a nexus between peak pricing within HOT lane corridors and transit, MTC should evaluate using toll revenue to fund transit operating as well as capital needs.

Thank you for the opportunity to comment on your DEIR. We look forward to the work ahead of us.

Sincerely,

Marianne A. Payne
Manager, Planning Department

Cc: Dorothy Dugger
Carter Mau
Gregg Marrama

G:/MTC RTP/Comment Letter on RTP DEIR.jan09First Draft.doc

LETTER A5

TJPA
TRANSBAY JOINT POWERS AUTHORITY
Maria Ayerdi-Kaplan • Executive Director

January 30, 2009

Ashley Nguyen, Planning Section
Metropolitan Transportation Commission, EIR Comments
101 Eighth Street
Oakland, California 94607

Subject: Draft Environmental Impact Report for the Transportation 2035 Plan
Metropolitan Transportation Commission

Dear Ms. Nguyen:

The Transbay Joint Powers Authority (TJPA) congratulates the Metropolitan Transportation Commission (MTC) on the milestone achievement of the publication of the Draft Environmental Impact Report (EIR) for the Transportation 2035 Plan for the San Francisco Bay Area.

The TJPA fully supports regional transit developments serving the nine Bay Area counties represented by the MTC. The new Transbay Transit Center Program is preparing to play a major role as a multimodal regional transit hub for the greater San Francisco Bay Area.

We have reviewed the MTC Draft EIR for the Transportation 2035 Plan and offer comment on its reference to the Transbay Transit Center Program on the attached table.

Should you have any questions related to the TJPA's comment, please contact Robert Beck, TJPA Senior Program Panager at 415.597.4620.

Very truly yours,

Maria Ayerdi-Kaplan
Executive Director

Attachment

cc: R. Beck, E. Sum, B. Dykes, and File

201 Mission Street, Suite 2100, San Francisco, CA 94105 • 415.597.4620 • transbaycenter.org

Transbay Joint Power Authority's Technical Comment on the Draft Environmental Impact Report for the Transportation 2035 Plan for the San Francisco Bay Area

A5-A

EIR Reference	TJPA Comment
Page 2.9-43, Table 2.9-2	Table 2.9-2 indicates that project 22008 could potentially impact wetlands, special-status plant or wildlife species, or designated or proposed critical habitat. However, Chapter 4.9, Vegetation and Wildlife, in the Final Environmental Impact Statement/Environmental Impact Report (EIS/EIR)* for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project includes the following statements. - No sizable natural habitat for biological plant, animal, or bird species remains. [paragraph 1] - No effects on San Francisco Bay bird species are anticipated. [paragraph 2] - The U.S. Fish and Wildlife Service indicated that no adverse effects on endangered species of wildlife and plants or their habitats are expected from the proposed improvements." [paragraph 3] *The Final EIS/EIR can be found on the TJPA website: http://www.transbaycenter.org/TransBay/content.aspx?id=114 An extract of the Final EIS/EIR, Chapter 4.9 (on page 4-39) follows this page.

Extract from the Final EIS/EIR
Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project
(http://www.transbaycenter.org/TransBay/content.aspx?id=114)

No known faults cross the project alignment; however the faults shown in Figure 4.8-2 may subject the study area to strong ground shaking. Estimates of peak ground acceleration from an earthquake on the San Andreas or Hayward fault within the study area range from 0.2g to 0.5g. Ground failure hazards during an earthquake can include settlement and liquefaction. During the 1989 Loma Prieta earthquake, ground deformation in the project area consisted of settlement, ground cracking, and/or sand boils. These features were observed between Beale Street and The Embarcadero from Market to Harrison Streets, and from Fourth to Ninth Streets between Mission and King Streets.

4.9 VEGETATION AND WILDLIFE

Portions of the project area lie within reclaimed areas formed by filling former marshes and estuaries of San Francisco Bay, including Mission Bay, South Beach and Yerba Buena Cove. Except for South Park and landscaping associated with recent residential developments in the South Beach/Steamboat Point area, the vicinity of the proposed project is generally paved with concrete and asphalt. No sizable natural habitat for biological plant, animal, or bird species remains.

Although the project area lies adjacent to the San Francisco Bay, all construction would occur outside the Bay Conservation and Development Commission's 100-foot "shoreline band," and no project alternatives would require filling of or construction within wetlands or Bay waters or affect water quality. No effects on San Francisco Bay bird species are anticipated.

These findings are consistent with the previous environmental studies conducted in the area, including the March 1997 Draft EIS/EIR for the Caltrain Downtown Extension Project, and the Draft EIS/EIR for Alternatives to Replacement of the Embarcadero Freeway and the Terminal Separator Structure, published by the City of San Francisco, Caltrans, and the Federal Highway Administration in 1995. Both these studies addressed an area similar to the present project area. The U.S. Fish and Wildlife Service indicated that no adverse effects on endangered species of wildlife and plants or their habitats are expected from the proposed improvements. A copy of the Service's August 10, 2001, letter is provided in Appendix D.

4.10 WETLANDS

The present China Basin Channel is not a naturally occurring tidal creek but the remains of the former Mission Bay. The entire site, like the project area in general, has been altered through extensive urban development or landscaping. No wetlands remain.

LETTER A6

ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2560 • FAX: (510) 836-2185
E-MAIL: mail@accma.ca.gov • WEB SITE: accma.ca.gov

AC Transit
Director
Greg Harper

Alameda County
Supervisors
Nate Miley
Scott Haggerty

City of Alameda
Mayor
Beverly Johnson
Vice Chair

City of Albany
Councilmember
Farid Javandel

BART
Director
Thomas Blalock

City of Berkeley
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City of Dublin
Mayor
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Vice-Mayor
Ruth Atkin

City of Fremont
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City of Union City
Mayor
Mark Green
Chair

Executive Director
Dennis R. Fay

February 2, 2009

Hon. Bill Dodd, Chairman
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607-4700

Subject: Comments on the Draft Transportation 2035 Plan (2009 RTP) and Draft Environmental Impact Report (DEIR)

Dear Chairman Dodd:

Thank you for the opportunity to comment on the Draft Transportation 2035 Plan (2009 RTP) and Draft Environmental Impact Report. We commend MTC for its efforts to establish a transportation vision for the San Francisco Bay Area region. We have reviewed both documents and respectfully submit the following comments:

The Alameda County Congestion Management Agency (ACCMA) Board adopted 2008 Alameda Countywide Transportation Plan Investment Program used by MTC in the development of Transportation 2035 and accompanying DEIR represents Alameda County's priorities for the next 25 years. The projects and programs were developed through extensive input from the jurisdictions and the community. Our Investment Program is financially constrained and includes projects funded by Alameda County's Share funds, our Measure B voter approved sales tax, and the statewide voter approved Corridor Mobility Investment Account (CMIA). We appreciate that these priorities have been included in the RTP.

The countywide investment policies used to define our transportation investment priorities include, among other things, a commitment to:

- Maintaining and operating existing facilities before diverting funds to build new facilities,
- Focusing on high priority projects over the next several funding cycles to ensure delivery of these improvements (e.g., Warm Springs BART Extension, I-580 Corridor Improvements including HOT Lanes and right-of-way preservation for transit, Bus Rapid Transit in the East Bay, Transit Oriented Development Improvement Program),
- Giving priority to projects that are most effectively coordinated with land use planning and Priority Development Areas, and
- Supporting strategies that reduce transportation's share of greenhouse gases.

A6-A

The transportation investment priorities also include a number of important and on-going committed projects. We encourage MTC to retain these committed projects in the RTP because they reflect prior commitments, designed to reduce congestion, close gaps, and improve safety, that are already well underway and reflect the desire of the voting public. In addition, the committed funds for these prior commitments have been reserved by law for specific uses or allocated by MTC Action prior to the development of the Draft Transportation 2035 Plan and cannot be used for other purposes. The ACCMA acknowledges that the transportation needs far outweigh the funding resources; however, we encourage MTC to complete the projects for which commitment and progress have been made. MTC should continue to focus on identifying new funding sources to satisfy the growing needs of our transportation system identified in the RTP.

We look forward to continued collaboration in the implementation of the Transportation 2035 Plan. If you have any questions, please contact Beth Walukas, Manager of Planning at 510/350-2326 or bwalukas@accma.ca.gov.

Sincerely,

Dennis R. Fay
Executive Director

Cc: CMA Board of Directors
Doug Kimsey, MTC
Ashley Nguyen, MTC
Bay Area CMA Directors
Beth Walukas, Manager of Planning
Chron
File: 2008 RTP: Transportation 2035
File: 2008-09 Environmental Review Opinions and Responses

Letter A7

ALAMEDA COUNTY
PUBLIC HEALTH DEPARTMENT

ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
PUBLIC HEALTH DEPARTMENT

David J. Kears, Director
Anthony Iton, Director & Health Officer

1000 Broadway, 5th Floor
Oakland, CA 94607

(510) 267-8000
(510) 267-3223

February 2, 2009

Metropolitan Transportation Commission Commissioners
101 Eighth Street
Oakland, CA 64607
510-817-5848 (fax)

Regional Transportation Plan 2035: Draft EIR Comments

Dear Metropolitan Transportation Commission Commissioners:

Transportation and health are inextricably linked. From reducing greenhouse gas emissions to improving access to bike lanes, the Regional Transportation Plan 2035 (RTP 2035) will help improve health outcomes in Alameda County. I am writing to commend your leadership in ensuring that the RTP 2035 both reaches its environmental, economic, and equity goals while promoting public health. We have reviewed the Draft EIR and I would also like to propose that the Final EIR include a "No Project Alternative" in which none of the RTP funds, including the "Committed Projects," are invested. Doing so will facilitate a better understanding of the environmental, and thus health impacts of the RTP 2035 plan as a whole.

A7-A

As stated in our Department's letter regarding the RTP 2035, submitted May 23, 2008, increasing and improving pedestrian and bicycle facilities reduces driving, promotes physical activity, and increases pedestrian and bicyclist safety. Encouraging active transport has never been more important than now, the first time in modern history the next generation is expected to live lives that are shorter than ours. By investing in programs that encourage young people to walk and bike you are helping to set healthy habits and ensure fitter healthier leaders for tomorrow. Investments in the bicycle network will help create a safer biking environment, decreasing injury rates. Such an increase in safety is vital, especially in low income communities where there is a disproportionate concentration of auto-bike collisions. Finally, the air quality impacts of encouraging use of public transportation, both through community design and route connectivity, will benefit us all. By investing an unprecedented proportion of discretionary funds to the Climate Change Program, the RTP 2035 promises to increase access to bicycle and pedestrian facilities and reduce greenhouse gas emissions, thus helping to reduce chronic diseases and injuries in Alameda County and the entire Bay Area.

In an effort to ensure that RTP 2035 promotes health to the greatest extent possible, while still meeting the very important environmental, economic, and equity goals, we ask that the Final EIR include a "No Project Alternative" in which none of the RTP funds, including the "Committed Projects," are invested. As currently defined, the "No Project Alternative" prevents the evaluation of the impacts of the plan as whole. Given the global climate change crisis, as well as the greenhouse gas reduction goals set in AB 32, it is essential that decision makers and the public understand the environmental impacts of new investments combined with existing investments. Furthermore, Bay Area residents are exposed to levels of air pollution that are above state air quality standards for both ozone and diesel particles. Low-income communities and communities of color are disproportionately exposed to environmental toxins such as CO_2, $PM_{2.5}$ and PM_{10}. As a result, these communities are burdened by environmentally-linked diseases.

In order to reduce greenhouse gas emissions and improve health outcomes in Alameda County, we must evaluate the environmental impacts of new investments alongside existing investments. If we find that combined, the investments have environmental and thus public health impacts, the public and decision makers will have the information they need to reprioritize projects so as to maximize environmental benefits of the RTP 2035.

Thank you again for your leadership in drafting a RTP that supports environmental, economic, and equity goals while also promoting public health. Additionally, thank you for taking our comments into consideration.

Sincerely,

Dr. Sandra Witt
Deputy Director of Planning, Policy and Health Equity
Alameda County Public Health Department

LETTER A8

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY

Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough •Menlo Park • Millbrae Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County •South San Francisco • Woodside

February 2, 2009

Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

Attention: The Honorable Bill Dodd, Chair

Subject: Comments on the Draft Transportation 2035 Plan (2009 RTP) and Draft Environmental Impact Report

Dear Chairman Dodd:

The City/ County Association of Governments of San Mateo County (C/CAG) is the Congestion Management Agency for San Mateo County and is responsible for programming the San Mateo County discretionary State and Federal Transportation funds and coordinating these with the Local Sales Tax Measure Strategic Plan.

C/CAG is supportive of the Draft Transportation 2035 Plan (2009 RTP) and Draft Environmental Impact Report as presented since it reflects projects approved by our voters as part of the Local Sales Tax Measure in San Mateo County. The projects submitted and included for San Mateo County were developed as a result of a broad consensus between C/CAG and the San Mateo County Transportation Authority that is our Local Sales Tax Authority. C/CAG has established a policy that the discretionary funding will be used to match the funding provided by the Local Sales Tax Measure Strategic Plan. This significantly leverages what can be accomplished with the Local Sales Tax Measure. Therefore many of the projects submitted were included in the Local Sales Tax Measure and supported by the voters. Many of the projects identified reflect the will of the San Mateo County voters.

A8-A A suggestion was made that the 2009 Regional Transportation Plan should revaluate and possibly eliminate some committed projects. C/CAG strongly opposes this concept for the following reasons.

1- The committed projects had to achieve a broad countywide consensus in order to be fully funded.
2- The 2009 RTP should reflect the broad countywide consensus that was established to move the committed projects forward.
3- The 2009 RTP should reflect the will of the voters as reflected in the Local Sales Tax Measure Projects that are on the committed list.
4- The San Mateo County Local Sales Tax Measure made a strong commitment to transit and other modes in addition to the highways and local streets and roads.
5- The 2009 RTP would be incomplete if it did not reflect the local project commitments including those supported by the San Mateo County voters.
6- In many cases MTC has a limited role in the committed projects where no regional funds were used.

C/CAG strongly supports the 2009 RTP that includes the locally committed projects.

Your consideration of this matter is appreciated. If there are any questions please contact Richard Napier at 650 599-1420.

Sincerely,

Richard Napier

Richard Napier
Executive Director
City/ County Association of Governments

cc: Sue Lempert - MTC Representative
Adrienne Tissier - MTC Representative

LETTER A9

SANTA CLARA
Valley Transportation Authority

February 2, 2009

Steve Heminger
Executive Director
Metropolitan Transportation Commission
Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700

Dear Steve:

On behalf of the Santa Clara Valley Transportation Authority, I am writing to express our general support of the environmental clearance for Transportation 2035, the regional transportation plan for the Bay Area. Transportation 2035 provides a healthy mix of new investments while maintaining a commitment to "fix-it-first" in order to protect our existing transportation infrastructure. VTA staff is reviewing the document in detail and will forward MTC our specific comments prior to your March 2009 deadline.

I am also pleased to inform you that the VTA Board of Directors unanimously approved Valley Transportation Plan 2035 (VTP 2035) at its January 8, 2009 meeting. VTP 2035 is Santa Clara County's long-range transportation plan and contains a committed list of the highest priority transportation investments in the county. The list was compiled through a robust outreach process with all 15 cities as well as the County of Santa Clara. These investments will produce tremendous transportation and environmental benefits for Santa Clara County and the region as a whole. These committed lists had been had been previously forwarded to MTC for inclusion in Transportation 2035.

A9-A Furthermore, I want to compliment MTC staff and the commission for maintaining the integrity of each county's committed project list and resisting the temptation to revisit and possibly remove individual projects. It is important that work continue on these prior commitments as they are well underway and represent the will of the people within these communities. In addition, as staff and the commission recognize, these project lists are not a collection of miscellaneous investments, but rather a program of projects that are interrelated and have been vetted within each community. When built, the projects will form a transportation network that will help us achieve the goals that we are striving to reach.

To meet the challenges before us as a region, we must work together while relying on the expertise of the local communities. Transportation 2035 provides a vision for us to move forward.

Sincerely,

FOR:

John Ristow
Chief CMA Officer

3331 North First Street · San Jose, CA 95134-1927 · Administration 408.321.5555 · Customer Service 408.321.2300

LETTER A10

BOARD OF DIRECTORS 2009

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MICHAEL J. SCANLON
EXECUTIVE DIRECTOR

February 2, 2009

Ashley Nguyen
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

Re: Draft Environmental Impact Report for the Draft Transportation 2035 Plan

Dear Ms. Nguyen:

On behalf of Caltrain, thank you for the opportunity to comment on the Draft Environmental Impact Report (EIR) for the Draft Transportation 2035 Plan. The comments provided in this letter pertain to the Draft EIR only.

A10-A There is some confusion regarding changes to projects as noted on the DEIR errata sheet that may impact Caltrain projects. First, please clarify why Caltrain Express Phase 2b (Project #230707) was deleted from page 52 of the Draft DEIR? It appears that this project will not be listed elsewhere in the plan, pending this change. Can you confirm that this project was segmented as two separate projects: #21619 (Caltrain Express Phase 2a – signal system and positive train control) for $69 million, financially constrained; and #230707 for $327 million (Caltrain Express Phase 2b – for level boarding and North and South Terminals) was removed by MTC because we understand that MTC staff deemed it as financially unconstrained. Please let us know the implication of this project being excluded from the Plan. We hope to continue to engage on this issue.

A10-B Can you also please clarify why on page 2 of Appendix C, Project #21627 - Electrify Caltrain from Tamien to San Francisco notes a correction to "retain checkmark for Proposed Project but remove checkmarks for all alternatives?" It is not quite clear why these alternatives will not be included in the final analysis. In addition, there is not a corresponding change to Appendix C, page 43 to Project #230534 Electrify Caltrain line from Tamien Station to Gilroy. In this case, this segment lists all project alternatives.

Thank you for opportunity to provide comments on the DEIR. We would appreciate it if you would clarify these questions before proceeding with finalizing the document. Feel free to contact me with any further questions.

PENINSULA CORRIDOR JOINT POWERS BOARD
1250 San Carlos Ave. – P.O. Box 3006
San Carlos, CA 94070-1306 650.508.6269

Sincerely,

G. Ted Yurek
Senior Planner
Planning & Research

cc: Stacy Cocke, Senior Planner, Capital Planning Support
Marisa Espinosa, Manager, Planning & Research
Marian Lee, Director, Planning & Development
Todd McIntyre, Manager, Special Projects
Anne Louise Rice, Deputy Director, Capital Programs Support

Letter A11

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Department of Planning, Building and Code Enforcement
JOSEPH HORWEDEL, DIRECTOR

February 2, 2009

Ashley Nguyen
Metropolitan Transportation Commission
Joseph P. Bort Metro Center
101 Eighth Street, 3rd Floor
Oakland, CA 94607-4700

SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT FOR DRAFT TRANSPORTATION 2035 PLAN (OA08-043)

Dear Ms. Nguyen:

On December 29, 2008, the City of San Jose received an electronic link to the Draft Environmental Impact Report (EIR) for the Draft Transportation 2035 Plan from the MTC. The draft Plan is the Bay Area's transportation blueprint for investing $226 billion in projected revenue expected to flow to the region over the next 25 years. The City of San Jose is supportive of the Plan as a transportation plan that supports regional and local transportation improvements, including the planned BART extension to the South Bay. The City of San Jose appreciates the opportunity to review and provide comments on the Draft EIR for the Plan and offers the following comments:

A11-A 1. The MTC's Superdistricts map(s) should either be included in the Draft EIR in the Appendix or the Draft EIR should include a direct reference to the map(s) location where it may be viewed on-line by the reader. The reference should be included in the Draft EIR where it is first discussed in the document.

A11-B 2. On pages 2.3-4 through 2.3-5, the discussion should address the density of persons in residence per acre, rather than just households or dwelling units per acre. San Jose's average household size is significantly larger than San Francisco's. If number of households is more relevant than number of persons in residence per acre, this relevance should be explained.

Thank you again for the opportunity to comment on the Draft EIR for this project. We look forward to reviewing the Final EIR when it becomes available for review. Please provide me with a CD version of the complete Final EIR, including all Appendices, technical reports/volumes of the document. You may send the document directly to my attention, since I coordinate with other City departments in the review of the Draft EIR. If you need to discuss these comments, you may contact me at (408) 535-7815.

Sincerely,

Janis Moore
Planner II

OA08-043 DEIR MTC Transp 2035 Plan/JAM

200 East Santa Clara Street, 3rd Floor Tower, San José, CA 95113 *tel* (408) 535-7800 *fax* (408) 292-6055
www.sanjoseca.gov

Solano Transportation Authority

Letter A12

One Harbor Center, Suite 130
Suisun City, California 94585

Area Code 707
424-6075 • Fax 424-6074

Members:

Benicia
Dixon
Fairfield
Rio Vista
Solano County
Suisun City
Vacaville
Vallejo

January 23, 2009

Bill Dodd, Chairperson
Metropolitan Transportation Commission (MTC)
101 Eighth Street
Oakland, California 94607

RE: Draft Transportation 2035 Plan

Dear Chairman Dodd: Bill

The Solano Transportation Authority (STA) has reviewed the draft 2035 Regional Transportation Plan's (RTP) project list contained in Appendix 1 to the Draft RTP. This review covered both the Bay Area/Multi-County projects and those for individual counties, including Solano County.

The Solano County projects were selected by the STA Board after a series of public meetings and staff technical advisory committee meetings in late 2007 and early 2008. They represent both a continuation of previous planning efforts and commitments, and an adaptation to changing transportation, economic and environmental conditions. Our review of the projects put forth by other counties, and for the broader Bay Area, lead us to believe that a similar mix of faithfulness to existing commitments and adaptation to new circumstances guided the selection of those projects as well.

The Solano County projects include a substantial increase in mass transit investments in areas that strongly support high-density transit oriented development; local routes with a high benefit-to-cost ratio that take traffic off of the interstate highway system; improvement to the complex I-80/I-680/SR-12 series of interchanges, which serves as a major bottleneck for local, regional and inter-regional mobility; and, major investment in the maintenance of streets and roads. We believe this mix of projects will help advance the county and region's ability to meet the climate change obligations of the California Global Warming Solutions Act and the recently-approved SB 375, while still maintaining mobility for commerce, and for people of all means.

Finally, we believe that the Solano County and Bay-Area wide project list is financially realistic. The project list is financially constrained, as required by law. Local projects are funded from Solano County Share funds, Regional Measure 2 and statewide Corridor Mobility Investment Account (CMIA) voter-approved programs. The local projects also support the regional High Occupancy Toll Lane project, a vital component in developing a reliable and reliably-funded high occupancy lane system.

Ltr. to Bill Dodd, MTC Chairperson dated January 23, 2009
Re. Draft Transportation 2035 Plan
Page 2 of 2

The STA was closely involved in the development of the definition of "committed" projects in the Draft RTP, and in the creation of the list of committed projects. The STA believes it is important to hold faith with the long-term fiscal and political commitments contained in these projects, many of them funded in a large part by voter-approved tax measures or approved by locally elected public officials. It is especially easy to support the committed projects in light of the fact that none of them are expected to create results that run counter to the goals of the Draft RTP. The STA would not support any effort to divert funds for committed projects to any other purpose.

The STA believes that the Draft RTP has been developed using an effective community outreach program, and has effectively solicited comments from and addressed the concerns of the general public, the advocacy community and local governments. The resulting plan has been subjected to a technical and environmental analysis that not only meets the legal requirements of state and federal law, but that also provides realistic information to the MTC Board members and others who will charged with implementing the plan. For these reasons, the STA endorses the Draft RTP, and encourages the MTC Board to approve the Plan and the related environmental and air quality documents.

Sincerely,

James Spering, STA Chair
Supervisor, County of Solano

Cc: STA Board Members

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JAN 27 2009
BAY AREA TOLL AUTHORITY

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Letter A13

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January 22, 2009

Hon. Bill Dodd, Chairman
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607-4700

RE: Comments Regarding the Draft 2009 Regional Transportation Plan (RTP) and its Environmental Impact Report (EIR)

Dear Chairman Dodd:

We appreciate the opportunity to comment on the 2009 RTP. Overall, we are pleased that the document responds affirmatively to the comments of the Bay Area's congestion management agencies (CMAs). The CMAs bring to the process a wealth of experience and expertise essential to successful implementation of the RTP, including:

- Knowledge of local transportation and land use conditions;
- Broad representation from the local cities and counties of the Bay Area;
- Extensive experience working with cities and counties to integrate land use and transportation planning;
- Delivery of billions of dollars in transportation projects in partnership with Caltrans, local cities and counties, and transit operators;
- Awareness of project needs and the driving forces behind those needs; and
- Local transportation sales taxes in seven counties, and other local revenue sources including developer fees in several counties.

In that context, we have comments regarding three aspects of the draft 2009 RTP for your consideration in finalizing the document. They address, in turn:

- Reaffirming our support for the "committed" Contra Costa project list;
- Retaining the "Fix It First" policy as a high priority; and
- Expressing our concerns about the proposed HOT lanes network as it would affect Contra Costa County.

Contra Costa Project List in the 2009 RTP

The Contra Costa committed project list in the 2009 RTP has been carefully assembled by the Transportation Authority. It reflects a countywide consensus on the most critical investments needed to sustain mobility, promote greater transit usage, alleviate congestion, and otherwise enhance Contra Costa's transportation network. The list is financially constrained, with projects funded from Contra Costa's County Share funds, our Measure C and Measure J voter-approved sales taxes, and the Regional Measure 2 and statewide Corridor Mobility Investment Account (CMIA) voter-approved programs. We believe it is essential that these projects, which largely reflect prior commitments and the will of the voters, be retained in the final 2009 RTP, and appreciate MTC's incorporation of them in the draft document.

"Fix It First"

The Authority has been a strong proponent of "Fix It First" – a policy to address the capital shortfalls faced by local streets and roads and transit operators as a high priority. We strongly support the investment levels in the draft 2009 RTP as a starting point for addressing these needs, and urge the Commission to give such investments the highest priority for truly discretionary funds such as the federal regional surface transportation program (RSTP) funds that flow through the region under state law. Without such commitments, the RTP specifically identifies a $1.1 billion shortfall for adequate maintenance of Contra Costa's local streets and roads, and an approximately $6.5 billion BART shortfall.

Proposed HOT Lanes Network

The Authority believes that HOT lanes should be considered as one of the tools in the toolbox for management of freeway corridors. We support the creation of multi-county corridor management groups similar to the Alameda-Contra Costa effort now underway to manage the I-80 corridor, the historic work done on the I-680 Sunol Grade by Alameda, Contra Costa and Santa Clara, and the Solano-Contra Costa joint committee that supported development and implementation of the new Benicia-Martinez and Carquinez bridges. However, the Authority is not yet ready to endorse the proposed regional HOT Lanes Network. Fundamentally, we believe that there has not been sufficient analysis or agreement to date regarding the appropriate role, if any, of HOT lanes in managing the I-80, I-680 and Route 4 corridors. Issues that need to be addressed over the next couple of years include composition and voting structures for corridor management groups, relative responsibilities of the CMAs, MTC, Caltrans and the Highway Patrol, technical and operational feasibility, more realistic cost estimates, appropriate operating parameters, potential benefits and/or negative impacts on transit, carpools and vanpools, how HOT lanes might affect vehicle miles traveled in the region and related air quality and greenhouse gas emissions, health, and social justice concerns. For example, the incidence of childhood asthma in West Contra Costa is approximately 2.3 times the statewide rate.[1] The timing and prospective allocation of "net" revenues, and who would control them, are also at issue.

In our view, the proposed Contra Costa elements of the network and the financial plan have not been demonstrated to be beneficial or workable in the context of the issues cited above, and as noted further below. The proposed network appears to be a financing mechanism rather than corridor management tool, which should be the primary objective. The Attorney General's office has raised some of these issues in its letter of October 1, 2008 to Ashley Nguyen[2] -- particularly the impact of HOT lanes on carpooling, transit ridership, VMT and GHG emissions, and consideration of alternative uses of HOT lane revenues. These need to be thoughtfully addressed before a HOT network can reasonably become a policy commitment. We question how MTC can assume HOT lanes outside of the opportunities already granted to Alameda and Santa Clara Counties without statutory authority.

We are very supportive of the efforts underway in Alameda and Santa Clara, and look forward to gaining valuable insights and knowledge regarding what role that HOT lanes may play in corridor management. We would also be supportive of Solano's

[1] Contra Costa Asthma Coalition, "Blueprint for Asthma Action: A Report for Awareness and Advocacy in Contra Costa County," available from Contra Costa County Health Department, p. 4.
[2] Laura J. Zuckerman, Sandra Goldberg, Deputy Attorneys General, re "Comments on the Notice of Preparation for the Draft Environmental Impact Report For the Transportation 2035 Plan", October 1, 2008, pp. 7-9.

interest in establishing HOT lanes on I-80 as part of the new HOV lanes under construction there. However, beyond the policy issues above, we have serious concerns that the proposed conversions from HOV to HOT lanes on Routes 4, I-80 and I-680 in Contra Costa pose operational, safety, social equity and environmental issues that must be satisfactorily addressed before the Authority would be prepared to accept such conversions. We look forward to working with MTC to fully investigate and address our issues and concerns.

Detailed Technical Issues Regarding Proposed HOT Lanes in Contra Costa

I-680 Corridor. Recent technical analysis performed by Parsons Brinkerhoff[3], under the direction of MTC staff and with significant input from Authority staff, has identified a number of fundamental constraints in a detailed review of the I-680 corridor. PB noted that similar issues may exist with respect to the I-80 corridor. At best, the I-680 corridor would have at least two discontinuities to the proposed HOT lanes network northbound: (1) through the I-680/24 interchange from Livorna to Route 242; and (2) approaching and on the Benicia-Martinez Bridge. Questions are raised in and by the analysis about the viability of the relatively short portion between these two discontinuities, and the northern section also has issues relative to ingress and egress that have not been fully vetted. Moreover, the PB studies suggest that significant design exceptions would be necessary to convert a proposed southbound HOV lane through the interchange, currently under study, into a HOT lane. Attendant safety and traffic flow issues may make such a conversion infeasible.

I-80 Corridor. The I-80 corridor has the worst congestion in the Bay Area.[4] Based on our staff's extensive review of the I-80 corridor in Contra Costa and its similarities to the I-680 corridor north of Route 24, converting the HOV lanes to HOT lanes on I-80 is a daunting challenge. From the Carquinez Bridge to the Bay Bridge, particularly the section from Route 4 to I-580, right of way is very constrained, and creating even a two-foot buffer by shrinking existing lanes in this, the most heavily congested corridor in the Bay Area, seems problematic and potentially unsafe. In addition~~, the~~ short spacing between interchanges, and the lack of opportunities for ingress and egress transition lanes make such concepts very expensive and/or likely to be infeasible. In addition, the congestion imposes other obstacles: (1) the HOV lanes already require 3+ occupancy levels and are very heavily used during peak hour; and (2) the merges with I-580, in Albany and near the Bay Bridge, have heavy congestion and significant merge-weave issues much of the weekday and on weekends. Given these factors, HOT lanes in this corridor are problematic and may prove infeasible.

---

[3] Parsons Brinkerhoff, "Regional HOT Lanes Network Feasibility Study, Phase 3, Task 22.3: Corridor Analysis: I-680 from Martinez to Livorna." In particular, see pp. 4, 5 and 7.

[4] According to the May 14, 2008 report "Congested Freeway Locations" from Caltrans and MTC, Westbound I-80 between the Carquinez Bridge and the Bay Bridge had 11,100 hours of delay per day, nearly twice the next highest corridor in the morning, Marin 101 southbound (6,490 hours per day). Alameda I-580 eastbound had the highest afternoon delay at 7,410 hours per day, I-680 to Greenville.

Route 4 Corridor. The new section of Route 4, from Route 242 to Route 160, presents less geometric constraints, since it is being built to full Caltrans standards. However, there are several problems with this corridor as well, particularly the merge area between Route 242 and Willow Pass Avenue in Concord. We also note that both the initial and more recent financial analysis concluded the corridor would not generate sufficient revenues to offset the costs of building the HOT infrastructure. Furthermore, improvements from Somersville Road to Route 160 are part of a CMIA project on a tight schedule for delivery, and are intertwined with the eBART project, with both improvements scheduled to be completed prior to 2016. We believe that the feasibility and desirability of HOT lanes cannot begin to be contemplated until after the freeway widening and eBART are completed, if then; and only to assess whether or not HOT lanes would be a positive addition to management of the corridor and worth the investment of more money than would apparently be returned.

Conclusion

We appreciate your consideration of our comments on the 2009 RTP, and thank you again for respecting the voter-approved programs that make up the bulk of our committed projects in the RTP. We also appreciate your acknowledgement of the importance of the "Fix It First" policy. With regard to the proposed HOT lanes network, we encourage you to work diligently with Santa Clara and Alameda to insure successful implementation of their statutorily authorized projects. Our willingness to support implementation of HOT lanes in Contra Costa will be subject to satisfactory resolution of the issues and concerns raised herein.

If you have any questions, please contact Bob McCleary (925.256.4724) or Hisham Noeimi (925.256.4731) of our staff.

Sincerely,

David E. Hudson
Chairman

c.c. Hon. Federal Glover
Hon. Amy Worth
Authority Members
Hon. Mark DeSaulnier
Hon. Tom Torlakson
Hon. Nancy Skinner
Hon. Joan Buchanan
Steve Heminger, Doug Kimsey, Ashley Nguyen, Bay Area CMA Directors

mtc 05 2009-01 RTP Comment(Jan 22) (3).doc

LETTER B1

From: Ashley Nguyen
To: brooksallen1@sbcglobal.net
Date: 1/14/2009 4:22:38 PM
Subject: T2035 Comment (B/C Ratio, HOT effect on low-income, impact on low-income)

Hi Bill:

Thank you for attending the Joint Advisors Workshop on January 7, and providing us your comments on both the Draft Transportation 2035 Plan and the Draft Environmental Impact Report. I am replying to the comments you raised on both draft documents:

Draft Transportation 2035 Plan:
(1) The comments that you shared with us are important. Staff will be preparing replies to all written comments received from the advisors. At the February 13 MTC Planning Committee meeting, staff will present highlights of key comments heard from our joint advisors, and provide a copy of the written comments and replies to the Planning Committee for its review.

(2) As you know, in spring 2008 MTC conducted a project-level assessment to understand how potential long range plan investments address the Transportation 2035 goals and performance objectives. The benefit/cost of the various programs you asked about are shown below. Note that the benefit-cost ratio can be considered to indicate the cost-effectiveness for reducing delay. Specialized projects that do not directly impact delay, such as the Transportation for Livable Communities, Regional Bicycle Program, and Lifeline Program, have lower benefit-cost ratios than carpool lanes and roadway and transit efficiency projects.

Transportation for Livable Communities: Benefit/Cost between 1 and 4
Lifeline: Benefit/Cost less than 1
Regional Bicycle Network: Benefit/Cost less than 1

See MTC's Performance Assessment Report (December 2009) for more details. You may view it online at:
http://www.mtc.ca.gov/planning/2035_plan/Supplementary/T2035Plan-Perf_AssessmentReport.pdf

Lastly, you may recall that we also included a qualitative assessment of all potential RTP projects, recognizing the limitations of the cost/benefit model and the relatively small number of projects we were able to quantitatively evaluate. The qualitative assessment compared how each of the projects addessed each of the RTP goals.

(3) HOT lanes will continue to be free of charge for carpools and buses. Solo drivers are allowed to use available capacity in the HOV lanes but they must pay a price. Low-income travelers may benefit from the HOT lanes because (a) available net HOT toll revenue often support bus service enhancements; for this reason, HOT lanes are widely supported by travelers at all income levels, and (b) low-income, solo travelers who are willing to pay the toll may use the HOT lane when they need it most to get to their destination without much delay. A study done by Cal Poly San Luis Obispo of the State Route 91 HOT Lanes in Southern California found that the benefits of the HOT lane are enjoyed widely at all income levels, and that HOT lane use was more closely tied to current travel conditions and trip needs than income. HOT lanes really are a form of "congestion insurance" for any traveler willing to pay the toll - whether it is a businessperson late for a meeting or a parent racing to pick up a child at day care. Also, note that as the projects identified as part of the Regional HOT Network move forward into the design and environmental review phases, more detailed analysis will be conducted to assess a full range of issues, including social equity and how much net revenue could become available and how it might be used.

MTC response to B1-A

Draft EIR
The California Environmental Quality Act (CEQA) requires an environmental assessment of the physical impacts of a proposed project, and for population related issues, it requires that the analysis evaluate impacts such as inducing substantial population growth in an area, displacing substantial numbers of

existing housing, and displacing substantial numbers of people. CEQA does not require an environmental assessment of the impacts on low-income groups. However, to address social equity issues, MTC prepares a separate Equity Analysis that evaluates the impacts of implementing the Transportation 2035 Plan on low-income groups. MCAC has been heavily involved in the approach, methodology and analysis for the Equity Analysis Report, which will be available in January/February 2009.

****

Draft Trans. 2035 Plan - SF Bay Area
* Input on item three, 45 minute spent. Where will these responses be reflected?

* Cost vs. benefit Lifeline/bikes, TLC & focus not fully answered, please offer $ difference

* How does HOT lane affect low income transit/car drivers?

B1-A

EIR
* Impact on low income not I.D.

William J. Allen
MCAC
brooksallen1@sbcglobal.net

Ashley Nguyen
Senior Transportation Planner/Analyst
Metropolitan Transportation Commission
101 Eighth Street | Oakland, CA 94607
Tel. 510.817.5809 | Fax 510.817.5848

LETTER B2

From: Ashley Nguyen
To: sherman@csuhayward.us
Date: 1/15/2009 8:30:46 AM
Subject: T2035 Comment (EIR Alternatives, Particulates, Transit Performance)

Hi Sherman:

Thank you for attending the Joint Advisors Workshop on January 7, and providing us your comments on both the Draft Transportation 2035 Plan and the Draft Environmental Impact Report. I am replying to the comments you raised on both draft documents:

Response to B2-A

(1) As you know, CEQA requires EIRs to describe a reasonable range of potentially feasible alternatives to a proposed project or program. EIRs need not analyze these alternatives at the same level of detail that it analyzes the project itself. CEQA Guidelines require only that the EIR provide enough information to allow meaningful evaluation, analysis and comparison. In the Draft EIR, we evaluated the No Project, Heavy Maintenance/Climate Protection Emphasis (HM/CP), HM/CP + Pricing, and HM/CP + Land Use alternatives.

Staff has presented key findings of the Draft EIR, including the alternatives analysis, to the MTC Planning Committee at its December 12 meeting, and the Final EIR will be presented to both the MTC Planning Committee and Commission for review and consideration of the environmental assessment prior to the Commission taking action on the Final Transportation 2035 Plan.

Response to B2-B

(2) Correct. The PM10 and PM2.5 emissions represent total emissions from on-road mobile sources, and not presented as per capita.

Response to B2-C

(3) Chapter 5, Building Momentum for Change, in the Draft Transportation 2035 Plan lays out five issue areas that MTC and the region might focus on to span the distance between where the region will be with the Draft Transportation 2035 Plan and where it needs to be to meet the plan's ambitious performance objectives. The "Transit Performance Initiative" issue area is most pertinent to your comment, and we too look to ways to improve transit efficiency and performance. The advisors had previously provided us with some initial feedback on these issue areas, and as the dialogue continues, we hope you continue to stay engage and give us constructive feedback on adding the "flesh to bones" on these issue areas.

Staff will share your comments with MTC Planning Committee at its February 13 meeting, and your comments will be forwarded to the full Commission. Again, many thanks for your feedback on the Draft Plan and EIR.

****

B2-A HM/CP, pricing and land-use are only described in the DEIR and thus, not in Plan. So - how can HM/CP etc. be adopted? MTC could adopt the mitigation into the Plan but - then the HM/CP etc. itself has not been evaluated for its impact (except for impact on Project impacts), nor is the HM/CP etc. as fully described as it would if it were part of the Plan.

B2-B Slide 8 on PM10 & PM2.5: seems aggregate data, not per capita - results could be interesting.

B2-C Need more effort to reduce empty buses - either cut service or increase riders - both highways and transit can be boondogles.

Sherman Lewis
Advisory Council
sherman@csuhayward.us

Ashley Nguyen
Senior Transportation Planner/Analyst

Metropolitan Transportation Commission
101 Eighth Street | Oakland, CA 94607
Tel. 510.817.5809 | Fax 510.817.5848

LETTER B3

From: Ashley Nguyen
To: Sherman
Date: 1/20/2009 12:51:36 PM
Subject: Re: T2035 Comment (EIR Alternatives, Particulates, Transit

Hi Sherman:

I appreciate your kind words - thank you!

You are correct in that the EIR analysis did not evaluate an alternative that shows the combined effects of pricing and land use. I agree with you that there are synergistic effects with the combo. However, staff had previously evaluated the pricing, land use, and combined pricing and land use effects as part of the vision scenario analysis (what we referred to as the "what if" analysis in the Draft T2035 Plan), and we shared the results of these analyses at the October 2007 Bay Area on the Move forum. This analysis is also well-documented in the Performance Assessment Report. For the EIR analysis,we felt that repeating the combo pricing and land use analysis would not result in materially new information and findings than what we shared in the previous analysis, and therefore would not provide new information for consideration by the Commission. The analysis of the HM/CP + Pricing and HM/CP + Land Use makes a pretty strong case on the value and effects of pricing and land use, and as we concluded in the previous analysis, the combo of pricing and land use would have a much bigger effect overall.

Thanks again for your feedback on the Draft Transportation 2035 Plan and Draft EIR!

Ashley Nguyen
Senior Transportation Planner/Analyst
Metropolitan Transportation Commission
101 Eighth Street | Oakland, CA 94607
Tel. 510.817.5809 | Fax 510.817.5848

>>> Sherman <sherman@csuhayward.us> 1/18/2009 11:42:56 AM >>>
Thanks for your comments. I appreciate your relentlessly positive and professional attitude in the face of blizzards of complaints, not something I could do.
See below for one query.

Ashley Nguyen wrote:
> In the Draft EIR, we evaluated the No Project, Heavy Maintenance/Climate Protection Emphasis (HM/CP), HM/CP + Pricing, and HM/CP + Land Use alternatives.
It appeared to me at the time, and based on the above, that you did not do the heavy duty all in one, HM/CP + Pricing + Land Use.

B3-A

Since Pricing and Land Use combined properly (properly = the way I would do it) have synergistic results (the pricing providing the incentive to reduce GHG and the land use providing an efficient alternative), I would like to see an alternative combining them. What do you think?

--
Sherman Lewis, Professor Emeritus, Political Science
California State University, Hayward
2787 Hillcrest Ave., Hayward CA 94542
510-538-3692 sherman@csuhayward.us
www.quarryvillage.org; //class.csueastbay.edu/politicalscience/Sherman_Lewis.php

LETTER B4

Bay Area Bicycle Coalition
of the San Francisco Bay Area

P.O. Box 2214, Novato, CA 94948
510.250.0909
Fax 510.250.0906
www.bayareabikes.org

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Sabrina Merlo

STAFF
Andrew Casteel
Executive Director

January 20, 2009

Ashley Nguyen
Senior Transportation Planner/Analyst
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

Re: BABC Comments on the Draft EIR for the Transportation 2035 Plan

Dear Ms. Nguyen:

The Bay Area Bicycle Coalition (BABC), the umbrella organization of bicycle advocacy groups in the nine-county San Francisco Bay Area, is writing to comment on the December 2008 Draft Environmental Impact Report for the Transportation 2035 Plan for the San Francisco Bay Area.

B4-A

Many of MTCs projections in the Draft EIR and other forecasting documents would benefit from improved bicycle and pedestrian counts. For example, the BABC does not agree with the Draft EIR comparison between the project and no project projections for daily bike trips in 2035 (Table 2.1-9 in Draft EIR). The chart shows a decrease of 1,000 bike trips if the project is built; however, local and national statistics show bike use on the rise as well as a direct correlation between improved facilities and increased bicycle usage. Numerous studies, including the Portland Oregon Office of Transportation's 2007 Bicycle Count Report, demonstrate that increased bikeway miles translate to increased bicycle mode share. MTC's own projections in it's 2004 memo on Route Analysis by Population show that when complete, the Regional Bike Network will be within a half-mile reach of 71% of the Bay Area population. But this EIR projects that when complete, this 2000+ mile network will result in 1,000 fewer bike trips than if it had not been complete?

We ask MTC to revisit these bicycle calculations for the publication of the Final EIR.

A comprehensive system for bicycle and pedestrian counts would improve the accuracy of MTC's transportation demand modeling and thus help MTC more accurately determine the value of investments in bicycle and pedestrian infrastructure. The Bay Area Travel Survey, for example, has not been conducted since 2000. We encourage MTC to develop a consistent and thorough system and set regional standards for counting bicyclists and pedestrians, and to include bicycle and pedestrian mode share as part of any transportation surveys you are conducting. We are happy to see that MTC has formed a bike and pedestrian counts subcommittee and look forward to working together with MTC on this committee to bring MTC's counting practices in line with the developing national standards for bike and pedestrian counts.

Sincerely

Andrew Casteel

Andrew Casteel
Executive Director
Bay Area Bicycle Coalition

Bay Area Bicycle Coalition
of the San Francisco Bay Area

Signatures of local county bicycle coalitions who support the BABC's comments on the Draft Environmental Impact Report:

Robert Raburn
Executive Director
East Bay Bicycle Coalition

Deb Hubsmith
Advocacy Director
Marin County Bicycle Coalition

Wendy Hilberman
Executive Director
Napa County Bicycle Coalition

Andy Thornley
Program Director
San Francisco Bicycle Coalition

Christine Culver
Executive Director
Sonoma County Bicycle Coalition

Corinne Winter
Executive Director
Silicon Valley Bicycle Coalition

Letter B5

From: "Michael Cluster" <mjcluster@earthlink.net>
To: anguye@mtc.ca.gov; mjcluster@earthlink.net
Date: 1/27/2009 5:47:52 PM
Subject: comments for DEIR of RTP

Dear Ashley Nguyen,

Here are my comments

B5-A 1) I am pleased to see a commitment to encouraging non-driving travel alternatives

B5-B 2) The DEIR should include a discussion of induced growth from highway widening in its land use impacts.

B5-C 3) The definition of "regional transit networks"(page 2.1-9) does not appear to include paratransit.

B5-D 4) Why does the DEIR measure reduced VMT in aggregate rather than per capita VMT?

B5-E 5) There should be a measurement similar to Table 2.1-13 to assess the impacts of the Transit Priority Project
to assess the impacts of the investments on the hours of transit passenger delay..

B5-F 6) The limitations of the current travel demand forecasting model should be acknowledged on page 2.1-7 and
the commitment to a new model for 2013 which addresses access and mobility needs of seniors, youth, people
who work non-traditonal hours.

B5-G 7) The definition of the No Project Alternative should be refined to reflect a scenario in which none of the investments
in the RTP are actually built.

Thank you for reviewing my comments

Sincerely
Mike Cluster

Michael Cluster
mjcluster@earthlink.net
EarthLink Revolves Around You.

1/27/2009

Letter B6

MS. ASHLEY NGUYEN
SR. TRANS. PLANNER/ANALYST (EIR PROJ. MGR.)
MTC
101 8TH ST.
OAKLAND, CA. 94607

& COMMENTS
REF: MY COMMENTS
FOR THIS PROJ.

DEAR MS. NGUYEN:

B6-A

(1) ON PG 1.3-3 ON THE DIST PG: FIG. 1.2-1 FOR THE REGIONAL SETTING THE HAYWARD/SAN MATEO BR. (STATE RT. 92) IS NOT LABELED! ALL OTHER BRIDGES ARE, IS THERE A REASON FOR THIS OVERSIGHT? - LOOK HOW MY OTHER PEOPLE & OTHER REVIEWERS OVER LOOKED THIS?!!!

(1A) SAME PG WHAT DOES CIRCLE REF MEAN ON THIS PG & MAP? - MISSING PG. NO PG.

(1B)

B6-B

(2) ON PG 2.2-10 (FIG. 2.2-1 BAQM) SAME COMMENT AS ON ITEM (1) BOUNDARIES

B6-C

(3) ON PART FOUR, IN THE BIOGRAPHY SECT & BIO-PG 7 AT THE TOP & THE PG YOU STATE THE U.S. CORPS & ENGINEERS WATER WAYS EXPERIMENT STA, ON VICKSBURG, MD, IT IS ON VICKSBURG, MS. MISSISSIPPI

VR
CHARLIE CAMPBELL
CHARLIE CAMPBELL
P.O. BOX 55
HAYWARD, CA.
94543

Letter B7

Date: January 28, 2008

To: MTC Commissioners

Re: Draft EIR for the Transportation 2035 Plan

B7-A

1. The last sentence on page 2 of Section 2.5 (Climate Change and Greenhouse Gases) in "Part Two: Settings, Impacts, and Mitigation Measures" of the T-2035 DEIR creates the impression that there is a dispute among scientists about climate change.

The sentence begins:

> **"However, many scientists believe that emissions from human activities ... have elevated the concentrations of GHGs in the atmosphere beyond naturally-occurring concentrations, contribution to the larger process of global climate change."**

The use of the word "many" in this sentence conflicts with the sentence in the second paragraph on page 1 of Section 2.5 which states:

> **"While scientists are certain that human activities are changing the composition of the atmosphere and that increasing concentrations of greenhouse gases ... will change the planet's climate ..."**

It creates a misleading impression of the findings of the UNIPCC and suggests that this is a disputed fact.

B7-B

2. In the first paragraph on Page 15 of Section 2.5, under "Significance Criterion," of the T-2035 DEIR, it is stated that

> "...implementation of the Transportation T-2035 Plan would have a potentially significant adverse impact if plan projects would:
>
> > Criterion 1: Result in an increase in CO_2 emissions from on-road mobile sources compared to existing (2006) conditions.
>
> For this program EIR, MTC has selected this criterion as the most responsible and comprehensive approach to this GHG gas impact analysis since it addresses the cumulative impact of implementing all transportation projects in the Plan ..."

http://www.mtc.ca.gov/planning/2035_plan/EIR/draft/2_05_CCGHG_DEIR.pdf

How can this criterion be called "the most responsible and comprehensive approach..." inasmuch as (1) it will not result in the reductions in GHG emissions called for in AB32 and and (2) that failure to reduce these emissions most likely will result in the dire consequences predicted by the UNIPCC?

To avoid potentially significant adverse impacts pointed out by the IPCC, the criterion should be that the Plan results in a decrease in CO_2 emissions from Bay Area transportation by 2035 compared to existing (2006) conditions in such a way as to meet the targets set in AB32.

Len Conly
Friends of BRT
lconly@lmi.net
www.friendsofbrt.org

Letter B8

From: "Charles Kroupa" <kroupa@comcast.net>
To: anguye@mtc.ca.gov
Date: 1/29/2009 4:26:59 PM
Subject: 2035 Draft Plan DEIR

B8-A

MTC is rightfully concerned with safety on our roads. Napa County seems to have a unique distinction of having an inordinate number of collisions, mostly head-on, caused by drunk drivers. While there seems to be an abundance of resident alcoholics; it's generally acknowledged winery tasting rooms contribute substantially to the problem. There's a simple remedy, which is common protocol among professional wine tasters: Use a spit bucket. This is far from the usual item in a grand plan or EIR, but if it were required of the tasting rooms, it would reduce the danger on our roads considerably. It would increase safety not only for motorists, but also bicyclists, many of whom are reluctant to ride on a shoulder.

Thanks for your consideration.

Charles Kroupa, Yountville

Letter B9

From: "Carli Paine" <carli@TransFormCA.org>
To: "'Ashley Nguyen'" <ANguyen@mtc.ca.gov>
Date: 1/29/2009 4:26 PM
Subject: TransForm DEIR RTP Comment Letter
Attachments: TransForm_Comments_DEIR_RTP.pdf

Hi Ashley--
Please find TransForm's comments on the RTP DEIR attached. I'll be submitting a separate letter on the Draft RTP itself.
Thanks,
Carli

We've changed our name! Learn more and check out our new website at www.TransFormCA.org.

Carli Paine, Transportation Program Director

TransForm

(Formerly TALC, the Transportation and Land Use Coalition)

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The following is a synthesized and edited compilation of comments from TransForm advocates and member organizations on MTC's Draft Environmental Impact Report for the 2009 RTP. Advocates and organizations should feel free to use these as the basis for written and verbal comments on the DEIR.

Written comments are due to MTC by ***4 p.m. on Monday, February 2, 2009****, at 101 Eighth Street, Oakland, CA 94607, Attn: Ashley Nguyen, Planning Section; faxed to MTC, Attn: Ashley Nguyen, at 510.817.5848; or sent via E-mail to anguyen@mtc.ca.gov.*

There are two opportunities to comment on the RTP DEIR through verbal comments:

Tuesday, January 27, 2009
Public Hearing/Workshop: San Francisco
7 p.m. to 9 p.m.
San Francisco State Downtown Campus
Room 609
835 Market Street, San Francisco

Wednesday, January 28, 2009
Public Hearing: Oakland
10:05 a.m.
MTC Commission Meeting
Joseph P. Bort MetroCenter
Lawrence D. Dahms Auditorium
101 Eighth Street, Oakland
(at the Lake Merritt BART station)

Problematic Definition of No Project Alternative

B9-A

- The structure of the DEIR fails to identify the environmental impacts of the entire RTP. That is because the "committed projects," and in particular the $28 billion in committed transit and roadway expansion projects, are included in the No Project Alternative. This prevents evaluation of the impacts of the entire plan against an appropriate baseline of existing environmental conditions. CEQA doesn't allow treating the previous RTP as the No Project Alternative. If projects are not yet built or under contract, they cannot be considered as part of the baseline, even if they are funded.

Alternative Scenarios

B9-B

- We appreciate that MTC evaluated a scenario that pursued two of TransForm's top priorities, maintenance and climate protection. However, it would have also been ideal to have an alternative that tried to maximize greenhouse gas emission reductions. This is especially true relevant given the inclusion in the draft RTP of many projects (highway widenings in particular) that have been identified as clearly increasing GHGs.
- Given that MTC's initial modeling found that land use and pricing were the most powerful drivers of change to meet the region's adopted targets for VMT reduction and GHG emissions reductions, it would have been useful to study:
    - Project + pricing
    - Project + land-use
    - Project + both pricing and land use
    - Heavy Maintenance/Climate Protection + both pricing and land use.

- It would be useful for the Land Use and Housing chapter to discuss the alternative density development scenarios analyzed in the DEIR. Additionally, it would be useful for MTC to include in its discussion of the selected development approach an evaluation of the relative costs and benefits associated with the selected approach as opposed to a more focused and denser land use scenario.

B9-C

Induced Demand & Other Modeling Limitations

- There is no discussion of induced demand in the Transportation chapter of the DEIR. Given the evidence that expansion of roadway capacity (including systems managements/operational changes and physical expansions) leads to higher overall VMT, there should be some discussion and evaluation of induced demand.
- Missing entirely in the DEIR is a discussion of induced growth, which is of direct relevance to the evaluation of transportation impacts on land use and community disruption. Growth that may be induced by highway and roadway widening should be included in the EIR's evaluation of land use impacts. The CTC's recently adopted RTP guidelines direct regions to examine both induced growth and induced demand from new capacity construction.
    - Specifically, we would like to see language added to the "Indirect/Cumulative Impacts" paragraph on page 2.3-27 to expand the list of potential indirect effects to include the impact t of inducing development on farmland beyond the Bay Area.

B9-D

- Page 2.1-7 discusses MTC's travel demand forecasting model. The discussion, however, does not mention the model's limitations that are relevant to any evaluation of the RTP investment package. MTC staff has acknowledged that their travel demand forecasting model poorly reflects travel behavior changes from land use improvements or bicycle or pedestrian amenities. Furthermore, the model does not adequately reflect any behavior changes associated with programs such as Safe Routes to School or other educational/incentive programs. MTC has also indicated that they will be converting to an activity-based model for the next RTP, which should better capture the travel behavior changes from land use, bicycle, and pedestrian investments. This section should mention the model's shortcomings, explain the impacts of these on reported mode shares, and discuss MTC's intentions to acquire a new travel model for use in the 2013 RTP update. This new model should address access and mobility needs everyone, including people who work non-traditional hours and school-age, unemployed, and retired people.

Measurement & Definition Flaws

B9-E

- MTC's goal for the 2009 RTP is to decrease per capita VMT, but the DEIR uses data that expresses aggregate VMT at LOS F, rather than per capita VMT at LOS F. There is no explanation as to why this is the appropriate metric.

B9-F

- The Draft EIR and other forecasting documents would benefit from improved bicycle and pedestrian counts. MTC's Project alternative makes a strong, welcome commitment to completing the regional bicycle network at a significant cost. Yet the Draft EIR's comparison between the Project and No Project projections for daily

bike trips in 2035 (Table 2.1-9) shows a decrease of 1,000 bike trips in the Project alternative. However, local and national statistics show bike use on the rise as well as a direct correlation between improved facilities and increased bicycle usage. Numerous studies, including the Portland Oregon Office of Transportation's 2007 Bicycle Count Report, demonstrate that increased bikeway miles translate to increased bicycle mode share. MTC's own projections in it's 2004 memo on Route Analysis by Population show that when complete, the Regional Bike Network will be within a half-mile reach of 71% of the Bay Area population, so it is unclear why the DEIR would find that the Project alternative, which includes building out the Regional Bicycle Network, will lead to a decrease total bike trips of any amount.

B9-G

- Table 2.1-11 and Table 2.1-5 have values that disagree, without sufficient explanation for the disparity. Table 2.1-11 reports that 2006 travel time for work trips was 22.7 minutes. Table 2.1-5 finds that the Bay Area average travel time to work in 2007 was 27.4 minutes. This is a fairly large disparity, and one that far exceeds the differences shown on page 141. These tables may rely on different data sets, e.g. only showing morning commute to work, versus all work-based travel. The disparity does not allow clear evaluation of projected impacts of the alternatives along this metric.

B9-H

- One of MTC's implicit goals for the 2009 RTP update has been to expand transit service and to increase transit's mode share in the Bay Area. For instance, MTC has elected to spend $50 million on a Transit Priority Project to improve transit reliability and reduce delays as part of the RTP investments. While Daily Vehicle Hours of Delay is an accepted focus of DEIR measurement, as reflected in Table 2.1-13, , there is no similar measurement to assess the impact of the investments on hours of transit passenger delay. We request that the Final EIR, and future RTP analyses, include this measurement.

B9-I

- The criteria for transportation impacts and air quality are defined as a "substantial" change, without any associated values; but energy criterion #1 is explicitly defined as "greater than 5% increase in the total consumption." We request a clarification of what "substantial" means for transportation and air quality impacts.

B9-J

- Page 2.1-9 defines "The regional highway network includes all freeways, freeway ramps, expressways, and major arterials in the network representation; and the regional transit networks include all fixed route, inter-zonal transit service, whether by public or private operator." Where does paratransit fit in? Given our region's aging population and the likely increase in reliance on paratransit over the course of the 2035, as well as the legal requirements that link paratransit service with transit service areas, the omission of paratransit is problematic.

Mitigations

B9-K

- Mitigation measure 2.1(a) calls for the Bay Area's regional agencies to leverage existing TLC funds and pursue additional funds to provide financial benefits to local governments that have designated Priority Development Areas (PDAs). To better support the PDAs, this mitigation should include additional funding sources such as the RTP's new Safe Routes to Transit funding ($10 million/year for five years) and the $7 billion in Local Streets and Roads funds as target sources of funding. Given the limited funding for local streets and roads and the regional interest in focusing growth in Priority Development Areas, it makes sense for most or all of the discretionary Local Streets and Roads funding to be spent in PDAs.

B9-L

- Mitigation 2.1(b) calls on MTC and the Bay Area's other regional agencies, local governments, and employers to promote innovative parking strategies. This mitigation measure could be stronger if it included parking cash-out/opt-out, which presents one of the most significant opportunities to leverage investments and MTC's leadership. And, as TransForm has suggested previously, MTC should fund pilot parking programs and assist local governments in revising parking policies as part of the expanded TLC program—doing so would greatly contribute to this mitigation measure.

B9-M

- The discussion of Cumulative Impact 2.1-2, relating to vehicle miles traveled at LOS F, mentions MTC's commitment to working with other agencies on "faster delivery" of the freeway performance initiative to reduce delay on freeways and improve traffic operations on parallel arterials. This commitment ought to include "*without negatively impacting safety and convenience of non-motorized modes on parallel arterials.*"

Land Use & Preparing for SB 375

B9-N

- While SB 375 does not affect this RTP, it behooves MTC to do as much as possible within this RTP to prepare the region for the next RTP update, which will have to conform to SB 375.

B9-O

- SB 375 is discussed in the Climate Change and Greenhouse Gas Emissions chapter of the DEIR, however it should also be discussed in the Land Use and Housing chapter since, at its core, SB 375 aims to coordinate transportation, housing and land use planning in California. Page 2.3-4 cites a 1977 study by Pushkarev and Zupan that establishes a relationship between density and mode of travel. *Growing Cooler: The Evidence on Urban Development and Climate Change*, published in 2007 finds that compact development reduces driving from 20 to 40 percent, and more in certain cases. MTC should be relying on the latest research findings. Cervero's 2008 study on TOD entitled "Effects of TOD on Housing, Parking, and Travel" found that "TOD commuters typically use transit 2 to 5 times more than other commuters in the region." It also shows that TOD housing generates only 3.55 trips per unit, as compared to the ITE Trip Manual, which uses a figure of 6.67 trips per unit. Furthermore, the background discussion of land use and housing should include illustrative information such as average household VMT for densely developed parts of the Bay Area, such as San Francisco with average household VMT for less densely developed parts, to show the range within our region for different land use types.

B9-P

- SB 375 calls for regions to achieve a jobs-housing balance and to "identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the regional transportation plan, taking into account net migration into the region, population growth, household formation, and employment growth." The recent draft Joint Policy Committee memo indicates that regional agencies will work together to accomplish the goals of SB 375. At the minimum, the EIR should indicate that MTC will initiate a process to work with counties and local governments immediately so that these goals will be achievable in time for the 2013 RTP update.

Air Quality

B9-Q

- To more clearly evaluate the air quality impacts of the RTP investments, MTC should distinguish between changes that result from implementation of the RTP investments and changes that result from improved vehicle efficiency and cleaner fuels.

B9-R

- MTC should reflect the new $PM_{2.5}$ standard of 35 ug/m3 adopted by US EPA in 2006.

Letter B10

From: "John" <jblayney@vom.com>
To: "Ashley Nguyen" <anguyen@mtc.ca.gov>
Date: 1/31/2009 6:34 PM
Subject: Cjhange in Motion 20EIR omission of rail transit energy efficiency (corrected version)

Ashley Nguyen

B10-A The EIR for the 2030 Bay Area Regional Transportation 2030 Plan included information that allows the reader to understand that the average transit person trip in the Bay Area requires 6.9 times the energy required for a car trip. The difference was projected to reach 9.7 times by 2035. This is important information that was not included in the 2035 EIR for Change in Motion. It is important that this information be added to the EIR to enable informed decisions during a period when car energy efficiency is likely to be significant.

Please let me know that this information will be added to the EIR.

John Blayney FAICP 707 938 0651

Letter B11

Transportation Solutions Defense and Education Fund

P.O. Box 151439 San Rafael, CA 94915 415-460-5260

January 31, 2009
By Hand Delivery &
E-Mail

Steve Heminger, Executive Director
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

Re: 2009 RTP DEIR Comments

Dear Mr. Heminger:

The Transportation Solutions Defense and Education Fund, TRANSDEF, is an environmental non-profit dedicated to improving the regional planning of transportation, land use and air quality in the San Francisco Bay Area. We have noticed many attractive innovations in the 2009 Draft Regional Transportation Plan (Plan). However, we find the Draft Environmental Impact Report (DEIR) to be legally inadequate, due to the serious shortcomings we outline below. These shortfalls, for the most part, are the direct result of policy decisions by the Commission, and should not be attributed to the document preparation team, who undertook a monumental task and did it well.

Before getting to those shortcomings, we want to start by acknowledging that this is the first EIR in which MTC has voluntarily elected to study lower-impact alternatives to the Proposed Project. We are pleased to see this development.

Failure to Respond to the Attorney General's Scoping Comments

In October 1, 2008, comments to MTC, the Attorney General noted that many of the 2009 RTP's $223 billion in unbuilt transportation projects "will provide additional road capacity and accommodate more vehicles," therefore "contribut[ing] cumulatively to the Bay Area's existing GHG load." (Oct. 1 letter at 4.) Of the $191 billion[1] in "projects that were authorized in the last [2005] Transportation Plan, which MTC refers to as 'committed' projects," the Attorney General focused on the $29 billion in projects which would *expand* rather than simply *maintain* the existing transportation system. (Id at 5.)

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[1] The DEIR updates the $223 billion and $191 billion figures to $226 billion and $194 billion, respectively. (DEIR at ES-4, ES-5.)

The Attorney General urged MTC to rectify a key omission– namely, the "inclusion [of this $29 billion subset of "committed" projects] in the new Transportation Plan without renewed evaluation of the relative need for, benefits of, or impacts of these projects vis-à-vis others, and regardless of how well they meet MTC's identified goals and performance objectives." (Id.) It explained that CEQA "requires consideration of an alternative that, where feasible, eliminates from the Proposed Transportation Plan so-called 'committed' projects that would contribute to adverse cumulative impacts on climate." (Id.)

The Attorney General also noted that the "DEIR should discuss whether the Proposed Transportation Plan *maximizes* the use of available funds for public transit . . . and other measures that reduce VMT and/or GHG emissions." (Id. at 4.)

In four key respects, the DEIR fails to respond adequately to the Attorney General's comments. Specifically, (A) it fails to analyze the impacts of the new RTP as compared to 2035 environmental conditions, (B) it inadequately analyzes the "committed" projects, (C) it fails to include an alternative that maximizes the reduction in GHG emissions, and (D) its use of the term "feasibility" is inconsistent with CEQA.

B11-A

A. The DEIR does not analyze potential impacts against a proper No Project Alternative, because it improperly includes planned-but-not-constructed projects carried over from the 2005 RTP in the No Project Alternative.

The Attorney General commented to MTC that CEQA requires an evaluation of the potential impacts of the "entire project, which in this case we believe represents the entire $223 billion of authorized expenditures – not just the $31.6 billion for projects MTC identifies as 'discretionary,' but also the $191 billion for projects identified as 'committed,' projects included in the prior Transportation Plan but not yet constructed." (Letter to MTC, Oct. 1, 2008, at 5.) The "entire project" must be compared to a "No Project" alternative that represents 2035 conditions without the expansion projects contained in the RTP. CEQA requires an analysis of the potential impacts of the entire project – the proposed RTP – as compared to the 2035 physical conditions in the environment.

MTC's DEIR has not complied with this fundamental requirement of CEQA. It treats "committed" but unbuilt projects as part of the No Project Alternative, a key part of CEQA analysis. (DEIR at ES-5.) Instead of comparing the new Plan with existing conditions, it improperly compares the new Plan with the old Plan. As a result, the DEIR fails to properly examine project impacts.

CEQA Guidelines Section 15126.6(e)(3)(B) clearly distinguishes [conventional physical] projects from land use plans and regulatory plans. It is clear that an RTP is a collection of conventional projects, and bears no resemblance to a land use plan. An RTP's No Project Alternative should be seen as a no build alternative, viewed at an analysis point decades hence:

> If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the "no project" alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. ... In certain instances, the no project alternative means "no build" wherein the existing environmental setting is maintained. However, where failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project's non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment. (Section 15126.6(e)(3)(B))

On the basis of this Guideline, the inclusion of committed expansion projects in the No Project Alternative is improper.

B11-B

B. MTC's analysis of the "committed" projects is not adequate under CEQA.

The Attorney General expressly objected to the inclusion of the "committed" expansion projects "without renewed evaluation of the relative need for, benefits of, or impacts of these projects vis-à-vis others, and regardless of how well they meet MTC's identified goals and performance objectives." (Oct. 1 letter at 5.) In particular, the Attorney General noted that:

> MTC staff's analysis indicates that many of the 'committed' expansion projects support only one, in some cases *none*, of the identified performance goals. If low-performing 'committed' projects were eliminated where feasible to do so, funding would be available to cover transit shortfalls, particularly for BART, Muni, and AC Transit, which together carry 80% of the transit riders in the Bay Area."

(Oct. 1 letter at 6, emphasis in original.)

Asked about this at trial in *Darensburg v. MTC*, deputy director Therese McMillan testified that the DEIR would include a "full evaluation" of all the projects, committed as well as discretionary. Tr. of Oct. 21, 2008 at 1272:25-1273:6 (the Attorney General's letter "says CEQA requires evaluation in the EIR of climate change impacts of both committed and discretionary [projects], which we will be doing as we are doing an evaluation on the entire plan in the EIR where we're looking at climate change for the whole plan. So their statement about CEQA requiring the evaluation is, in fact, true, and we will be doing a full evaluation on all the projects.")

That "full evaluation" of "committed" projects, however, was not conducted.

As discussed in Part A, above, the committed projects carried over from the last RTP were included in the No Project Alternative, contrary to CEQA. The DEIR does not analyze whether the committed projects will increase or reduce 2035 levels of carbon emissions (among other impacts), because MTC did not evaluate these projects against a valid No Project Alternative.

Additionally, the DEIR does not respond at all to the Attorney General's concern that "many of the 'committed' expansion projects support only one, in some cases *none*, of the identified performance goals." (Id. at 6.) Outside of the CEQA process, MTC conducted a cursory analysis of how many RTP goals each committed project met. Despite its conclusion that some of these projects met *none* of those goals, this analysis did not result in any changes to the list of committed projects in the Draft RTP or in the DEIR's analysis.

B11-C

C. The DEIR does not include an alternative that maximizes the reduction in GHG emissions.

The Attorney General asked MTC to evaluate "at least one alternative . . . designed to maximize the reduction of greenhouse gas emissions." (DEIR at 3.1-5.) MTC has decided to not do so. "MTC considered the suggestion to shift the $29 billion in committed funds for transit and roadway expansion included in the proposed Project for other uses, but did not carry this alternative forward for full EIR analysis because of the infeasibility of reallocating (or shifting) such funds." (DEIR at 3.1-6.) (As discussed in Part D, below, this assertion of "infeasibility" is incorrect.)

As the Attorney General noted, "MTC's own research shows that achieving reductions in GHG emissions consistent with AB 32 will be extremely difficult: this highlights the need for careful and complete evaluation of impacts on VMT and GHG emissions of *all* expenditures for road and transit expansion in the Draft RTP." (Oct. 1 letter at 5-6, emphasis in original.) The TRANSDEF Smart Growth Alternative in the EIR for Transportation 2030 (2005) eliminated all the committed projects (except for those that claimed to be for safety), and substituted a list of cost-effective rapid bus and commuter rail projects, in addition to High-Speed Rail. It performed quite well in regard to accessibility, air quality and other environmental impacts, and was especially beneficial to low-income communities.

The 2009 RTP DEIR's Environmentally Superior Alternative, known as the Heavy Maintenance/Climate Protection Emphasis Alternative with Road Pricing, includes no new expansion projects. It does, however, include the committed expansion projects from the last RTP that are concealed in the No Project Alternative. (DEIR at ES-5.) If these committed projects were excluded from this alternative, and replaced with cost-effective transit projects similar to those of the TRANSDEF Smart Growth Alternative, this alternative would function even better.

But MTC refused to study this, claiming that nothing new would be learned. "MTC found that re-evaluating the proposed TRANSDEF alternative would not produce markedly different results compared to the prior Transportation 2030 EIR and Transportation 2035 vision scenario analyses, and therefore would not provide the Commission with new or meaningful information for use in its decision-making." (DEIR at 3-1.4.) This is not a valid reason to reject a proposed CEQA alternative. Where MTC acknowledges that some of the committed projects have the adverse impacts of increasing VMT and GHGs, CEQA requires the EIR to contain mitigation measures or alternatives that avoid the impacts.

B11-D

D. The DEIR incorrectly invokes "infeasibility" in its claim that committed funds cannot be moved to other projects.

The DEIR improperly relies on "infeasibility" as the justification for its failure to analyze an alternative that shifts "committed" projects, while at the same time blurring the line between environmental review and decisions based on the merits of a project.

First, it states that it "was not feasible to shift the funds away from these projects because the projects are meritorious in providing mobility of goods, services and people and because of long-standing local and regional commitments to delivering these projects." (DEIR at 3.1-6.) This conclusion highlights how MTC sees its central function as being a programming agency and not as a planning organization. The invocation of "infeasibility" both rests on an incorrect premise and misses the point.

It is incorrect because most of these funding sources are highly flexible, or can be swapped with other sources that are flexible.

It misses the point because the relevant CEQA inquiry is not whether it is possible to shift the funds to another project, but whether the project should be built at all. To the extent that "committed" projects rely on federal or state funding, they cannot be built unless MTC includes them in the RTP. *See, e.g.*, 49 U.S.C. §5309(c)(1)(A) (US DOT "may not approve a grant for a project under this section unless the Secretary determines that— (A) the project is part of an approved transportation plan"); Gov't Code § 65089.2(b) ("If [MTC] finds the program [of county projects] is inconsistent [with the RTP], it may exclude any project in the congestion management program from inclusion in the regional transportation improvement program."). This is true whether or not it is legally possible to shift the funds for those projects to other uses.

This improper claim of infeasibility amounts to an evasion of the alternatives analysis that CEQA requires. MTC has improperly imposed its values on the acceptability of alternatives prior to conducting the alternatives analysis. The proper time for decisionmakers to choose between alternatives is at the merits stage, after all analysis has been completed. Instead of using an analysis valid under CEQA to justify its refusal to study the shifting of funds away from committed projects, the DEIR simply makes statements about the merits of the overall Project, and concludes that it is impractical to

reconsider its "committed" projects, thereby impermissibly narrowing the range of alternatives studied.

Further compounding the problem, the DEIR states:

> MTC evaluated the committed transit and road expansion projects that make up the $29 billion, and found that (1) most of the projects are in the advanced states of project development . . . ; (2) most projects are funded by local, regional, state, or federal funds that MTC has no discretion to redirect; and (3) *most projects meet one or more of the plan's goals.*

(DEIR at 3.1-6, emphasis added.) MTC's third bullet ("most projects meet one or more of the plan's goals") concedes that some of the committed projects fail to meet even one of the Plan's goals. The Attorney General 's letter already expressed concern about this fact. ("MTC staff's analysis indicates that many of the 'committed' expansion projects support only one, in some cases *none*, of the identified performance goals." Oct. 1 letter at 6.) A decision to commit hundreds of millions or billions of dollars to projects that do not serve the plan, while plan goals are left unmet, must receive heightened scrutiny during environmental review.

B11-E **Improper Analysis of GHG-Increasing Projects**

The Plan's cumulative impacts analysis makes it clear that the combination of the Plan and 2035 conditions increases GHGs by 27% above current levels. (p. 2.5-18). The only reason the Plan shows a reduction in GHGs is because of the vast reductions resulting from the implementation of the Pavley bill. Because of the corruption of the definition of the No Project Alternative (described above), it is not possible to conclude that the Project results in a 2% reduction in GHGs below 2035 conditions. (Id.) TRANSDEF believes that a proper No Project Alternative would have lower GHG emissions than the Project, because VMT would be lower.

Prior to climate change becoming such a significant driver of environmental analysis, it was unremarkable that a Plan is composed of many different projects. However, once it is recognized that GHG emissions need to be urgently reduced, the standard procedure of aggregating all projects within a Program-level EIR to evaluate their overall impacts is no longer adequate. This procedure of aggregation prevents an analysis of the Plan's potential for GHG emissions reductions and also blocks the design of appropriate mitigations.

To enable an analysis of the maximum feasible GHG emissions reductions, the list of projects in the Plan can, and must, be divided into two parts: projects that reduce greenhouse gases (GHGs) or are neutral, and projects that increase GHGs by encouraging an increase in VMT. Note: this is not the evaluation of the individual impacts of the projects included in the scope of a Program EIR.

This is the evaluation of the environmental impacts of two disparate classes of projects. One class of projects, principally the highway capacity expansion projects, will result in

an increase in GHG emissions. As such, those impacts need to either be mitigated, or the projects be eliminated from the Plan. By studying alternatives that do not include the emissions-increasing projects, the EIR offers the possibility of a Plan with greatly reduced GHG emissions.

B11-F **The Regional HOT Network Requires Its Own Alternatives Analysis**

Because the Regional HOT Network is distinguishable from the previous collections of highway projects that have characterized past Plans, it is subject to its own environmental review under CEQA, a review that is not satisfied by a Program EIR. The introduction of the Regional HOT Network in this Plan represents a major turning point in the region's future, determining whether the region continues to focus its efforts and resources on supporting the single occupant vehicle, or whether that focus turns to transit. Because of this, the Regional HOT Network needs its own alternatives analysis. This is another reason why the refusal to study a maximum emissions reduction alternative makes the DEIR legally inadequate.

A thorough alternatives analysis will enable MTC to determine whether the Regional HOT Network will help or hinder the region in reducing GHGs enough to meet the State's goal of an 80% reduction in GHGs by 2050. TRANSDEF strongly suspects that the answer is no, and that only a strong program of cost-effective transit powered by renewable electricity can accomplish that. By not evaluating the impact of the HOT Network on this future goal, the DEIR commits billions of dollars to a possible policy dead-end that will not become apparent until it is too late. The fact that the Plan period ends before the year 2050 does not excuse the DEIR from planning in response to valid state-adopted criteria.

B11-G **Thresholds of Significance**

We are pleased about the threshold selected for significant impacts in the area of climate change: "Result in an increase in CO2 emissions from on-road mobile sources compared to existing (2006) conditions." (p. 2.5-15) Because of the 37% increase in VMT predicted in the DEIR, holding GHGs at current levels would be quite an accomplishment. The DEIR (p. 3.1-29) predicts that due to Pavley I and II, GHG levels will decrease 15.6% below 2006 levels.

On the other hand, the selection of the threshold for a significant impact in the transportation area, "A substantial increase in per capita VMT compared to existing conditions" (p. 2.1-7) is inconsistent with the threshold for GHGs, inconsistent with existing environmental conditions (which are already far too congested), inconsistent with the Plan's goals and inconsistent with regional policy. We believe the criterion should have been set to be parallel to the threshold for a significant impact to GHGs.

The Joint Policy Committee's adopted Climate Protection Program was mis-cited on DEIR page 2.5-14. The text referenced by footnote 21 was from the draft recommendations, which were later amended by the Committee. The minutes of the July 20, 2007 meeting, approved September 2007, stated:

"After discussion, it was moved and seconded and was the decision of the Committee: THAT the title for Strategy Element 4 be amended to read "Reduce Driving and Promote Alternative Modes of Transportation"" (p. 3 of 7/20/2007 JPC Minutes.)

Given this regional policy, and given the Plan Performance Objective to reduce per capita VMT by 10% (DEIR p. 1.2-13), TRANSDEF believes that, at a maximum, the threshold for a significant impact in the transportation area should have been "Result in an increase in per capita VMT compared to existing (2006) conditions."

Because the Plan Performance Objectives were set according to rational criteria, it is arguable that the threshold could reasonably have been set at "Not result in at least a 10% decrease in per capita VMT compared to existing (2006) conditions." However, we find it unnecessary to pursue that direction, because the Project results in a 4.4% increase in per capita VMT (p. 2.1-22).

We believe the DEIR is in error in its analysis: "As shown on Table 2.1-16, projected per capita VMT will increase slightly by 4.4 percent ... relative to existing conditions due in large part to the cumulative impact of projected regional growth in population and jobs in the Bay Area." (p. 2.1-22). There's no reason that per capita VMT should be affected by a large influx of new residents. It is obvious to us that the cause is not the overall growth, but the Plan's transportation and land use patterns, which favor more driving.

B11-H **Requirement to Mitigate the Transportation Impacts**

TRANSDEF asserts that the Project will have a Potentially Significant Impact under a properly selected significance threshold for VMT, and thus requires mitigation. We believe the most effective mitigation to be the pricing strategies studied in the alternatives analysis, with the added steps of legislative advocacy and public outreach. As the DEIR itself concludes, "It [pricing] can be applied "immediately" and begin realizing environmental benefits sooner than land use change." (p. 3.1-39).

Pricing is the only mitigation that can reduce emissions in the near term in response to the dangers of climate change. At the Commission's 1/28/2009 RTP hearing, TRANSDEF cited the 1/27/2009 San Francisco Chronicle article on a recent report published in the Proceedings of the National Academy of Sciences: "Scientists familiar with the report said it emphasizes the need for immediate action to control emissions."

The issue of the feasibility of pricing strategies can be resolved with an appropriate entry in the Statement of Overriding Considerations, indicating that MTC does not currently have the statutory authority to implement the pricing strategies, but will seek that authority from Congress and the State Legislature.

B11-I **Inadequacy of Mitigations for Climate Change Impacts**

Measure 2.5(b) identified on page 2.5-21 does not qualify as a mitigation measure, due to compliance with it by project sponsors being voluntary: "... project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA." (p. 2.5-21.) To be a valid mitigation measure, MTC would have to condition the funding of projects on a demonstration of compliance with the adopted list of measures, or a demonstration that project-specific conditions prevent the implementation of certain measures. Please note that the "... "green construction" policies and best practices that encourage use of lowest emitting construction equipment and fuels..." (p. 2.5-20.) contained in Mitigation Measure 2.5(a) should have been made a component part of the list for Measure 2.5(b).

B11-J **Environmentally Superior Alternative**

TRANSDEF urges the Commission to adopt the Environmentally Superior Alternative. However, we believe that that Alternative would perform much better if the following changes were made:

1). Add the Freeway Performance Initiative. The DEIR states "Unlike the Proposed Project, this Heavy Maintenance/Climate Protection Alternative places its investment emphasis almost entirely on system maintenance and efficiency projects that support the plan goals." (p. 3.1-7). The Freeway Performance Initiative is MTC's most highly rated efficiency project. It was apparently part of the original Alternative, prior to the revision in response to the Attorney General's letter. "Original Alternative: Evaluate a Heavy Maintenance Alternative that shifts discretionary revenues to (a) cover local streets and transit maintenance shortfalls, (b) funds **system efficiency projects** such as TLC and(c) limit road/transit expansion projects (MTC Resolution 3869)" (Key Issues Raised by Attorney General, p. 28, MTC Powerpoint, October 2008, emphasis added).

2). Remove the unbuilt committed expansion projects that are contained in the inaccurately named No Project Alternative.

3). Add in the list of transit expansion projects that were studied in the 2005 RTP EIR in the TRANSDEF Smart Growth Alternative. We would consider such a composite alternative to constitute a good faith maximum effort to reduce GHG emissions from mobile sources. By replacing the extremely expensive transit expansion projects in the No Project Alternative with cost-effective projects, it will be possible to exceed the mediocre performance complained of in "Advanced Investment in Transit: Direct impacts limited--Analysis shows CO2 reductions within 2% to 4% range." (Key Issues Raised by Attorney General, p. 45, MTC Powerpoint, October 2008).

4). The composite would perform even better if the Land Use component of Alternative 4 were added.

B11-K **Cumulative Impacts**

The conclusions of the cumulative impacts analysis are incorrect, because the Project was compared to an alternative (the so-called No Project Alternative) which included unbuilt expansion projects. Only 19% of these projects are under construction now. (Key Issues Raised by Attorney General, p. 11, MTC Powerpoint, October 2008). It is therefore impossible to determine the entire Project's contribution to the cumulative impacts. We object to the finding of *Project Contribution Not Cumulatively Significant* for increased emissions of PM2.5 and PM10, and for contribution to GHG emissions.

B11-L The cumulative impacts of GHGs need to be evaluated temporally, as well. GHGs persist in the atmosphere for decades and centuries. Therefore, the timing of emissions reductions is critical. Because fleet turnover is essential in implementing the Pavley bill, it is important to estimate whether the emissions reductions are gradual over the Plan period, or whether they are achieved primarily at the end of the period. The latter scenario would result in greatly increased emissions when accumulated over the entire Plan period.

B11-M TRANSDEF disagrees with the assertion that "the transportation system itself is not inducing growth in vehicle miles travelled..." (p. 2.5-18). MTC does not have the technical capability to validly conclude that, because it does not have an integrated urban model. It is unable to properly model induced demand. That makes the following DEIR statement even more wrong: "This fact is established through a comparison of the proposed Project to No Project alternative under future conditions (2035) which indicates a decrease in VMT." (Id.) TRANSDEF asserts there is no such fact, and that the purported decrease in VMT is almost assuredly the result of incorrect modelling assumptions, coupled with an inadequate model.

TRANSDEF submits a report from its expert, Smart Mobility, Inc., which evaluated the issue of induced demand for the proposed Marin-Sonoma Narrows project. Its methodology, its conclusions and its literature references demonstrate a different approach to the issue of induced demand than MTC has taken with this DEIR. We believe the approach used in this report is consistent with current academic thinking in the field.

TRANSDEF appreciates this opportunity to comment on the Regional Transportation Plan DEIR. We would be pleased to assist MTC in the production of an adequate FEIR.

Sincerely,

David Schonbrunn,
President

Attachments
Attorney General's Letter to MTC
Smart Mobility Inc. Report

The first attachment to this letter - Attorney General's Letter to MTC dated October 1, 2008 - can be found on the record in Appendix B (NOP Comments) of the DEIR, page 60 of 107.

Review of Marin Sonoma Narrows (MSN) HOV Widening Project Draft Environmental Impact Report/Draft Environmental Impact Statement

Prepared for:
Transportation Solutions Defense and Education Fund

Prepared by:
Smart Mobility, Inc.

December 2007

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Summary

Cars and trucks emit over 35% of all greenhouse gases produced in California. Increasing roadway capacity increases vehicle miles traveled (VMT), and this causes higher greenhouse gas emissions. The Marin Sonoma Narrows (MSN) HOV Widening Project Draft Environmental Impact Report/Draft Environmental Impact Statement (DEIR/DEIS) fails to accurately disclose the increases in VMT that will result from the project. It is estimated that the project will increase traffic by 100 million vehicle miles per year, and result in a large increase in greenhouse gas emissions.

The traffic analysis in the DEIR/DEIS is also deeply flawed. Excluding induced travel from the analysis causes the benefits of the project to be overestimated because congestion relief appears to be greater than it really will be. It also fails to account for indirect traffic impacts on other roadways because not all of the additional VMT will be on the widened roadway.

With increased road capacity, jobs and housing disperse. Traffic metering points like the existing Marin-Sonoma Narrows area act as a brake on the decentralization of land use (a.k.a. "sprawl). Less sprawl and better jobs housing balances are planning goals in the Bay Area. Expanding roadway capacity as in this proposed project is contrary to these goals, and would undermine other planning initiatives aimed at improving the jobs/housing balance, increasing transit ridership, and preserving open space.

Greenhouse Gas Emissions and Vehicle Miles Traveled

California AB 32 requires the California Air Resources Board (CARB) to develop regulations and market mechanisms that will ultimately reduce California's greenhouse gas emissions by 25 percent by 2020. Mandatory caps will begin in 2012 for significant sources and ratchet down to meet the 2020 goals.[1] Cars and trucks are the source for the largest share of greenhouse gas emissions in California and the emissions are roughly proportional to vehicle miles traveled (VMT).

> Light duty vehicles and on-road diesel vehicles accounts for over 35% of all anthropogenic greenhouse gases (GHG) produced in California. Annual net greenhouse gas emissions from surface transportation are roughly equal to the product of the number of vehicles, the average number of miles traveled by each vehicle (vehicle miles traveled, or VMT), and the average net emissions of GHG per vehicle mile traveled. (California Climate Action Team, State Agency Work Plans Draft, p. 34 December 8, 2005).

Expanding highway capacity causes "induced traffic", increasing VMT and increasing greenhouse gas emissions. DeCorla-Souza (of the Federal Highway Administration) and Cohen define "induced demand" as an: "increase in daily vehicle miles of travel (VMT), with reference

[1] http://gov.ca.gov/index.php?/press-release/4111/

to a specific geographic context, resulting from expansion of highway capacity."[2] This definition includes both short-term effects and long-term effects. The short-term effects include more trips, longer trips, shifts from other travel modes to auto, and auto trips with lower occupancies. The long-term effects result from land development brought on by increased roadway capacity.

Induced demand effects are well known both to planners and laypeople, and there is a large and growing research literature quantifying the effects of induced demand. This process was kicked off in the United States with a 1997 study by Hansen and Huang that demonstrated large growth in VMT in California that resulted from increased freeway capacity.[3] Since then, there have been many other studies that have confirmed the importance of induced travel. These studies have become increasingly sophisticated in their use of statistical techniques. Robert Cevero of the University of California, Berkeley revisited the California freeway case in a major study that is particularly relevant to the DEIR/DEIS.[4] Cervero writes:

> The longer-run relationship appears fairly strong – every 10% increase in travel speeds is associated with a 6.4% increase in VMT. (p. 157)

Most regional transportation modeling does an incomplete job of accounting for induced travel. Cevero writes:

> In many parts of the United States, travel-forecasting models used by planning agencies are not up to the task of adequately accounting for induced travel and induced growth (Transportation Research Board, 1995). Long-range forecasting models are needed that are robust and sophisticated enough to capture both short-run behavioral shifts and long-run land use shifts triggered by road improvements. Indeed, the general consensus of attendees at a recent conference convened by the Eno Transportation Foundation Policy Forum on induced demand was that the greatest value added of research in this area is to inform the calibration of long-range travel forecasting and urban simulation models, such as MEPLAN, TRANUS, and TRANSIMS (Hunt, 2002). (p. 160)

The DEIR/DEIS purports to analyze the effects of the project on future VMT. In fact the modeling used is incapable of forecasting increases in VMT that would result from the proposed project, and the numbers given in the DEIR/DEIS are wrong. The actual impact on VMT from the project would be several times greater than that which has been disclosed.

Complete induced demand modeling requires accounting for each of the separate components of induced demand including:

1) shifts to longer routes
2) changes in destinations causing longer trips,

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[2]. DeCorla-Souza, P. and H. Cohen. *Accounting for Induced Travel in Evaluation of Metropolitan Highway Expansion*. TRB 77th Annual Meeting Preprint CD-ROM, TRB, National Research Council, Washington D.C., January 1998.

[3] Hansen, M. and Y. Huang. *Road Supply in California*. Transportation Research A, Vol. 31, No. 3, 1997, pp. 205-218.

[4] Cevero, Robert. Road Expansion Urban Growth, and Induced Travel: A Path Analysis. In Journal of the American Planning Association 69(2), p. 145-163, 2003.

3) changing travel mode to auto, and

4) changing home or work locations resulting in longer trips.

The DEIR/DEIS provides little information concerning how the modeling was done, but in the documentation, only one of the four components was accounted for – shifts to longer routes. The Marin/Sonoma model uses the four-step modeling process used in most regions in the United States. The four steps include:

1) trip generation – calculating the numbers of originals and destinations for each small geographic area,

2) trip distribution – linking the origins and destinations to form complete one-way trips,

3) mode choice – determining whether the trips are made by walking, biking, using transit, or in autos and if in autos, the number of people in the vehicle, and

4) assignment – assigning the autos to particular roadways.

The four step modeling process splits people's unified travel planning processes into four steps to facilitate computing. Good modeling practice requires feedback between the modeling steps until an equilibrium between the four steps is reached. If the sequence is computed only once, significant errors result. Both the trip distribution and mode choice stages depend on information on travel times. In the first model sequence, the roadway network appears to be uncongested, and longer trips will be chosen in the model. When these trips are assigned to the network, there appears to be severe congestion. The congested travel times are fed back into the trip distribution and mode choice steps, and resulting trip lengths are much shorter – too short in fact, and another feedback step is required. After several feedback stages, equilibrium values are achieved that properly replicate behavior. Modeling feedback is required by Federal regulations in air quality nonattainment areas.

If modeling is done with feedback, three of the four components of induced travel are accounted for – longer routes in the assignment stage, changes in destination in the distribution stage, and mode changes in mode choice. Therefore, it is good modeling practice to do modeling with feedback for each separate alternative.

The DEIR/DEIS documentation of the modeling process used is incomplete, but it indicates that Caltrans has taken a shortcut that makes VMT estimates invalid. It describes "2020 future year trip tables" and that "2010 and 2030 trip tables were developed by modifying the year 2020 trip tables" (p. 3.1-70). These appear to be references to the auto trip tables that are the output of the third stage of the four step modeling process. It is implied that these same trip tables were used for both the No Build and Build alternatives. In this case, the modeling does not account for either destination changes or mode choice changes. It can account only for routing changes.

The fourth effect, induced travel from land use changes cannot be accounted for in a four step model unless the model is coupled with a land use allocation model that results in different future land use projections for different transportation alternatives.

The state of the practice in transportation modeling is to include model feedback. As this was not done in the modeling relied on in the DEIR/DEIS, statistical results from the research literature on induced travel will be used to estimate the induced travel that will result from the proposed project. Two different approaches will be used. First, the model results will be adjusted based our

research with models. Second, statistical relationships from observed growth in VMT will be applied.

Carolyn Rodier of the Mineta Institute and the University of California has researched how well land use models and transportation models with feedback account for induced travel. She concludes:

> The body of literature on the ability of existing travel and land use models to represent induced travel indicates that when travel times are fed back to a land use model and/or the trip distribution step, then (1) models can represent induced travel within the range documented in the empirical literature and (2) the effect of new highway capacity on land use and trip distribution significantly contributes to the models' representation of induced travel. If induced travel is not represented in travel and land use models, then the need for, and the benefit of, the project will be overstated (e.g., 16% to 236% of VHT [vehicle hours of travel]), and negative environmental effects will be understated (e.g., 72% to 192% of NOx emissions).[5]

Rodier also reports on the share of induced travel caused by each of the four components of induced travel. Changes in destination produced the largest share of the total induced travel. In a Sacramento region case study with an integrated land use allocation model (MEPLAN), the land use component produced the second highest amount of induced travel. Changes in routing, the only one of the four components modeled in the DEIR/DEIS was the third highest factor.

The relative proportions of the components varied depending on the study. However, Rodier's research results suggest that routing changes alone represent probably represent only about 1/5 to 1/3 of total induced travel , especially in cases like the one considered in the DEIR/DEIS where the project is in a bottleneck area with few parallel routes.

Therefore, the DEIR/DEIS VMT estimates will be multiplied by a factor of 3 to 5 to correct for the missing modeling factors. DEIR/DEIS Table 3.1-15 (p. 3.1-78) is labeled "Projected Vehicle Miles Traveled (per 1,000 miles) Year 2030. This title is meaningless due to the inclusion of the word "per." The units in Table 3.1-15 really are thousands of VMT per peak hour per weekday.

The right hand side of Table 3.1-15 gives values for Marin County and Sonoma County and the left hand side gives values for the "Project Area." It is unclear what is meant by "Project Area" It would be expected that the project area would be smaller than the two-county area, but the VMT numbers are larger. Therefore, it is either a very large project area or the numbers are wrong. Unless this is clarified and/or corrected, the left-hand side of Table 3.1-15 should be ignored.

The values given on the right-hand side of the table give 4,000 additional VMT per weekday in the morning peak hour and 12,000 additional VMT per weekday in the afternoon peak hour, or 16,000 for the total of the two hours. The table makes these appear small by showing them as "4" and "12" and then emphasizing that it represents a small fraction of a very large number – total VMT for Marin and Sonoma Counties.

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[5] Rodier, Carolyn J. A Review of the Representation of Induced Highway Travel in Current Travel and Land Use Models, p. 8.

Induced travel demand does not affect just the peak hours, but all 24 hours in the day. The morning and afternoon peak hours combined represent about 16% of daily weekday travel. Therefore, the Difference numbers in Table 3.1-15 for Marin and Sonoma Counties (16,000) translate into about 100,000 VMT per weekday. As discussed above, these estimates include only one of four different components of induced travel and total induced travel is likely to be about 3-5 times as great, i.e. 300,000 - 500,000 additional VMT per weekday.

Statistical relationships from the induced travel literature can be applied as an independent check on this estimate. Induced travel is commonly represented as the elasticity of VMT with respect to lane miles (the length of added roadway capacity times the number of lanes added). Hansen estimated this as 0.9 for freeways in California. Cervero calculates a total long-term elasticity of about 0.8 but concludes that some of the increases are due to other factors such as employment growth and rising incomes. Therefore, he recommends using a value of 0.39.

In this case of the proposed project, two HOV lanes would be added for a length of 16.1 miles, so there would be 32.2 additional lane miles. This is a conservative indicator of increased capacity because it does not include the additional capacity that would result from expanding the general purpose lane capacity by converting an expressway into a freeway. A lower end for daily traffic volumes on congested freeways in California is 20,000 vehicles per lane per day. An elasticity of 1.0 would result in 640,000 VMT per weekday (32.2 x 20,000 x 1.0). With an elasticity of 0.9, the calculated increase is 580,000 VMT per weekday. Using the lower value of 0.39, the result is 250,000 VMT per weekday. These estimates are consistent with the estimates calculated independently based on Rodier's research.

In order to be conservative, a value on the lower end of the estimates will be used, 300,000 additional VMT per weekday. To get total annual VMT, a factor of 330 -340 is typically used because there is somewhat less travel on the weekend days, on average, than on weekdays. A value of 333 will be used because it leads to a round number estimate of 100 million additional VMT per year with the project than without. This would result in a large increase in greenhouse gas emissions between the No Build and Build alternatives.

TRAFFIC ANALYSIS

The traffic analysis in the DEIR/DEIS is poorly documented and also appears to be deeply flawed. The largest problem is again the failure to account for induced travel. As was pointed out above in an excerpt from Cervero, excluding induced travel from the analysis causes the benefits of the project to be overestimated because congestion relief appears to be greater than it really will be.

In addition, failure to account for induced traffic hides indirect traffic impacts on other roadways because not all of the additional VMT is on the widened roadway. No trip begins or ends on a freeway. If freeway volumes are higher, there also are higher volumes on connecting roadways. Impacts on connecting roadways have not been modeled, they have not been examined, and they have not been disclosed. In many cases, these impacts are great and lead to future construction projects that are expensive and inflict additional construction delays on area residents.

Instead, the DEIR/DEIS purports that these effects are minimal based on incorrect modeling. It states:

> The Traffic Operational Analysis Report (February 2005) for future years of 2010 and 2030 indicates that traffic impacts at nearby intersections would be minimal. Most intersections would experience a less than 5 percent difference in future predicted traffic volumes between the Build and No Build conditions. This difference is not significant given the accuracy of the prediction methodology. (DEIR/DEIS p. 3.2-78)

The DEIR/DEIS says only that "most" would increase less than 5 percent, and does not describe what the worst cases are. The decreases calculated are without induced travel. With induced travel accounted for properly, the increases would be much greater. Even 5 percent increases are significant. Traffic delay increases exponentially with traffic volume, so that 5 percent increases in traffic can result in 10-20 percent or even higher increases in delay. The comparison of a 5 percent threshold with the "accuracy of the prediction methodology" is confusing apples with oranges. There is uncertainty concerning the exact magnitude of future traffic, but there is certainty that traffic volumes will be higher with the proposed project than with the No Build alternative.

Most of the 8-page traffic impacts section in the DEIR/DEIS (p. 3.1-69 - 3.1-78) is devoted to "bottlenecks and queues." The Marin/Sonoma Model is the only transportation model referenced in the DEIR/DEIS and it cannot calculate queues. A queue is traffic that backs up behind a bottleneck. Similar to the narrow part of a funnel, the bottleneck meters traffic so that there is a maximum flow through the bottleneck. As with a funnel, the flow through the bottleneck itself is fast. The problem is that traffic behind the bottleneck moves slowly. With extreme congestion, the queues can get very long. Static assignment models like the Marin/Sonoma Model show delays at the bottleneck location and smooth flows upstream of the bottlenecks. This is completely backwards.

There are several references in the DEIR/DEIS to the "Caltrans Traffic Operational Analysis Report, February 2005" which does include a reference to FREQ12, which is a macroscopic traffic simulation model. It estimates queue lengths based on volume-to-capacity ratios, and is an improvement over the regional model. However, it is an old model whose description includes "over 30 years of practical real-life application." As computers have become faster and more powerful, macroscopic models like FREQ12 have generally been supplanted by microsimulation models. Microsimulation models account for bottlenecks and queues accurately – showing smooth flow in the bottleneck and queues upstream. Microsimulation likely would give more accurate queue estimates than the macroscopic FREQ12 model. However, there is a larger problem than the difference between models. The modeled queues with either type of model would be higher if induced travel were properly accounted for. The DEIR/DEIS failed to do this so its analyses of "queues" are invalid.

The discussion of bottlenecks in the DEIR/DEIS identifies some indirect traffic impacts, i.e. roadway sections that would be bottlenecks in the Build alternative that are not bottlenecks in the No Build alternative.

> … a new queue [actually a new bottleneck] would appear between Miller Creek and Nave Drive (south of the project limits) in the southbound direction during the A.M. peak period with the implementation of either the Fixed HOV Lane Alternative of the Reversible HOV Lane Alternative. However, this queue would not develop under the NO Build alternative (p. 3.1-71)

This certainly underestimates the severity of the new bottleneck because induced traffic is underestimated. Large amounts of money are commonly spent to improve bottlenecks with little increase in traffic speeds. Here is an example from the Chicago region:

> **Hillside Strangler: $140 Million To What End?**
>
> The "Hillside Strangler"—the point at which the East-West Tollway and the Tri-State Tollway converge with the Eisenhower Expressway—was long a notorious traffic bottleneck. After a $140 million construction project to "fix" the problem, the Daily Herald posed this question: "Many millions have been spent to change that evil Hillside Strangler. So, has it been rehabilitated?" This was the answer:
>
> 1. Getting through the Strangler is now about 15 minutes faster.
> 2. But the bottleneck has merely been pushed further up the road to a point where the Eisenhower funnels into three lanes.
> 3. And more motorists are now using the expressway since the Strangler work was completed.
>
> The net effect? The Daily Herald concluded: "Overall, then, the commute time from the suburbs to the Loop, via the Eisenhower and its extension, is one hour—exactly what it was before the Hillside Strangler was repaired." (*More Costly Roadwork, and Travel Still Tough*, Daily Herald, October 3, 2002)[6]

Without accounting for induced travel, the DEIR/DEIS greatly overestimates any traffic benefits from the proposed project.

Regional Context

Expanding roadway capacity encourages land use decentralization as described by Boarnet and Haughwout:

> New highways that link the outlying residential areas to the CBD lower the cost of commuting into the employment concentration in the center of the city. This increases land values in the suburban fringe while reducing the "accessibility premium" that central locations had previously enjoyed. The urban area will grow geographically as commuters can live farther from work without increasing their travel budgets. Densities will fall as the premium for the densely developed locations near the CBD is reduced.[7] (p. 4)

Traffic metering points like the existing Marin-Sonoma Narrows area act as a brake on land decentralization (a.k.a. "sprawl) and support better jobs/housing balances. Less sprawl and better jobs housing balances are planning goals in the Bay Area. Expanding roadway capacity as in this proposed project is contrary to these goals, and would undermine other planning initiatives aimed at increasing transit ridership and preserving open space. Land use decentralization causes a wide range of environmental problems

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[6] Chicago Metropolis 2020: The Metropolis Plan: Choices for the Chicago Region, p. 10. Chicago, IL: 2003.

[7] , Marlon and Andrew Houghwout. *Do Highways Matter? Evidence and Policy Implications of Highways Influence on Metropolitan Development*, p. 4. The Brookings Institution Center on Urban and Metropolitan Policy, 2000.

including more water use, more impervious surface, runoff and water pollution, conflicts with agriculture, and habitat fragmentation.

The DEIR/DEIS fails to consider this broader regional planning context and a broader range of alternatives. Rail transit with medium- to high-density mixed walkable land use at stations can serve as a powerful force for shaping future growth towards a desired land use vision. Increasing roadway capacity would reduce potential rail ridership, thereby reducing the potential benefits of rail transit on shaping future land use. It should be noted, though, that high capacity rail transit can result in some of the same negative forces (although to a lesser extent) if the service is focused on serving suburban households with large park-and-ride lots at stations.

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Resume

NORMAN L. MARSHALL, PRINCIPAL

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EDUCATION:

Master of Science in Engineering Sciences, Dartmouth College, Hanover, NH, 1982
Bachelor of Science in Mathematics, Worcester Polytechnic Institute, Worcester, MA, 1977

PROFESSIONAL EXPERIENCE:

Norm Marshall helped found Smart Mobility, Inc. in 2001. Prior to this, he was at Resource Systems Group, Inc. for 14 years where he developed a national practice in travel demand modeling. He specializes in analyzing the relationships between the built environment and travel behavior, and doing planning that coordinates multi-modal transportation with land use and community needs.

Regional Land Use/Transportation Scenario Planning

Chicago Metropolis Plan and Chicago Metropolis Freight Plan (6-county region)— developed alternative transportation scenarios, made enhancements in the regional travel demand model, and used the enhanced model to evaluate alternative scenarios including development of alternative regional transit concepts. Developed multi-class assignment model and used it to analyze freight alternatives including congestion pricing and other peak shifting strategies. Chicago Metropolis 2020 was awarded the Daniel Burnham Award for regional planning in 2004 by the American Planning Association, based in part on this work.

Envision Central Texas Vision (5-countyregion)—implemented many enhancements in regional model including multiple time periods, feedback from congestion to trip distribution and mode choice, new life style trip production rates, auto availability model sensitive to urban design variables, non-motorized trip model sensitive to urban design variables, and mode choice model sensitive to urban design variables and with higher values of time (more accurate for "choice" riders). Analyzed set land use/transportation scenarios including developing transit concepts to match the different land use scenarios.

Mid-Ohio Regional Planning Commission Regional Growth Strategy (7-county Columbus region)—developed alternative future land use scenarios and calculated performance measures for use in a large public regional visioning project.

Baltimore Vision 2030—working with the Baltimore Metropolitan Council and the Baltimore Regional Partnership, increased regional travel demand model's sensitivity to land use and transportation infrastructure. Enhanced model was used to test alternative land use and transportation scenarios including different levels of public transit.

Burlington (Vermont) Transportation Plan – led team that developed Transportation Plan focused on supporting increased population and employment without increases in traffic by focusing investments and policies on transit, walking, biking and Transportation Demand Management.

Transit Planning

Regional Transportation Authority (Chicago) and Chicago Metropolis 2020 – evaluating alternative 2020 and 2030 system-wide transit scenarios including deterioration and enhance/expand under alternative land use and energy pricing assumptions in support of initiatives for increased public funding.

Capital Metropolitan Transportation Authority (Austin, TX) Transit Vision – analyzed the regional effects of implementing the transit vision in concert with an aggressive transit-oriented development plan developed by Calthorpe Associates. Transit vision includes commuter rail and BRT.

Bus Rapid Transit for Northern Virginia HOT Lanes (Breakthrough Technologies, Inc and Environmental Defense.) – analyzed alternative Bus Rapid Transit (BRT) strategies for proposed privately-developing High Occupancy Toll lanes on I-95 and I-495 (Capital Beltway) including different service alternatives (point-to-point services, trunk lines intersecting connecting routes at in-line stations, and hybrid).

Central Ohio Transportation Authority (Columbus) – analyzed the regional effects of implementing a rail vision plan on transit-oriented development potential and possible regional benefits that would result.

Essex (VT) Commuter Rail Environmental Assessment (Vermont Agency of Transportation and Chittenden County Metropolitan Planning Organization)—estimated transit ridership for commuter rail and enhanced bus scenarios, as well as traffic volumes.

Georgia Intercity Rail Plan (Georgia DOT)—developed statewide travel demand model for the Georgia Department of Transportation including auto, air, bus and rail modes. Work included estimating travel demand and mode split models, and building the Departments ARC/INFO database for a model running with a GIS user interface.

Roadway Corridor Planning

Working with the Capital District Transportation Committee (the Albany regions Metropolitan Planning Organization) and the New York State Department of Transportation to analyze future needs and operations of the I-90 crossing over the Hudson River, including effects on other roadways.

Developing Regional Transportation Model

Pease Area Transportation and Air Quality Planning (New Hampshire DOT)—developed an integrated land use allocation, transportation, and air quality model for a three-county New Hampshire and Maine seacoast region that covers two New Hampshire MPOs, the Seacoast MPO and the Salem-Plaistow MPO.

Chittenden County, Vermont (Chittenden County Metropolitan Planning Organization)—developed a land use allocation model and a set of performance measures for Chittenden County (Burlington) for use in metropolitan planning.

Research

Obesity and the Built Environment (National Institutes of Health and Robert Wood Johnston Foundation) – Working with the Dartmouth Medical School to study the influence of local land use on middle school students in Vermont and New Hampshire, with a focus on physical activity and obesity.

The Future of Transportation Modeling (New Jersey DOT)—Member of Advisory Board on project for State of New Jersey researching trends and directions, and making recommendations for future practice.

Trip Generation Characteristics of Multi-Use Development (Florida DOT)—estimated internal vehicle trips, internal pedestrian trips, and trip-making characteristics of residents at large multi-use developments in Fort Lauderdale, Florida.

Improved Transportation Models for the Future—assisted Sandia National Laboratories in developing a prototype model of the future linking ARC/INFO to the EMME/2 Albuquerque model and adding a land use allocation model and auto ownership model including alternative vehicle types.

Critiques

C-470 (Denver region) – Reviewed express toll lane proposal for Douglas County, Colorado and prepared reports on operations, safety, finances, and alternatives.

Intercounty Connector (Maryland) – Reviewed proposed toll road and modeled alternatives with different combinations of roadway capacity, transit capacity (both on and off Intercounty Connector) and pricing.

Foothills South Toll Road (Orange County, CA) – Reviewed modeling of proposed toll road.

I-93 Widening (New Hampshire) – Reviewed Environment Impact Statement and modeling, with a particular focus on induced travel and secondary impacts, and also a detailed look at transit potential in the corridor.

Stillwater Bridge – Participated in 4-person expert panel assembled by Minnesota DOT to review modeling of proposed replacement bridge in Stillwater, with special attention to land use, induced travel, pricing, and transit use.

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PUBLICATIONS AND PRESENTATIONS (partial list)

Understanding the Transportation Models and Asking the Right Questions. Lead presenter on national Webinar put on by the Surface Policy Planning Partnership (STTP) and the Center for Neighborhood Technologies (CNT) with partial funding by the Federal Transit Administration, 2007.

Sketch Transit Modeling Based on 2000 Census Data with Brian Grady. Presented at the Annual Meeting of the Transportation Research Board, Washington DC, January 2006, and *Transportation Research Record*, No. 1986, "Transit Management, Maintenance, Technology and Planning", p. 182-189, 2006.

Travel Demand Modeling for Regional Visioning and Scenario Analysis with Brian Grady. Presented at the Annual Meeting of the Transportation Research Board, Washington DC, January 2005, and *Transportation Research Record*, No. 1921, "Travel Demand 2005", p. 55-63, 2006.

Chicago Metropolis 2020: the Business Community Develops an Integrated Land Use/Transportation Plan with Brian Grady, Frank Beal and John Fregonese, presented at the Transportation Research Board's Conference on Planning Applications, Baton Rouge LA, April 2003.

Evidence of Induced Travel with Bill Cowart, presented in association with the Ninth Session of the Commission on Sustainable Development, United Nations, New York City, April 2001.

Induced Demand at the Metropolitan Level – Regulatory Disputes in Conformity Determinations and Environmental Impact Statement Approvals, Transportation Research Forum, Annapolis MD, November 2000.

Evidence of Induced Demand in the Texas Transportation Institute's Urban Roadway Congestion Study Data Set, Transportation Research Board Annual Meeting, Washington DC: January 2000.

Subarea Modeling with a Regional Model and CORSIM with K. Kaliski, presented at Seventh National Transportation Research Board Conference on the Application of Transportation Planning Methods, Boston MA, May 1999.

New Distribution and Mode Choice Models for Chicago with K. Ballard, Transportation Research Board Annual Meeting, Washington DC: January 1998.

Land Use Allocation Modeling in Uni-Centric and Multi-Centric Regions with S. Lawe, Transportation Research Board Annual Meeting, Washington DC: January 1996.

MEMBERSHIPS/AFFILIATIONS

Member, Institute of Transportation Engineers
Individual Affiliate, Transportation Research Board
Member, American Planning Association
Member, Congress for the New Urbanism

Letter B12

San Francisco Tomorrow

Since 1970, Working to Protect the Urban Environment

February 2, 2009

Ashley Nguyen, Planning Section
Metropolitan Transportation Commission
101 Eighth Street, Oakland, CA 94607

Re: COMMENTS ON THE 2035 TRANSPORTATION PLAN EIR

Dear Ms. Nguyen;

On behalf of San Francisco Tomorrow, we would like to express the following concerns about the above-referenced document.

B12-A First, the plan analyzed by this document calls for freeway expansion, which will result in more automobile traffic. But the document fails to evaluate or even mention the additional deaths and injuries from automobile accidents that occur as a result of this increase in vehicle miles traveled (VMT). The attached document re Doyle Drive should prove that freeways are more dangerous than the supposedly dangerous Doyle Drive, which had its last fatal accident in 2003. It is certain that should it be replaced by a freeway, as is proposed in the preferred program, there will be deaths on it every year. It should be easy to see that freeways are generally more dangerous than other types of roadways. This impact must be adequately addressed.

B12-B Second, the preferred plan discourages smart growth, transit and transit oriented development. It will cause more sprawl, more loss of open space, more loss of farmland. Alternatives that would have been better from these viewpoints were dismissed. This document identifies the "HEAVY MAINTENANCE/CLIMATE PROTECTION + PRICING STRATEGIES" alternative as the environmentally superior alternative, while dismissing the "HEAVY MAINTENANCE/CLIMATE PROTECTION + LAND USE" alternative as not implementable. However that ignores state legislation AB 375, which will provide incentives for regional integration of land use planning and transit-oriented development. We strongly recommend that the EIR identify an environmentally superior alternative that combines the "HEAVY MAINTENANCE/CLIMATE PROTECTION + PRICING STRATEGIES" alternative with appropriate land use restrictions. MTC must work with other agencies and cities and counties to adopt land use plans that would advance smart growth, and transit and transit oriented development

B12-C Thirdly, the claim has been made that 85% of the money available for transportation projects has already been committed. Apparently "committed" means carried over from the T2020 Plan. In a letter dated August 10, 2008, Attorney General Brown threw doubt on this and urged you to review these projects and change the priorities. San Francisco Tomorrow supports this position and requests that this EIR identify a program that redirects funds from projects that will do great harm to the environment to ones that will do less harm to the environment and will advance smart growth, transit and transit oriented development. The statement has been made that other agencies are

providing funds for some of the "committed" projects and therefore MTC has no power over them. MTC has more power than it admits publicly. MTC should use its influence to change these priorities.

B12-D Finally, another thing that requires closer scrutiny is the emphasis on level of service (LOS). A LOS of E or F might actually be good for the environment if it discourages auto use and encourages transit ridership. Furthermore, SFT notes that level of service is not actually in the CEQA law itself, but is in CEQA administrative guidelines, and that these are being revised to be more environmentally friendly. LOS could possibly be ignored by local agencies. If used, LOS should measure the movement of people, not vehicles.

B12-E To conclude: we find that the preferred program is seriously flawed in that it fails to prioritize transit options, identify needed land use controls, and attain the climate change goals mandated in AB 32. The environmental document is also flawed because is fails to identify the most environmentally beneficial program, discounts the serious environmental impacts of road expansion and does not acknowledge the benefits of transit-oriented development. These shortcomings must be addressed in the final document issued by this agency.

Sincerely,

Jennifer Clary
President

Norman Rolfe
Transportation Chair

Letter B13

From: "Omar Chatty" <omarchatty@mindspring.com>
To: <anguyen@mtc.ca.gov>
Date: 2/2/2009 9:17 AM
Subject: Comments on Draft Transportation 2035 Plan EIR

Ashley,

Here are some brief comments on the Draft EIR of the MTC Transportation 2035 Plan EIR, due later today, by Feb 2, 2009, 4:00pm

B13-A - The is too one-sided, oriented to unrealistic and proven failures of transit-oriented transportation planning.
--Despicable, if not fraudulent, analysis that uses 'paper' benefits of Transit-Oriented, high density, urban development that, in fact, have never been realized except in a few Asian, extremely high-density urban environments and cultures.

B13-B --Transit Oriented development generates many more vehicle trips and very few transit trips. I suggest the MTC conduct actual studies of recent TOD to count and evalutate actual trips, examples would be the San Jose LRT line that terminates at Coleman Ave and Winfield blvd. Or, Palma high-density apartments at Cottle Rd, SR85 and LRT. The same can be done in any community around the TC area. It will be apparent, with any workday study, that the vast majority of trips continue to be by automobile, and thus, more automobile-enabled ROADS and ROAD CAPACITY are required. This has NOT been studied properly in the EIR. More cars on congested roads of all types leads to more idling, accidents, congestion--when the road capacity is inadequate, irrespective of road pricing. This has NOT been studied fairly or adequately.

B13-C --In addition, the impact on the society needs to be evaluated. In particular, increased violent and properly crimes that occur in high-density TOD environments has not been considered. In addition, the EIR needs to segment and identify and apply costs to the environmnental and social impact of the TOD and other high-density developments, such as crime, non-transportation infrastructure, tax generation, unemployment, etc. That the MTC seeks to impose in the 2035 Plan its socialist, if not communistic, efforts to restrict citizens and residents mobility--and economic viability, which MTC is supposed to SERVE, not rule over, or do social engineering through its powerful, untouchable, unaccountable, multi-county and far-out into the future Plan process. Most Plan contributors will be long out of the reach of any accountability.
--The Plan does not plan for adequate non-toll road improvemetns, particularly inter-regional road improvements, and the savings of VMT, VHT, and the benefits coming from cleaner cars, some with zero emissions, Electric, C and L NG vehicles (ultra-low emissions), hydrogen, etc. All these emission-free automobile propulsion methods will certainly assist the

B13-D MTC to attain vehicle-emission standards in the future, yet the EIR DOESN"T ADEQUATELY address this technology, instead imposing a new tax on motorists in the form of Tolls.
The Plan does not fairly evalate the impact of toll lanes or toll roads (SR24, SR680, SR152) on resultant congestion of non-fast track users, out of region users, and surface traffic congestion generated by motorists seeking to avoid HOTT and other toll facilities.

B13-E The Plan does not fairly or properly consider traffic congestion that results, even today, when trains stop cross vehicular traffic--which amounts to many more vehicles and occupants than are carried in the trains...these include all LRT facilities, SJ, SF; and, commuter rail obstruction of traffic, CALTRAIN (the KillTrain), Capitol Corridor,

Amtrack, future HSR, local shuttles serving these outmoded trains.This is a serious deficiency that has been raised before in EIRs that MTC seems to ignore.

B13-F -The Plan ignores urgently needed highway capacity increases for safety and population and motorist and economic growth. These include SR 262 (I680 to I880 in WarmSprings/Fremont), unbuilt SR61, SR130--which cuts 50 miles off a San Josean's one way trip to the Central Valley-Patterson from San Jose. This is at least 2 gallons of gas each way for each of the 50,000 cars per day. The EIR does not evaluate this need and benefit to parallel existing freeways and highways that motorists use to get to and from San Jose to points East (I680, I80, I580, and SR152). This is a MAJOR gap in the EIR and belies the bigotry and socialist focus of the EIR in favor of government run, inefficient, costly, and for most motorists unworkable and untimely use of transit solutions.

Also, future improvements to a 4 - 6 lane SR152 and SR84 (Vasco, Vallacitos Rd) are not considered. Nor are improvements to SR4 in Eastern Contra Costa County and a multitude of other highways and bridges in the MTC region. There is no discussion of widening I680 in Solano County or SR12's needed improvements, or planning for the Southern Crossing across the bay to reduce congestion on other bay area bridges.

B13-G There is inadequate discussion of the need for highways as emergency vehicle ingress and egress in times of floods, fires, and earthquakes in any part of the state whereby these vehicles use public roads.

B13-H This EIR is grossly insufficient in the area of realistic evaluation of transit costs, issues, increased pollution and government employment impacts that Transit causes.

The EIR is even more grossly insufficient in piss-poor 'Casandra" Sky-is-falling "planning" by failing to address the huge benefits of constitutionally protected single occupant vehicle transport in multitudes of vehicle types, new roads that MTC should be advocating investment in to accommodate the inevitable vehicle use increase for inadequate current needs AND future planning needs--which is what the MTC Draft Transportation 2035 ought to be addressing -- but does not! These are huge failures and inadequacies. Please address for the FEIR.

Omar Chatty
(I'm on your mailing list, so my address etc is available to MTC)
San Jose, CA

Letter B14

From: <JLucas1099@aol.com>
To: <anguyen@mtc.ca.gov>
Date: 2/2/2009 3:46 PM
Subject: MTC Draft Transportation 2035 Plan - Draft Environmental Impact Report (EIR)

Ashley Nguyen, Planning Section
February 2, 2009
101 Eighth Street
Oakland, CA 94607

RE: MTC Draft Transportation 2035 Plan DEIR

Dear Ashley Nguyen,

In regards this MTC Draft Transportation 2035 Plan, DEIR, which was supposed to have been available for review at the City of Palo Alto Public Library, I was unable to find it in their current reference materials.

The MTC Transportation 2030 Plan was there but not one for 2035.

B14-A

As your deadline is here and now, I would like to submit my general concern on this draft transportation plan. Primarily I feel infrastructure opportunities to integrate the MTC transportation plan with California's recently approved high-speed rail plan are being lost due to lack of earmarking of existing railroad right-of-way that is necessary for economically planning and implementing such an upgrade of the State transportation system.

Locally, in past year Santa Clara Valley Water District was asked to surplus Union Pacific Railroad frontage property that might be essential to upgrade of high-speed right of way in downtown San Jose. Supposedly it was to facilitate a pedestrian crossing but there was no mention of high-speed rail upgrade or usage.

A railroad bridge across the Guadalupe River, in this same area, was discussed for conversion to auto traffic. This is where there used to be a major railroad junction yard and roundhouse which all seems to have been sold off for development. However, to my amateur eye it looks as if this rail line would be the critical link in a wishbone configuration of high-speed rail as it branches off to East Bay from CalTrain Peninsula main line.

Such an intergrated railroad plan, with historic and, hopefully, still existing rail facilities, needs to be a part of MTC's Draft Transportation 2035 Plan. In fact, I would say it should be paramount in the proposed 2035 plan.

I regret that I do not have environmental details of your plan before me but this summarizes my concerns.

Do also want to emphasize that in today's business realities economy must be foremost consideration and all public works should think in terms of doubling or tripling of public benefits from overextended tax dollars.

As an example, it would be grand if water resource dollars to construct San Luis Drain could be allied with high-speed rail dollars and they could coordinate use of right of way down the length of the Central Valley.

Thank you for any consideration you can give to my concerns on this MTC 2035

Transportation Plan.

Libby Lucas
174 Yerba Santa Ave.,
Los Altos, CA 94022

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Letter B15

From: <raftstaff@mac.com>
To: <anguyen@mtc.ca.gov>
Date: 2/2/2009 4:00 PM
Subject: DEIR

The following is submitted in response to the Draft Environmental Impact Report for MTC's T2035 Regional Transportation Plan.

B15-A The Draft EIR for the T2035 Transportation Plan appears to have inadequate references and/or documentation regarding the impacts of the proposed projects on low-income and minority populations, including MTC-defined "communities of concern" -- should these not be more clearly addressed, including identifying cumulative impacts?

In order to satisfy NEPA and State policy requirements, should not MTC more specifically address Environmental Justice? The only place in the entire DEIR where the phrase "environmental justice" appears is on page 518 of the PDF (page 26 of 107 in Appendix B), in a comment letter from the Urban Habitat Program.

Furthermore, the limited reference(s) to the separate "Equity Analysis" document do not adequately bring into the DEIR the findings that the proposed Project would result in an emissions burden on communities of concern.

B15-B Additionally, sound wall policies of Congestion Management Agencies have not always been adequate to decrease the impact of noise and health impacts on communities of concern which adjoin freeways and major streets. Not only mitigation proposals, but firm funding commitments in the RTP programming document, are needed.

Letter B16

Gerald P. Cauthen & Associates
900 Paramount Road
Oakland CA 94610
February 2, 2009

Transportation 2035 Plan Draft EIR - Comments

The Bay Area now faces a brand new set of problems. First, the era of reliably cheap energy is ending. Second, fossil fuel-caused global warming is upon us. Because of these oncoming problems, now would a propitious time for the Bay Region to take the steps necessary to:

1.) cause virtually all new development to be transit-oriented,
2.) upgrade and expand all forms of public transit, and
3.) to adopt roadway pricing as necessary to ease traffic congestion and reduce VMT.

Now is no time to be expanding and extending freeways.

The draft EIR acknowledges the need for such changes. However, the MTC program referred to and described in the EIR fails to meet these vitally-important objectives. The following comments will serve to underscore some of the areas in the EIR that are in need of additional thought and consideration:

B16-A 1.) **Destructive Trends Continued**: EIR Table S-1 acknowledges that the Proposed Alternative, by continuing past development and transportation trends, will inevitably subject the Region to more sprawl, more loss of habitat and prime agricultural land, increased VMT, more long term community disruption, increased production of greenhouse gases, more freeway-caused noise pollution affecting sensitive receptors, and worsening traffic congestion.

Mitigations are noted in the Table. However, since they are mostly voluntary in nature, they offer no assurance that anything can or will be implemented.

B16-B **2.) The No Project Alternative**: The "No Project" Alternative falls flat. It is not legitimately a "no project" alternative because it unaccountably includes a large number of highway expansions and other projects of the past that would do nothing to alleviate any of the above-indicated regional problems. These aging proposals…many still in the planning stage…were conceived and politically "sold" 20 or more years ago, before the oncoming energy and climatic problems were widely-known or understood.

In the EIR the "No Project" Alternative should exclude all projects that are not as yet actually under construction or in the construction stage. Only in that way will it be possible to gauge the true environmental and other effects of the "Build" alternatives. Given the new paradigm and the vital need for this region to "switch gears", there isn't room for sacred cows.

B16-C 3.) **"Superior" Alternatives Discarded**: On page ES-8 of the EIR Summary, MTC acknowledges that the land-use oriented alternative and the pricing-oriented alternative are both "environmentally superior" to the Proposed highway-expanding Alternative". This is a significant finding. Yet Staff recommends dropping both of the superior alternatives, on grounds that the "MTC and its partners lack the authority to implement them". A lack of current authority to implement is not a sufficient reason to drop an environmentally superior alternative.

The EIR should include a description of what it would take by way of State legislation and actions by other jurisdictions to implement each environmentally superior alternative. MTC, in its newsletters, press releases, press conferences and public testimony, as well as in the EIR, should clearly and forcefully state the advantages of environmentally superior alternatives in terms of addressing the Region's environmental and transportation problems, and set forth the steps needed to implement them.

Not being able to do something is one thing. But not even trying to rectify the situation while burying the truth of what's needed in a single sentence in an EIR (See page ES-9) is quite something else again. An entirely fresh look at the situation is warranted.

B16-D 4.) **Optimal Alternative Missing**: Most observers recognize that the surest way of reducing the Region's excessive reliance on the private automobile would be through a combination of effective:

a.) public transit improvement,
b.) transit-oriented development
c.) pricing incentives.

Yet the EIR includes no alternative that incorporates this rather obvious combination.

B16-E 5.) **HOT Lane Fallacies**: In its public documents MTC claims that by allowing some motorists to drive with less starts and stops, HOT lanes would "reduce emissions". But no where in the EIR is there a discussion about the additional traffic that these HOT lanes would encourage, and no where is there a section dealing with the additional emissions that this additional traffic would generate. The secondary effects of MTC's highway-expanding program, including in particular the regional traffic-inducing effects of its HOT lane program, should be addressed and presented in a revised version of the EIR.

B16-F 6.) **Fuel Economy versus MTC's Program**: Because of high fuel costs, and State and recent federal initiatives, the fuel efficiency of the light trucks and cars traveling on California's streets and highways is projected to increase steadily in the coming decades. It is also likely that car buyers…especially in California…will continue to opt for smaller and more efficient vehicles. The overall VMT effect on the Bay Region of these general improvements in vehicular fuel economy should be set forth and identified in a separate section of the EIR.

B16-G 7.) **Noise Pollution**: In the EIR, twenty five pages are devoted to describing different types of noise, how noise is created, the noise pollution regulatory environment, the damage noise can cause and how noise affects different receptors. On Page 2.6-7 it is stated that "traffic noise is usually not a serious problem for people who live more than 500 feet from heavily traveled freeways". On Page 2.6-8 it is stated that noise emanating from freeways and arterials "can be a significant environmental concern where buffers (e.g., buildings, landscaping, etc.) are inadequate or where the distance from centerline to sensitive uses is relatively small".

Yet nowhere in the EIR are there projects devoted to noise control or noise suppression. In the Bay Area there are hundreds of sensitive existing receptors afflicted with excessive noise, such as schools abutting high speed roadways, exposed BART platforms sandwiched between freeway lanes, residences adjacent to BART viaducts and harried BART passengers screaming to be heard while passing under the Bay. Despite these major problems, many of long standing, Transportation 2035 Plan ignores them. Before expanding the Region's freeway system, thereby significantly exacerbating noise problems in many parts of the Region, MTC should direct significant resources to alleviating unacceptable existing noise conditions.

Final Note: In response to rising fuel costs, an overriding need to become energy independent and global warming, State and federal government, as well as many private companies and corporations, are starting to make significant changes. This San Francisco Bay Region should do likewise.

Gerald Cauthen
510 208 5441

February 2, 2009

Letter B17

BREATHE CALIFORNIA

Comments on Regional Transportation Plan 2035 Draft Environmental Impact Report

Alternative 3, combined with land use strategies, would have lowest environmental impacts.

B17-A Among the alternatives studied, the "HEAVY MAINTENANCE/ CLIMATE PROTECTION EMPHASIS + PRICING STRATEGIES" alternative, if combined with appropriate land use changes, would have the lowest environmental impacts, and therefore best serve the future well being of the Bay Region. If the Freeway Performance Initiative was added to this package, its transportation performance would be improved at little environmental or financial cost. MTC should study an alternative that would revise its projects as required to maximize greenhouse gas reductions compared to the other alternatives studied. The EIR should adequately study alternatives that would fully evaluate maximizing greenhouse gas emission reductions.

The EIR Does Not Adequately Properly Evaluate the Environmental Impacts of the RTP due to the Inclusion of Committed Projects in the No Project Alternative

B17-B The $28 billion in committed transit and roadway expansion projects are included in the No Project Alternative. This prevents evaluation of the impacts of the entire Plan against existing environmental conditions in the Plan horizon year. CEQA does not allow treating the previous RTP as the No Project Alternative. Therefore, projects, even if funded, that are not yet built or under contract, they cannot be considered as part of the No Project Alternative. The EIR, with its current definition of the No Project Alternative, does not conform to this requirement because it prevents the evaluation of the impacts of the plan as a whole as compared to a future scenario in which none of the committed expansion projects included in the RTP are built. We request a revised definition of the No Project Alternative to accurately reflect a scenario in which none of the committed expansion project RTP funds are invested. The No Project Alternative should include and evaluate only the transit and roadway infrastructure in place under 2035 conditions, and in comparison to 2006 conditions.

The Alternatives Analysis Does Not Adequately Include an Alternative which Maximizes Greenhouse Gas Reductions

B17-C CEQA requires all feasible mitigation of environmental impacts. Besides considering the overall impact of the Project, the EIR must analyze its component projects to determine which of them result in increased VMT and GHG emissions. Increased greenhouse gas emissions resulting from the highway expansion projects in the RTP will cause significant environmental impacts. An alternative must be considered which maximizes greenhouse gas emission reductions and mitigates any remaining GHG emissions by eliminating the GHG emission-increasing projects

and replacing that expanded capacity with additional transit projects.

In addition, the Alternatives Analysis should evaluate the Project together with policies and programs that would mitigate greenhouse gas emissions and maximize their reduction. In particular, the alternatives analysis fails to include study of : (1) the Project together with pricing strategies to reduce vehicle miles traveled, (2) the Project together with land use strategies to reduce vehicle miles traveled, (3) the Project together with both land use and pricing strategies to reduce vehicle miles traveled, and (4) the Heavy Maintenance/Climate Protection Emphasis alternative together with both pricing and land use.

On page ES-8 of the DEIR Summary, MTC acknowledges that the land-use oriented alternative and the pricing-oriented alternative are both "environmentally superior" to the "Proposed Alternative". Yet the DEIR proposes dropping both alternatives, solely on grounds that the "regional agencies" don't have the power to implement them. MTC should include in the Final EIR the three options that incorporate pricing and/or land use strategies that would reduce greenhouse gases to the greatest extent.

B17-D **Air Quality Section Does Not Adequately Distinguish Impacts of RTP from Changes in Vehicle Efficiency and Clean Fuels**

To adequately evaluate the air quality and climate change impacts of the RTP, the EIR should quantify the changes that result from implementation of the RTP investments and distinguish them from the changes that result from improved vehicle efficiency and cleaner fuels.

In particular, Table 2.2-6 shows a reduction in ROG, NOx, CO, and smaller increases in PM10 and PM2.5, but these projects include the effects of the fleet turning over. Pollution impacts to each of these pollutants is underestimated and fails to consider potential significant impacts. To adequately analyze impacts to both air quality and climate change, the EIR must analyze a controlled comparison between the "2006," "2035 No Project" and "2035 Project" scenarios to the same fleet engine assumptions so that the impacts of highway expansions, including the HOT network, can be reflected and compared to 2006 conditions.

The EIR should reflect the new PM2.5 standard of 35 ug/m3 adopted by the US EPA in 2006. The Bay Area is currently in nonattainment for PM2.5. Increases to PM2.5 resulting from roadway expansion should be mitigated in the RTP EIR.

B17-E **The DEIR is Inadequate Due to the Limitations of Modeling and the Inadequate Modeling of Induced Demand**

The RTP proposes to expand roadway capacity, including systems management/operational changes, and physical expansion, including proposed HOT lanes. However, there is no discussion of induced demand in the transportation chapter of the DEIR. The induced demand due to roadway expansion should be evaluated both independently and together with any proposals to implement HOT lanes.

The FEIR, in examining induced demand resulting from the HOT lane network, should examine the reduction in time savings offered by transit service by allowing single occupant vehicles to enter a lane that is used by transit service.

There is no discussion of induced growth due to highway and roadway widening. The EIR should at a minimum follow CTC guidelines for regions to examine both induced growth and induced demand from new capacity construction. Specifically, there should also be an evaluation in the "Indirect/Cumulative Impacts" paragraph on page 2.3-27 to expand the list of potential indirect effects to include the impact of inducing development of farmland beyond the Bay Area.

The travel demand forecasting model does not discuss the model's limitations. The model poorly reflects travel behavior changes from land use improvements or bicycle or pedestrian amenities. The model also does not adequately reflect travel demand changes from programs such as Safe Routes to Schools or other educational or incentive programs. The inadequacies of the model should be disclosed in the EIR.

B17-F

The Mitigations in the DEIR Do Not Adequately Mitigate Environmental Impacts

The EIR should aim for reductions in total greenhouse gas emissions. Increases to regional greenhouse gas emissions should be considered significant and be fully mitigated.

Mitigation measure 2.1(a) calls for existing TLC funds and additional funds to provide financial benefits to local governments that have designated Priority Development Areas (PDAs). This mitigation should include additional funding sources including Safe Routes to Transit, and the $7 billion in Local Streets and Roads funding. This mitigation is feasible and would reduce greenhouse gases by encouraging transit-oriented development near bus and rail stations.

Mitigation 2.1 (b) proposes for regional and local agencies and employers to promote innovative parking strategies. This measure should also include a parking cash-out program (opt-out), which could feasibly integrate pricing for otherwise free or underpriced parking into regional parking policies and practices.

The MTC TOD Policy does not adequately leverage transit investments to mitigate greenhouse gas impacts of roadway expansion. It does not require a mix of uses at stations, it sets targets far too low, and excuses some projects from any requirements at all.

B17-G

Inadequate Study of Impacts and Mitigations Regarding HOT Network

MTC has included a regional HOT network as part of the RTP investments, but this HOT lane network has significant environmental impacts of induced demand, induced growth, and impacts to climate change and air quality that are not mitigated. MTC staff reports show that their purpose is to increase vehicular throughput, but do not reconcile this goal with the VMT reduction goal.

While the possibility of using revenue for transit is put forward, there are no articulated plans for

transit in the HOT lanes. The HOT program should include a clear commitment to funding transit on each corridor that has HOT lanes, at the time these lanes open, or else the induced demand will result in unmitigated significant impacts to greenhouse gases, air quality, and induced growth and land use impacts.

The discussion of the HOT program should evaluate the conversion of existing lanes to HOT lanes to avoid expansion, given that expansion induces growth and leads to VMT increases.

Finally, we hope that the Final Environmental Impact Report will consider these comments in evaluating project impacts to public health and environment.

Sincerely,

Andy Katz

Andy Katz

February 2, 2009

Letter B18

SIERRA CLUB
FOUNDED 1892

Bay Area Transportation Committee
2530 San Pablo Avenue, Suite I, Berkeley, CA 94702
510-848-0800 (voice) · 510-848-3383 (fax)

Sierra Club Comments on Regional Transportation Plan DEIR

B18-A **Alternative 3, combined with land use strategies, would have lowest environmental impacts.**

The alternatives analysis is significantly flawed and inadequate for reasons discussed below. However, among the alternatives studied, the "HEAVY MAINTENANCE/ CLIMATE PROTECTION EMPHASIS + PRICING STRATEGIES" alternative, if combined with appropriate land use changes, would have the lowest environmental impacts, and therefore best serve the future well being of the Bay Region. If the Freeway Performance Initiative was added to this package, its transportation performance would be improved at little environmental or financial cost. MTC should revise its projects as required to conform to the objectives and characteristics of in this alternative, which maximize greenhouse gas reductions compared to the other alternatives studied. The EIR should adequately study alternatives that would fully evaluate maximizing greenhouse gas emission reductions.

B18-B **The EIR Fails to Properly Evaluate the Environmental Impacts of the RTP due to the Inclusion of Committed Projects in the No Project Alternative**

The $28 billion in committed transit and roadway expansion projects are included in the No Project Alternative. This prevents evaluation of the impacts of the entire Plan against existing environmental conditions in the Plan horizon year. CEQA does not allow treating the previous RTP as the No Project Alternative. Therefore, projects, even if funded, that are not yet built or under contract, they cannot be considered as part of the No Project Alternative. The EIR, with its current definition of the No Project Alternative, does not conform to this requirement because it prevents the evaluation of the impacts of the plan as a whole as compared to a future scenario in which none of the committed expansion projects included in the RTP are built. We request a revised definition of the No Project Alternative to accurately reflect a scenario in which none of the committed expansion project RTP funds are invested. The No Project Alternative should include and evaluate only the transit and roadway infrastructure in place under 2035 conditions, and in comparison to 2006 conditions.

B18-C **The Alternatives Analysis Fails to Include an Alternative which Maximizes Greenhouse Gas Reductions**

CEQA requires all feasible mitigation of environmental impacts. Besides considering the overall impact of the Project, the EIR must analyze its component projects to determine which of them result in increased VMT and GHG emissions. Increased greenhouse gas emissions resulting from the highway expansion projects in the RTP will cause significant environmental impacts. An alternative must be considered which maximizes greenhouse gas emission reductions and mitigates any remaining GHG emissions by eliminating the GHG emission-increasing projects and replacing that expanded capacity with additional transit projects. For convenience, we suggest using the list of projects that was studied in the 2005 RTP EIR as the TRANSDEF Smart Growth Alternative.

In addition, the Alternatives Analysis should evaluate the Project together with policies and programs that would mitigate greenhouse gas emissions and maximize their reduction. In particular, the alternatives analysis fails to include study of : (1) the Project together with pricing strategies to reduce vehicle miles traveled, (2) the Project together with land use strategies to reduce vehicle miles traveled, (3) the Project together with both land use and pricing strategies to reduce vehicle miles traveled, and (4) the Heavy Maintenance/Climate Protection Emphasis alternative together with both pricing and land use.

On page ES-8 of the DEIR Summary, MTC acknowledges that the land-use oriented alternative and the pricing-oriented alternative are both "environmentally superior" to the "Proposed Alternative". Yet the DEIR proposes dropping both alternatives, solely on grounds that the "regional agencies" don't have the power to implement them.

MTC reports have stated that MTC may not currently have authority to unilaterally implement either pricing and land use strategies, or its proposed new HOT lane network. Yet MTC proposes to reject the pricing and land use strategies without taking steps to seek the legislative authority to implement land use and pricing initiatives. MTC has the responsibility to exercise its regional planning powers in a manner consistent with CEQA and mitigating environmental impacts. In addition, MTC has the authority to program transportation projects conditionally on the eventual implementation of pricing and land use policies. An adequate alternatives analysis must include a study of the options that would reduce environmental impacts. Therefore, MTC should include in the Final EIR the three options that incorporate pricing and/or land use strategies that would reduce greenhouse gases to the greatest extent.

B18-D

The DEIR is Inadequate Due to the Limitations of Modeling and the Failure to Model Induced Demand

The RTP proposes to expand roadway capacity, including systems management/operational changes, and physical expansion, including proposed HOT lanes. However, there is no discussion of induced demand in the transportation chapter of the DEIR. Because of the lack of iterative feedback from a land use model, MTC's travel demand model is insensitive to the differences between the distributional effects of roadway expansion and the distributional effects of transit expansion on future land uses. In recognition of the extensive literature on this topic[1], and in recognition of MTC's commitment to acquire integrated urban modelling capabilities for the next RTP, the FEIR should acknowledge the induced demand impacts of expanding roadway capacity, including the environmental effects of additional vehicle miles traveled that MTC is unable to model. The induced demand due to roadway expansion should be evaluated both independently and together with any proposals to implement HOT lanes.

The FEIR, in examining induced demand resulting from the HOT lane network, should examine the reduction in time savings offered by transit service by allowing single occupant vehicles to enter a lane that is used by transit service.

There is no discussion of induced growth due to highway and roadway widening. The EIR should at a minimum follow CTC guidelines for regions to examine both induced growth and induced demand from new capacity construction. Specifically, there should also be an evaluation in the "Indirect/Cumulative

[1] See citations and analysis in the attached Review of Marin Sonoma Narrows (MSN) HOV Widening Project Draft Environmental Impact Report/Draft Environmental Impact Statement

Impacts" paragraph on page 2.3-27 to expand the list of potential indirect effects to include the impact of inducing development of farmland beyond the Bay Area.

The travel demand forecasting model does not discuss the model's limitations. The model poorly reflects travel behavior changes from land use improvements or bicycle or pedestrian amenities. The model also does not adequately reflect travel demand changes from programs such as Safe Routes to Schools or other educational or incentive programs. The inadequacies of the model should be disclosed in the EIR.

B18-E

Inadequate Explanation and Justification for Metrics

The criteria for transportation impacts and air quality are defined as a "substantial" change, without any associated values, but energy criterion #1 is defined as "greater than 5% increase in the total consumption." The EIR should explain and adequately justify what "substantial" means for the transportation and air quality impacts. The EIR should aim for reductions in total greenhouse gas emissions. Increases to regional greenhouse gas emissions by individual projects within the RTP should be considered significant and be fully mitigated.

B18-F

Inadequate Significance Criterion

On Page 15 of Section 2.5 in the T-2035 EIR, there is a discussion of "Significance Criterion" under "Impact Analysis." "Criterion 1: Result in an increase in CO2 emissions from on-road mobile sources compared to existing (2006) conditions." This criterion is inadequate. The criterion should be that the Plan results in a decrease in CO2 emissions by 2035 compared to existing (2006) conditions to avoid potentially significant adverse impacts. How can MTC comply with AB32 targets by simply ensuring that CO2 emissions don't increase?

It seems inaccurate to describe this criterion as "the most responsible and comprehensive approach..." inasmuch as (1) it will not result in the reductions in GHG emissions called for in AB32 and and (2) that failure to reduce these emissions most likely will result in the dire consequences predicted by the UNIPCC? To avoid potentially significant adverse impacts pointed out by the IPCC, and spelled out in AB32, the criterion should be that the Plan results in a decrease in CO2 emissions from Bay Area transportation by 2035 compared to existing (2006) conditions in such a way as to meet the targets set in AB32 [to conform with AB32].

B18-G

Misleading Statement of Climate Change Science

The last sentence on *page 2* of *Chapter 2.5* (Climate Change and Greenhouse Gases) creates the impression that there is a dispute among scientists about climate change.

The sentence begins: "However, many scientists believe that emissions from human activities ... have elevated the concentrations of GHGs in the atmosphere beyond naturally-occurring concentrations, contribution to the larger process of global climate change."

The use of the word "many" in this sentence conflicts with the sentence in the second paragraph on *page 1* of *Chapter 2.5* which states: "While scientists are certain that human activities are changing the composition of the atmosphere and that increasing concentrations of greenhouse gases ... will change the

planet's climate ..." It creates a misleading impression of the findings of the UNIPCC and suggests that this is a disputed fact. The EIR should correct this.

B18-H

The Mitigations in the DEIR Do Not Adequately Mitigate Environmental Impacts

The EIR should aim for reductions in total greenhouse gas emissions. Increases to regional greenhouse gas emissions should be considered significant and be fully mitigated.

Mitigation measure 2.1(a) calls for existing TLC funds and additional funds to provide financial benefits to local governments that have designated Priority Development Areas (PDAs). This mitigation should include additional funding sources including Safe Routes to Transit, and the $7 billion in Local Streets and Roads funding. This mitigation is feasible and would reduce greenhouse gases by encouraging transit-oriented development near bus and rail stations.

Mitigation 2.1 (b) proposes for regional and local agencies and employers to promote innovative parking strategies. This measure should also include a parking cash-out program (opt-out), which could feasibly integrate pricing for otherwise free or underpriced parking into regional parking policies and practices.

The MTC TOD Policy does not adequately leverage transit investments to mitigate greenhouse gas impacts of roadway expansion. It does not require a mix of uses at stations, it sets targets far too low, and excuses some projects from any requirements at all.

B18-I

Inadequate Study of Impacts and Mitigations Regarding HOT Network

MTC has included a regional HOT network as part of the RTP investments, but this HOT lane network has significant environmental impacts of induced demand, induced growth, and impacts to climate change and air quality that are not mitigated. MTC staff reports show that their purpose is to increase vehicular throughput, but do not reconcile this goal with the VMT reduction goal.

While the possibility of using revenue for transit is put forward, there are no articulated plans for transit in the HOT lanes. The HOT program should include a clear commitment to funding transit on each corridor that has HOT lanes, at the time these lanes open, or else the induced demand will result in unmitigated significant impacts to greenhouse gases, air quality, and induced growth and land use impacts. The funding program should require tolls high enough to generate funding for regional express buses to operate at frequent headways, and allow for bus flow at speeds that will attract riders. If the tolls are set for lane performance at 45 miles per hour, this may not be adequate for attracting sufficient transit ridership; therefore tolls should be studied that would allow for buses to travel at 55 miles per hour or greater.

The HOT program should evaluate the conversion of existing lanes to HOT lanes to avoid expansion, given that expansion induces growth and leads to VMT increases.

B18-J

Air Quality and Climate Change

To adequately evaluate the air quality and climate change impacts of the RTP, the EIR should quantify the changes that result from implementation of the RTP investments and distinguish them from the changes that result from improved vehicle efficiency and cleaner fuels.

In particular, Table 2.2-6 shows a reduction in ROG, NOx, CO, and smaller increases in PM10 and PM2.5, but these projects include the effects of the fleet turning over. Pollution impacts to each of these pollutants is underestimated and fails to consider potential significant impacts. To adequately analyze impacts to both air quality and climate change, the EIR must analyze a controlled comparison between the "2006," "2035 No Project" and "2035 Project" scenarios to the same fleet engine assumptions so that the impacts of highway expansions, including the HOT network, can be reflected and compared to 2006 conditions.

The EIR should reflect the new PM2.5 standard of 35 ug/m3 adopted by the US EPA in 2006. The Bay Area is currently in nonattainment for PM2.5. Increases to PM2.5 resulting from roadway expansion should be mitigated in the RTP EIR.

B18-K

Inadequate Equity and Socioeconomic Impacts Analysis

The only place where the word "socioeconomic" even appears is on page 3.1-3 as part of a response to a comment by the Alameda County CMA. The only place that the phrase "environmental justice" appears in on page 518 of the PDF (page 26 of 107 in Appendix B), in a comment letter from Urban Habitat.

Even the key concept of "equity" -- supposedly one of the core "Three E's" and with one of the "eight main goals of the T2035 Plan" being "Equitable Access to Mobility" -- shows up a total of only 26 times, of which 7 are references to the names of the TEA-21 and SAFETEA-LU statutes. Another reference mentions the existence of the "Equity Analysis," a totally separate document, not apparently incorporated into this DEIR, since comments are due later.

In contrast, the word "highway" appears 223 times, and even "rail" shows up approximately 248 times (excluding trail/trailer). "Bus" (or buses, minus, business/bust/etc) is fewer than 200 occurrences. Given the current litigation in federal district court, one would think they'd be a bit more sensitive -- or at least smarter.

Employment and the existence/location of "jobs" is apparently based on ABAG 2007 projects -- whether these will remain valid for 2035 is more suspect than previously assumed, and some kind of update of assumptions, given the current economic turmoil and huge job losses, should be included in a final document.

The EIR should provide sufficient analysis of equity and socioeconomic impacts of the RTP.

B18-L

Noise

In the EIR, twenty five pages are devoted to describing different types of noise, how noise is created, the noise pollution regulatory environment, the damage noise can cause and how noise affects different receptors. On Page 2.6-7 it is stated that "traffic noise is usually not a serious problem for people who live more than 500 feet from heavily traveled freeways". On Page 2.6-8 it is stated that noise emanating from freeways and arterials "can be a significant environmental concern where buffers (e.g., buildings, landscaping, etc.) are inadequate or where the distance from centerline to sensitive uses is relatively small".

Yet there is no indication in the EIR that any resources will be directed to noise control or noise suppression. In the Bay Area there are hundreds of sensitive existing receptors afflicted with excessive

noise, such as schools abutting high speed roadways, exposed BART platforms sandwiched between freeway lanes, residences adjacent to BART viaducts and harried BART passengers screaming to be heard while passing under the Bay. Yet no mention is made of addressing any of these problems of long-standing. In the EIR there should be a section that clearly defines what types of noise control and suppression elements will be included in the Plan. Before spending tens of billions of dollars on expanding the Region's freeway system MTC should take the steps necessary to eliminate excessive existing noise pollution

B18-M

Cumulative Impacts

The EIR does not adequately evaluate impacts of all committed projects cumulatively, not just additions in the Transportation 2035 RTP.

Sincerely,

Irvin Dawid
Co-Chair, Bay Area Transportation Committee

The attachment to this letter - Smart Mobility's Review of Marin Sonoma Narrows HOV Widening Project Draft Environmental Impact Statement (Dec 2007) - can be found under comment letter B11.

Ashley Nguyen - Comments on RTP and its DEIR

From: Sherman <sherman@quarryvillage.org>
To: <anguyen@mtc.ca.gov>
Date: 2/3/2009 11:36 AM
Subject: Comments on RTP and its DEIR

The RTP makes great progress in analyzing land use and pricing and a weak job of implementation. MTC needs to have an Economics Program as proposed by the Advisory Council, or support creation of such through the JPC.

MTC has written a very useful letter to CARB on parking and subsidized parking structures, but needs to create policy in the RTP to not fund any projects in any jurisdiction that does have a policy against subsidizing parking structures. MTC needs to write guidance for localities on how to attract people downtown without parking structures.

The regional HOT network program should help fund transit in each HOT corridor from day 1.

The HOT program should include provisions to reduce the impact on low-income commuters.

The HOT program should include studying pricing on existing mixed flow lanes, and freeways should not be expanded. A FastPass system covering the the whole regional freeway system on HOV ramps, bridges, and mainline gateways would work, and work much better than HOV or HOT lanes. According to the I-10 research, maximum throughput occurs at 65 mph in the left lane, 60 mph in the middle lane, and 55 mph in the right lane.

We support the proposed doubling of funding for the Transportation for Livable Communities (TLC) program, new funding for Safe Routes to Transit and Safe Routes to Schools, a Transit Priority Program, and a stronger transportation climate program.

B19-A The EIR should include an alternative, already studied and made public in Challenges and Choices, October 2007, that maximizes greenhouse gas benefits with combined transit, land use, and pricing policies.

B19-B MTC should start work this year with county and local transportation and land use agencies to reduce greenhouse gas emissions and to comply with SB 375 and include this commitment in the RTP and its EIR.

B19-C The No Project Alternative includes, incorrectly, the "committed projects," which prevents evaluation of a true No-project Alternative. The No-project Alternative should have no investments of RTP funds. *Travel Forecasts Data Summary*, p. 8: "We are showing a 3.1 percent increase in regional lane miles between the 2006 base year and the 2035 RTP no-project alternative. ... The RTP project alternative add 2.3 percent additional lane miles relative to the no-project alternative." A project may be accepted into no-project if bids have been received. However, if more new highway construction is the No-project Alternative than in the Project Alternative, it shows that the former is invalid. From its founding, MTC has talked transit and built highways. MTC emphasizes the uncommitted funds, trying to hide highway projects by pretending the funding is "committed" when it is not. MTC emphasizes the total spending in the RTP, not the flexible funds, both "committed" and uncommitted, most of which go into highways.

MTC also supports politically expedient rail transit projects that cost billions more than comparable service on conventional rail. MTC supported BART to Millbrae, with expensive tunneling and a gold-plated parking structure on the long way around San Bruno Mountain instead of the cost-effective Cal-BART proposal. MTC supports BART to Warm Springs and San Jose based on crudely hyped ridership projections that will never happen, at the cost of other Santa Clara sales tax projects promised and not being built, when Caltrain could serve the Fremont gap sooner, cheaper, and better.

--
Sherman Lewis, President, Hayward Area Planning Association
Professor Emeritus, California State University, Hayward
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510-538-3692; sherman@quarryvillage.org; www.quarryvillage.org

Letter B20

From: Ashley Nguyen
To: MchlSrrb; MTC info
Date: 2/10/2009 10:22 AM
Subject: Re: Draft Transportation 2035 Plan EIR Comment (Mitigation + T2035 Comment re: Climate)

Hi Michael: MTC Response to Comment B20-A

Thanks for your comment on the Draft EIR for the Transportation 2035 Plan. I'm writing an email reply to explain why the Draft EIR did not include a mitigation measure for Impact 2.2-4 "Emission of diesel particulate matter, 1,3-butadiene, and benzene would decrease substantially compared to existing conditions."

The Draft EIR did not recommend mitigation for Impact 2.2-4 because CEQA does not require mitigation measures for effects which are not found to be significant (CEQA Guidelines Section 15126.4(1)(3)). However, the Draft EIR does identify several mitigation measures for Impact 2.2-3 on p. 2.2-21 of the Draft EIR. These mitigation measures for coarse and fine particulate matter would help to address toxic air contaminant emissions as well.

On the larger issue of climate change and global warming, we too have no interest in debating the science behind climate change, but rather we are focused on identifying regional strategies and actions to address it as well as responding to state mandates to reduce greenhouse gases to 1990 levels by year 2020. The Draft EIR specifically evaluates the climate change and greenhouse gas emissions impacts of the proposed Transportation 2035 Plan (see Chapter 2.5: Climate Change and Greenhouse Gases), and the Transportation 2035 Plan identifies specific policies and investments to address climate change, such as the $400 million Transportation Climate Action Campaign (see p. 46 of the Draft Transportation 2035 Plan for more information).

We appreciate your comments on the Draft Transportation 2035 Plan and Draft EIR. We will include this response as part of the Final EIR on the Transportation 2035 Plan, and will forward your comments to our Commission for their review and consideration at their March 13 and 25 meetings. Thanks.

Ashley Nguyen
Senior Transportation Planner/Analyst
Metropolitan Transportation Commission
101 Eighth Street | Oakland, CA 94607
Tel. 510.817.5809 | Fax 510.817.5848

>>> MchlSrrb <mchlsrrb@aol.com> 2/6/2009 11:25 AM >>>
First, I consider BART to be the best of all transportation systems. Period.

B20-A But, I am sad to read in the Transportation 2035 Plan Draft Environmental Impact Report, under Impact 2.2-4 " Emission of diesel particulate matter, 1, 3-butadiene, and benzene would decrease substantially compared to existing conditions."

followed by, under Mitigation Measures: "None Required."

No doubt you and your staff are amongst the best educated people in the field of transportation including energy efficiency. Yet, you imply that the proposed Diesel power for eBART requires no Mitigation!!

We need not waste our time on the subject of whether Global Warming is true or whether the Governor will be able to impose greater restrictions on Green House gasses. What bothers me, most of all, is that the leaders of the most advanced mass transit system in the USA do not believe Global Warming is true, therefore they plan to sneak in one more polluting Diesel train system -Now!

Key to the question:
If you are willing to do that now, perhaps to avoid some discomfort, what could either you or I tell some illiterate native burning up the rain forests in Brazil or Indonesia? Can we look at them in the face and tell them to put their family food at risk, while we are unwilling to face the reality experts have been telling us for years, and our Chemistry 101 teachers told us, too often?

The Greenhouse gases are like a blanket, the more blankets we have, the wormer it will get and the faster it will get warmer and,
most of all, the temperature will continue to increase, for as long as we keep our blankets, and our Carbon Dioxide. That's right, even if we were to completely stop Carbon Emissions, the Earth warming would continue.
In short, every CO2 molecule we produce will, FOREVER, increase the Earth's temperature. No decay, no wear down, no half-life, CO2 is an stable molecule, it takes energy to split it -more than was released when it was made.

You and you staff will put our grandchildren, yours and mine, in an Earth warmer than the ovens in Auschwitz.
This is no hyperbole, the temperature of the CO2 in Venus reached its Equilibrium Temperature of 846 Deg. Fahrenheit.
What some fail to grasp is that every CO2 molecule that has been put in the air, will be there well after the Human Race ends.

Michael F. Sarabia
P. O. Box 5156
Bay Point, CA 94565
Ph 925.709-0751
You may forward this email.

Letter C1

9 Comments

Joint Advisor Workshop
Wednesday, January 7, 2009

ATTENDANCE
Total Advisors Present = 31

EDAC Members Present (10):

Paul Branson	Rich Hedges (also on Advisory Council)
Richard Burnett	Julio Lacayo
Marshall Loring	Ken Altenburger
Janet Abelson	Craig Yates
Dennis Trenten	David Grant

MCAC Members Present (10):

Randi Kinman	Dawn Love
Jacquee Castain	Carlos Romero
Bill Allen	Raphael Durr
Charles Rivasplata	Darnell Turner
Carlos Castellanos	James McGhee

Advisory Council Members Present (11):

Bob Planthold	Don Rothblatt
Margaret Okuzumi	Woody Hastings
Myrtle Braxton	Jim Cockle
Sherman Lewis	Mary Griffin-Ramseur
Xiao-Yun Lu	Mike Pechner
Cathy Jackson	

Also Present:
Bob Allen, Urban Habitat
David Schonbrunn, Transdef
Kendall Flint, PMC Facilitator

MTC Staff Present:

Catalina Alvarado	Georgia Lambert
Pam Grove	Therese McMillan
Ursula Vogler	Linda Walls
Ellen Griffin	Leslie Lara
Ashley Nguyen	Therese Knudsen
Liz Brisson	James Corless

Comments/Questions/Feedback on Draft Plan

- Noticed an inconsistency on Pg. 68; there is information about pedestrian hazards and risks. MTC says it will fund TLC, but that doesn't address pedestrian safety matters. There is talk of the need, but the money being spent doesn't address the need. It seems good to show charts about safety hazards and risks, but there is no follow through with the money; the money is going for amenities, not safety. There is nothing even saying there is going to be a study on what counter measures are needed; it just says you're going to reduce the injuries by 25%: how, where? It's a bait and switch approach here.

- Addressing the issue of Lifeline/bikes/TLC – it should be reversed. $400 million for Lifeline should be $1 billion, and $400 million should be for bicycles. Bicycles already have a majority of funding; the majority of Lifeline needs to be focused on better.

- On the local roadway maintenance, we said we are going to have an $18 billion shortfall – what is the impact of there if we are going to be cutting $18 billion? Also, on the slide on Lifeline/bikes, if we are going to spend $1 billion for the regional bike network, what is the benefit versus the cost?

- The investment in Climate Change, how will funds be allocated to implement the campaign around public outreach and grants? Second, the Draft Public Outreach and Involvement Program Report is due January 2009. She's concerned that we've not done enough outreach and public participation with industry and business. What is MTC going to do between now and March 2nd – literally there is less than two months to give feedback. She feels we're leaving out a huge population of people who can make decisions, whether it's around climate change or reduction, whatever. Would like a response to this and would like to see documentation that this outreach was done. She doesn't feel that the Bay Area Council and one or two other large organizations are representative of business in all areas of the region (mentioned labor, industry and certain parts of counties).

- Regarding Lifeline/Bikes/TLC – expressed surprised to see a billion dollars for regional bicycle network; felt they feedback from the joint advisors was that a reduction in that area might be more appropriate, and a shift of some of those funds to Lifeline; doesn't want to speak for everyone in the room, but wants to express that's what he thinks he heard; is shocked that there's a billion dollars in the plan for bikes (and btw, he rides everywhere on a bike, so he's not anti-bike); secondly, regarding HOT lanes – he supports pricing to get people off the road; but the HOT principle in terms of where the revenues could go, emphasis is on improvement to roadways to improve HOT, but there is not any significant language that talks about investing the funds in public transit (mentioned this is one of the reasons congestion pricing worked in London)

- Regarding the two Public Outreach hearings on the draft Plan – feels they exclude everyone outside of the "water" area; this is a region-wide plan, and she would expect public hearings to be more accessible to the public that will be impacted by this; she doesn't see that anyone from Gilroy will get on three transit systems necessary to get to San Francisco to participate in that public hearing; is concerned that the public doesn't have as much access as they should; secondly, the TLC language regarding TOD – there is no agreement within her city as to what constitutes TOD – would like to see a regional agreement on what this means before MTC gives money for TOD, infrastructure repairs or groundbreaking in communities; much of TOD is being built along freeway lines where MTC is projecting an 30% increase in particulate matter– doesn't make sense to build TODs along areas that will increase likelihood of disease when people use bike paths and sidewalks

- There are developers right now in the process of mapping out plans based on MTC documents and MTC funding that they see coming down the line; the cart is already out there before the horse; also TOD doesn't necessarily include jobs; the definition of TOD needs to be nailed down somewhere, and if MTC is creating the idea, MTC has the responsibility to "corral" the developers

- The travel forecast data summary makes some future fuel cost assumptions – there was already an adjustment made when fuel prices spiked – current lower prices may be temporary – expressed concern that the current estimate for T2035 (about $7.50/gallon) may be too low; is MTC looking at alternative scenarios based on different pricing structures, even beyond $7.50/gallon?

- Regarding HOT funds and shortfalls – are there any strategies to bridge the shortfall gaps in maintenance of transit; when people have to wait longer, you lose transit customers; are there any strategies to further assist counties to raise additional funds; would it be helpful to expand more fully the definition of transit and include more express buses

- Feels it will be a number of years before HOT revenues will be available to use for anything other than paying for the system; she's concerned they'll be putting out a lot of capital just to pay for the lanes; also concerned it will increase difficulty finding room in the lanes for buses and 3+ occupant vehicles; how will we support continuing HOV lane service in heavy usage areas

- Has supported FPI, but is concerned whether there's been enough experience to know that it works

- Regarding Slide 4, this is too much growth; the area already exceeds its quality of life carrying capacity; this amount of growth is unsustainable; probably not an issue for MTC, but the Joint Policy Committee needs to address the issue of how can you decrease the amount of growth while continuing to improve on the Three Es – regarding Slide 5, it is not clear if this includes the committed projects or

not; he would like to see a table that separates the discretionary funds that can go to either highways or transit, so he can get a sense of how the discretionary money is being used; he knows that CMAQ's STP is a major source of those flexible funds, but he doesn't have a sense of how the flexibility is being used – on local roadway maintenance, he thinks this is primarily a local property and local issue that needs a better philosophy to approach, basing it on property and gas tax at the local level; and basically local people should be given choice to pay the tax and have better roads or not; regarding Slide 8, he thinks this is an heroic effort finding $400 million for climate action; curious as to where the money came from; it was not in previous RTPs – regarding HOT, he feels it is worth doing some modeling research on operations to look at mixed flow with ramp and main line meters, which he believes will work better than HOT lanes, and some kind of systemic tolling system would be even better; regarding Resolution 3434, he believes Warm Springs to San Jose is not particularly cost effective or meets land requirements in 3434; would like to see some costs for new rider figures in relation to other kinds of transit capital investments

- Really stunned to see there are a couple of highway road projects in Alameda County that are being funded by RM2 bridge toll funds which are nowhere near the Bay; they do not actually cross the Bay; at the same time, she did not see Dumbarton Rail project on the list of projects; she's wondering if she's just overlooking it or whether it's in there – also wonders what assumptions were made in terms of STA funds (the climate for that has changed a lot in the last couple of months) – she's wondering what MTC is doing, if anything, to ensure transit operators will have enough operating funds to operate transit at the levels assumed (for example, VTA just released a short-range transit plan that, although it claims maintains the existing levels of bus and light rail service, budgets a decreasing amount of monies for operations for each of the years between 2009-2017; feels this is not reasonable and wonders if MTC is going to be doing any kind of analysis of things like that); while she is pleased that MTC would like to pay $400 million for the transportation climate action campaign, is curious as to how the 5-year timeframe was developed and for what? Capital projects? Service delivery programs? Would be nice to expand travel smart program that has been successful in encouraging more people to take transit – is a program like this a possibility.

- It didn't help MTC by taking money away from Dumbarton rail these last several months – still very troubled about HOT lanes (Lexus lanes); maybe the figures in terms of how much money could be made makes sense to somebody, but SOVs are the highest polluters in Bay Area; allowing those people to occupy HOT lanes increases pollution, does not decrease the carbon footprint, in fact, it increases it; so how do you mitigate that?; the only way to do that is to say it's not going to be single occupant, but two or three occupant; otherwise you're going to increase emissions, and that's not what we're here for; if this does go through, he recommends the funds be used only to maintain those lines, and excess funds

should be used for paratransit, the disabled, bike lanes and things that will really help offset the carbon footprint

- On Page 40 of the RTP, assessing project performance, he is concerned about the assessment of Lifeline as very low benefit to cost; wants to understand why it's being assessed this way

Comments/Questions/Feedback on Draft EIR

C1-A
- At the beginning we heard there were concerns from the AG on the EIR and there was a meeting on Halloween – what happened with that meeting and what did the AG say

C1-B
- Regarding the population growth chart, they're going on 1970s language of the law and are ignoring population demographics – this doesn't show that you've done any study or analysis about the changes in travel/transportation patterns and needs and services because we've got more people with disabilities and more seniors who may need more services or paratransit vans (as opposed to 35 years ago) – I don't see a study/data that shows you're dealing with the population needs – are there going to be more vans, more trips in vans, more home care attendance, driving, or taking buses to and from "xyz" – and maybe it's not required, but it seems like it's a deficiency

C1-C
- Comments from a member of the public that are mostly for the advisors – the Plan speaks about the goal being "building momentum towards change." But the Plan is not the change that it speaks of in terms of a full response to climate change; when you look at the alternatives analysis, you'll see that these two alternatives (pricing and land use) reduce VMT and per capita VMT somewhat, but they are limited in their effort; what is entirely missing from this EIR is a study of a maximal effort to reduce greenhouse gases; MTC was given this as input in the scoping portion of this process – they explicitly refused to do this because of the institutional rigidity surrounding the past committed projects; the practice here is to illegally include committed projects within the No Project alternative as if there's nothing that MTC could do to change where this money is going; and the amount of money tied up in committed projects is equal to the amount of money in discretionary projects (it's $30 billion); this was one of the principle criticisms that the AG had of MTC's scoping plan; I just want advisors here to be very aware that the alternatives that you've seen represent essentially "safe" alternatives; a little bit innovative, but they do not represent a change in what this institution is about because they don't want to ruffle the feathers by opening the books, clearing the table and trying to decide what is the absolute best use of our funds in terms of reducing emissions for climate change

C1-D
- Under the biological recourse, the Bay Area Checker Spot butterfly is an endangered species, and the food which is requires to exist is also listed as

endangered, but it actually requires the soil for that particular plant to grow; I've only had a short time to cross-reference this document, but I don't see the cross-referencing here, or the potential impact, since it's on the 101 corridor; would like to make sure that in those cases where those three things are interwoven and you can't just move a plant from one area to another that that's covered.

C1-E

- Congratulates MTC on the alternatives evaluated; at the same time, I agree 100% with Mr. Schonbrunn; Slide 11-16 are real progress compared with five years ago and reflect the push that RAFT and TRANSDEF's smart growth alternative made in previous RTPs

C1-F

- How do we get from a history of getting funds to build things to some attention to pricing and economics as a major means of dealing with transportation problems; the historic framing of transportation issues does not lend itself to economically rational solutions; one way of trying to get there is through better modeling; modeling has a good experience with short-term elasticity and a bad experience with long-term elasticity because you're involved with a double elasticity problem; as fossil fuels become more expensive, the rest of the system is going to change dramatically to create attractive alternatives; so if you can invent the attractive alternatives, the model will respond correctly to what the market would do if it had a change, and that would mean less total growth, higher fossil fuel costs, more job-employee balance, better walking densities, and pricing and regulation of cars in the walking areas; one of the complications in our current auto-based system is long distance driving to jobs and shopping – the jobs-housing balance we understand, but the housing-shopping relationship is not very well understood; the freeway system has lower prices in the wholesale retail trade sector, but higher household consumption expansions on transportation; as you shift the system to more of a walking transit system, wholesale retail prices will go up because there will be more stores closer to the consumers (because of higher transportation costs built into the prices), the household consumption expenditures will go down as far as transportation, but they'll go up on the consumption, so they'll come out as to where they were before; I don't think the models are really trying to look at that issue, which is fairly important

C1-G

- Question on Slide 13, you have the HMCP plus pricing, HMCP plus land use – if you do all three of them combined, are the results additive or do they not add up; if they're synergy, you get even more results than just combining the two – if they cancel each other out, you have less, and I'm not really sure how that would come out

C1-H

- Questions the completeness of the EIR assessment; understands MTC's bureaucratic charge to focus on the Bay Area; nonetheless, everybody understands that the environment doesn't simply stop at the Alameda County line; over the past year there have been presentations about aspects of the Port, for example; notices there is $45 million for goods movement emissions reduction – compare that to the projection that because railroad freight yards are now being

built in the central valley and containers are offloaded at the Port, this will generate an additional 30,000 trips over 580 by trucks, which will increase particulate matter – $45 million doesn't seem to go very far when you think of that; also Port generates its own stationary sources of pollution from ships, idling trucks and rail transit that goes in and out – is there a way to address this; also evaluation of various alternatives are restricted to the surface of this one table, and there's a whole wider world of stuff

C1-I

- You said that the EIR doesn't evaluate any project, but of course it evaluates the preferred project, which happens to be this set of investments, as opposed to another alternative set of investments that could have been no roadways and all transit, correct?

C1-J

- Wants an explanation – if the environmentally superior alternative is heavy maintenance plus pricing, but then heavy maintenance climate emphasis by itself – having trouble interpreting the charts; if the Commission were to adopt the project alternative plus pricing, then is the difference in VMT and emissions just the difference between the heavy maintenance and climate emphasis and the project alternatives? Also, does pricing break out as a complement separate, because they're only presented as combined

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MTC PUBLIC HEARING ON THE DRAFT TRANSPORTATION 2035 PLAN

San Francisco, California, 7:00 p.m.

Taken before DAWN E. HOWARD, CSR No. 13201, and

AUDREY L. TAKATO, CSR No. 13288

Tuesday, January 27, 2009

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A P P E A R A N C E S

--o0o---

ANNE HALSTED, MTC Commissioner

JON RUBIN, MTC Commissioner

1/27/09 Oral Comments

19 Comments

Letter C2

SCOTT DAVIDSON, PMC Staff
KENDALL FLINT, PMC Facilitator
DOUG KIMSEY, MTC Planning Director
THERESE McMILLAN, MTC Deputy Executive Policy Director
ASHLEY NGUYEN, MTC Senior Planner

P R O C E E D I N G S

---oOo---

COMMISSIONER RUBIN: Hello, everybody. Let's get the proverbial show on the road. My name is Jon Rubin, and I don't need to read this to know that; I just want you to know. But the rest of it I do have to read. And I represent the mayor of San Francisco. That much I know by heart as well. How do you like the lighting in here, huh? Pretty romantic, right? You

10 like the big plates we've provided over there? Take as
11 many sandwiches as you want. Just put them all on the
12 plate, you know, take them home with you.
13 Anyway, good evening and welcome. I'm Jon
14 Rubin, the San Francisco mayor's appointee of
15 Metropolitan Transportation Commission. I'd also like
16 to introduce some other transportation officials in the
17 room. Anne Halsted is a commissioner from ABAG.
18 ANNE HALSTED: Good evening.
19 COMMISSIONER RUBIN: MTC Deputy Executive
20 Director, Therese McMillan, back there.
21 THERESE MCMILLAN: Hello.
22 COMMISSIONER RUBIN: Planning director Doug
23 Kimsey, back there.
24 And, then I don't know. It says, "SF" -- it
25 says, "SFMTA or MUNI Staff or any elected officials

3

1 present." If you have the nerve to raise your hand, go
2 ahead. Did I miss anybody? Is anybody offended if I
3 don't say their name, even if you're not any of those
4 things? I'll be happy to say your name.
5 Okay. And Norm is here. I'll say Norm is
6 here.
7 NORMAN ROLFE: Thanks, buddy.
8 COMMISSIONER RUBIN: And our other
9 distinguished MTC staff. And I appreciate them all
10 coming out and all of you coming out this evening. It's
11 cooling off nicely outside.
12 MTC is responsible for preparing the Regional
13 Transportation Plan for the nine-county Bay Area,
14 period. That plan will guide Bay Area transportation

15 policies and investments over the next 25 years. We are
16 nearing the end of a 24-month dialogue on Bay Area
17 transportation priorities for this plan.
18 We were last here in San Francisco in May when
19 we held dozens of meetings around the nine Bay Area
20 counties to talk about priorities and investment
21 trade-offs. Since then, we've taken what we've heard,
22 completed a technical analysis, and we've released a
23 draft plan for public comment. We call it the Draft
24 Transportation 2035 Plan. We've added a subtitle,
25 Change In Motion, pretty catchy.

1 The key word here is "change." We're proposing
2 to do a lot of things differently with the
3 Transportation 2035 Plan than we have with past plans.
4 In a moment, you'll hear a brief overview of the draft
5 plan. The focus tonight is to hear your comments. You
6 will have ample opportunity to speak on the record. We
7 have two, count them, two court reporters here taking
8 down your comments.
9 Do we think one of them is going to, you
10 know -- what's the actuarial, ladies? You have a 50/50
11 chance of making it out of here.
12 If you wish to speak, please fill out a blue
13 speaker's card, which are -- blue speaker's cards are
14 where? Somebody tell me. They're right over there, so
15 if anybody wants to fill one out, please do. And when
16 they do, who should they give the card to?
17 KENDALL FLINT: They'll hang on to it, and
18 we'll point out so we'll see.
19 COMMISSIONER RUBIN: If you want to offer

20 written comments, we have a yellow comment sheet
21 available for your convenience, which I assume is also
22 over there.
23 The public comment period on the Draft 2035
24 Plan, Environmental Impact Report, also known as "EIR,"
25 closes on Monday, February 2nd at 4:00 p.m. The close

1 of public comments for the Draft Transportation 2035
2 Plan comes a month later, on Monday, March 2nd at 4:00
3 p.m. Staff will summarize comments heard today for
4 MTC's February 13th Planning Committee meeting.
5 So again, welcome. We're here to hear your
6 reaction to our draft plan. And now I'd like to
7 introduce Kendall Flint, who's got the best name in the
8 world and who will be leading us through tonight's
9 public hearing.
10 KENDALL FLINT: Thank you very much.
11 COMMISSIONER RUBIN: Thank you very much.
12 KENDALL FLINT: Riveting speech.
13 COMMISSIONER RUBIN: Fantastic.
14 KENDALL FLINT: I want to make sure everybody
15 is in the right meeting. You are here for MTC tonight
16 and not for high-speed rail, right, because their EIR
17 meeting is a couple doors down.
18 Right, everybody is here for MTC? Yes?
19 UNIDENTIFIED SPEAKERS: Yes.
20 KENDALL FLINT: It's a participatory meeting.
21 Yes?
22 UNIDENTIFIED SPEAKERS: Yes.
23 KENDALL FLINT: Okay. What we're going to do
24 tonight is a couple of things. One, in order to save

25 you the drama of filling out long forms, I'm going to
6

1 walk you through a really fun little exercise. My
2 lovely assistant Scott over here has been handing out
3 these lovely little clickers.
4 Does everybody have one? If you do not have a
5 clicker, please raise your hands, and we'll make sure to
6 give you one. Okay, one here in the middle; one here in
7 the end. MTC staff, please do not request them. You
8 already know this.
9 Okay. What we're going to do is just learn a
10 little bit about who's in the room tonight. And then
11 following that, Ashley Nguyen is going to be walking you
12 through a presentation that kind of outlines this
13 undertaking that MTC has been working on the last two
14 years, which, of course, is the draft plan and the draft
15 EIR.
16 The first one is to find out a little bit about
17 how you got here tonight. The first question I want to
18 ask you is: "How did you find about coming to this
19 meeting?"
20 On a little keypad in front of you, there are
21 numbers: one, two, three, four, five, six, seven, eight,
22 nine. And you can look at this list and see which one
23 of these best describes the way that you managed to get
24 here. We did not include threats or any other types of
25 things, but if you choose "other," I'm sure that will
7

1 be, you know -- so which of these: One, received
2 postcard; two, news story; three, from MTC's Web site;

3 four, a newspaper ad; five, e-mail notice; and six,
4 other.
5 NORMAN ROLFE: What about if there's more than
6 one?
7 KENDALL FLINT: Whichever one motivated you the
8 most, which you felt was the most compelling reason to
9 be here tonight. We'll give everybody a chance to lock
10 in there. Okay, a few more to go. And we're going to
11 close this off, so everybody lock in your answers, just
12 like American Idol. In three, two, one; let's see what
13 we got here.
14 Okay, so lots of "others" and lots of
15 "postcards," good.
16 Okay. The next question: "Do you use public
17 transportation regularly?" And by "regularly," we mean
18 do you use public transportation one to two times every
19 week. So it's a "yes" or "no" question. If you use it
20 more than that, great; it's still a "yes." But the
21 question is -- one, yes; two, no -- "Do you use public
22 transportation regularly?"
23 We've got a few more pop in there. Okay,
24 everybody seems to have locked in their answers. And
25 let's see what we got there. Okay. So lots of

8

1 transportation users in the room tonight.
2 Next question, pretty simple, "Which county do
3 you live in?" You should know where you live. If
4 there's none of the above here, just don't answer the
5 question. If you're, you know, coming in from someplace
6 else because you just love going to public meetings,
7 you're a sick human being. It's a sign of the times.

8 It's the sandwiches, right.

9 So one, Alameda; two, Contra Costa; three,

10 Marin; four, Napa; five, San Francisco; six, San Mateo;

11 seven, Santa Clara; eight, Solano; nine, Sonoma.

12 Okay. If everybody is locked in on that, I'm

13 going to put a guess out there that -- yeah, quite a few

14 people from San Francisco.

15 Okay, next question: "Have you attended a

16 public meeting or workshop on Bay Area transportation in

17 the past or is this your first time?" So if you've been

18 to a public meeting on transportation in the past or is

19 this your first time?

20 Let's see. We've got a couple more to go.

21 Three of you are very slow. Come along. One more, come

22 on, do it. Okay, we're going to close it off here. And

23 let's see.

24 Okay. Who said "no," just out of curiosity?

25 Welcome to the party. They're all like this.

9

1 They're really fun.

2 "What is your gender?" One, male; two, female.

3 UNIDENTIFIED SPEAKERS: No "other" on this one?

4 KENDALL FLINT: You know, we were just talking

5 about it, and my apologies. If there was a transgender,

6 I would be happy to add that in there, but --

7 UNIDENTIFIED SPEAKERS: Or martians?

8 KENDALL FLINT: We tried to keep it on the

9 human scale for the purposes of tonight's meeting, but

10 we're certainly open to comments from all sentient

11 beings. Okay, here we go. That's done.

12 All right. "Are you Hispanic or Latino

descent?" One, yes; two, no. Are you Hispanic or Latino.

Okay. We'll lock those in. We've just got a couple more of these, and then we're going to go right on.

And, "How do you identify yourself?" And these are: One, white -- you can click more than one. So if you are a multitude of things, you can certainly pop those in: So, "White, Chinese, Vietnamese, Asian, Indian, Black, African-American, Japanese, Filipino, American Indian, or Alaskan, other Asian, other race."

It would be of particular interest if anyone is here from Alaska. "I can see Russia from my house."

Sorry, I couldn't help it. Sorry. It's just no fun any more, okay.

All right, here we go. And, "What is your age?" Number one, 24 years and younger; two, between 25 and 59; three, over 60.

You guys are getting good at this. Okay. Okay, great, the majority in the middle.

All right. Set down the clickers. We're going to come back to those at the end of the meeting. The next thing we're going to do, is I'm going to introduce Ashley Nguyen. She's been the lead planner on the RTP, and she's going to walk you through an overview of what's in the draft transportation plan and in the draft environmental document.

And after she's finished, we're going to come back and we'll take some comments and some questions, and I'll explain a little bit more about how the process

is going to go. Ashley.

ASHLEY NGUYEN: Thank you. Okay.

Thanks, Kendall. Good evening, everyone. I'm Ashley Nguyen. I'm with MTC's planning section. And my role today is really just to provide you with a brief overview of our Transportation 2035 Plan. I know some of you are very familiar with the plan; others may have been, maybe, first-timers. We do have the plan

available and we certainly invite you to read it from cover to cover.

As Commissioner Rubin mentioned, the Transportation 2035 Plan is a 25-year, long-range regional transportation plan that lays out our transportation policies and investments for how the Bay Area will serve the mobility and accessibility needs of its population.

The Transportation 2035 Plan didn't materialize overnight. It actually happened after several months, 24 to be exact, of planning, a huge planning effort, that involved extensive interagency consultation, as well as a comprehensive public outreach approach. We had a number of lively discussions and debates throughout the planning process.

So here's what it took to really develop the plan. We started this process in early 2007 with a series of early dialogue workshops to really solicit some early feedback on what this plan ought to look like. We moved on to a huge summit that was actually sponsored by MTC and our partner agency, the Association of Bay Area Government. This was the "Bay Area on the

23 Move" Regional Summit, where we drew about 700
24 participants to really start thinking about what is this
25 vision that we're seeking to put into this plan and how

12

1 will our transportation system support that vision.
2 This was followed by a series of workshops
3 around the region, round-table discussions with our
4 partner agencies, as well as leaders from the three E's,
5 which is Economy, Environment, and Equity.
6 We had two statistically valid telephone
7 surveys as well as Web surveys up on the MTC Web site.
8 We went out in the street and asked the common person,
9 you know, some of their thoughts about transportation.
10 These were our person-on-the-street interviews. We also
11 held focus groups, one in each county, and then a number
12 of travel consultation as well as interagency
13 consultation with some of our state and federal
14 partners. So it was a really exhaustive outreach
15 process from the get-go.
16 Just to provide you with a little bit of
17 context with this plan, what I wanted to do is to give
18 you a snapshot of what the Bay Area would look like in
19 the year 2035.
20 Currently, the Bay Area has about 7 million
21 people and 3.5 million jobs. By 2035 we'll see 2
22 million more people and 2 million more jobs. With this
23 growth in population and jobs, we'll see a 32 percent
24 increase in the number of daily auto trips, as well as
25 the 33 percent increase in the vehicle miles traveled.

13

1 On the air quality front, what we'll see is

2 over time the carbon dioxide emissions from on-road
3 mobile sources will start to decline. So by the year
4 2035, we'll see a 14 percent decrease. This is mainly
5 attributable to the vehicle technology changes that are
6 mandated by state law.
7 However, with the population and the job growth
8 and the increase in vehicle miles traveled, what we'll
9 see is an increase in particulate matter emissions from
10 both tailpipe emissions as well as on-road dust, and
11 that's going to increase about 30 percent. So those are
12 the -- some of the things that we'll have to deal with
13 as part of this plan.
14 The budget for this plan is a $226 billion
15 budget, and this is coming from local, regional, state
16 and federal sources that MTC forecasts to be reasonably
17 available to the region over the next 25 years.
18 As you can see from the first pie chart, nearly
19 half of these revenues are from local sources. This is
20 mainly transit fares, dedicated sales tax programs, as
21 well as state and county subventions to local streets
22 and road maintenance. The other amount of revenues are
23 really from our regional and state and federal funds.
24 This is merely state and federal gas taxes, as well as
25 regional bridge tolls.

14

1 In terms of how we spent the $226 billion, most
2 of our spending expenditures really focus on a
3 long-standing priority for our commission, which is to
4 fix the system we've got in place. We've made a huge
5 investment in our transportation system for a number of
6 decades, and what we want to do is keep that system in a

7 state of good repair.
8 So on the second chart, you'll see that we have
9 spent $166 billion, which is over 70 percent of our
10 budget, just on maintaining our existing system. The
11 other revenue expenditures include about $20 billion
12 going to system efficiency projects to help better
13 operate the system we have in place. And then $40
14 billion goes to expansion of both our local streets and
15 road system as well as our highway system.
16 What I wanted to do in the next several slides
17 is to give you some highlights on the kinds of
18 investments we make in this Transportation 2035 Plan.
19 But I wanted to mention that, from the outset, we heard
20 from the public that there should be change. This plan
21 should be about change, and this is the reason why this
22 plan is called "Change in Motion."
23 The key message that we heard here is that our
24 world is changing and we must change with it. And so in
25 many ways this plan responds to the mandate for change.

15

1 Our commission focused on fixing our transportation
2 system, operating it more efficiently, looking at ways
3 to take the lead in climate protection, instituting
4 pricing through our Regional HOT Network, as well as
5 supporting focus growth, particularly placing
6 development near our transit systems in existing
7 communities.
8 So the next series of slides highlight some of
9 those key initiatives. The first one I want to start
10 with is our local streets and road maintenance. Here,
11 MTC staff estimates that our 25-year local streets and

12 roads needs is about $35 billion. This is to repair
13 potholes in your local streets and roads.
14 But once we account for all the monies that are
15 committed to maintenance, what we see is that there's
16 about an $18 billion shortfall that needs to be
17 addressed. So as part of this plan, our commission has
18 set aside $7 billion in discretionary funds to prevent
19 further deterioration of our local road system.
20 However, there's still an $11 billion shortfall that
21 remains unaddressed, and it's on the table.
22 In a similar vein, for our transit maintenance,
23 we estimate that the total transit capital needs -- this
24 is just replacing our buses, our train cars, the tracks,
25 fare machines, and other capital infrastructure

16

1 improvements, just to maintain that costs about $40
2 billion over the next 25 years. However, again, as we
3 account for all the monies that are committed to transit
4 maintenance, we have about a $22 billion shortfall.
5 This leaves about $16 billion in transit capital
6 replacement needs that is left unaddressed.
7 As part of this plan, our commission is putting
8 aside $6.4 billion. I misspoke; this leaves $16 billion
9 on the table.
10 To address climate change, the four regional
11 agencies -- this includes: MTC, ABAG, the Bay Area Air
12 Quality Management District, as well as our Bay
13 Conservation and Development Commission. These four
14 agencies joined forces and sponsored a five-year
15 transportation climate action campaign.
16 The campaign has two facets: The first facet

17 is to focus on public outreach, to really help to alter
18 driving and travel behavior so that people can start
19 leaving their cars at home and start using alternative
20 modes to really reduce our greenhouse gas emissions.
21 It also includes a capital component where we
22 will be providing funds through a climate grant program,
23 our Safe Routes to School Program, Safe Routes Transit
24 Programs, as well as other action-oriented incentive
25 programs to really get some of the improvements on the
17

1 streets so that we can reduce our carbon footprint.
2 In addition, to address particulate matter, our
3 commission has set aside $45 million towards a Goods
4 Movement Emissions Reduction Program. We have a lot of
5 the particulate matter emissions coming out of diesel
6 trucks that travel in and out some of our major truck
7 corridors, and this program is aimed to reduce some of
8 those particulate emissions.
9 To improve the performance of our existing
10 system, MTC, working in collaboration with Caltrans,
11 California Highway Patrol and our local partners,
12 launched our Freeway Performance Initiative. The
13 Freeway Performance Initiative, or FPI as we call it, is
14 about managing the system, again, the system we have in
15 place. The Freeway Performance Initiative includes rent
16 meters that help to manage vehicles entering the freeway
17 as a way to reduce delay. It includes traffic operation
18 systems, such as cameras, incident detection equipment
19 so that we can detect incidents that occur on the
20 freeway, transmit that information to our transportation
21 and management center so that they can quickly clear

22 those incidents so that we can really reduce
23 nonrecurrent delay. And it also includes a way to
24 really manage our local and arterial system that feeds
25 into our freeway, so that we act as a cohesive system.
18

1 So for this plan, this plan puts aside $1.6 billion
2 towards the Freeway Performance Initiative.
3 And then moving on to transportation pricing,
4 this plan proposes to create an 800-mile regional high
5 occupancy toll network on your Bay Area system. MTC
6 estimates that the cost of developing this Regional HOT
7 Network is about $3.7 billion. The good news here is
8 that the $3.7 billion will come from toll revenues
9 generated by the system, so it won't rely on other
10 discretionary revenues.
11 Once the system is in place, we estimate that
12 there will be a net toll revenue of about $6 billion,
13 and these net toll revenues can go to a number of
14 different improvements, including express buses that
15 could operate on the HOT Network system, rail expansion
16 improvements, other kinds of local roadway and access
17 improvements, and high technology kinds of improvements
18 that you see through our Freeway Performance Initiative.
19 There's a lot of ongoing discussion with our
20 Regional HOT Network and how we would spend those funds.
21 So if you're interested in that topic, please stay
22 tuned.
23 And then there's two more. We have here our
24 Lifeline, Bicycles, Transportation for Livable
25 Communities, and our Focus Program. And here, again,
19

1 the commission is very interested in supporting
2 alternative modes and supporting focus growth. So we
3 have a $400 million investment in our Lifeline
4 Transportation Program, which is really aimed at
5 improving accessibility for our low-income populations.
6 We've also put a billion dollars toward our
7 Regional Bicycle Network to fund key infrastructure,
8 bicycle improvements on about a 2,000-mile route system.
9 And then we also doubled our very popular Transportation
10 for Livable Communities Program to the tune of $2.2
11 billion to really start making investments that support
12 walking, bicycling, and transit use, and particularly
13 putting those kinds of investments in areas that are
14 very well established, near transit, and where we can
15 support higher density developments.
16 The last investment area that I wanted to
17 mention here is our Resolution 3434 Regional Transit
18 Expansion program. This program was actually launched
19 as part of our 2001 Regional Transportation Plan, and
20 our commission has reaffirmed its commitment to this
21 program. It includes a number of rail extensions as
22 well as a suite of bus and ferry improvements.
23 This is an $18 billion program, and we've
24 recently developed a strategic plan that would help to
25 strengthen the financial plans for all of these

20

1 individual projects. And, again, the commission has
2 committed itself and will be delivering these projects
3 over the next several years.
4 And just in closing, I just wanted to again

5 mention that this is the first of two public hearings.
6 The second one will be held tomorrow at our commission
7 meeting. If you attended this one, you don't need to
8 attend the other one unless you absolutely want to.
9 Again, we're recording all comments and we'll
10 be summarizing them for our commission. The comment
11 period on your draft Environmental Impact Report, which
12 is available for you to pick up, closes on Monday,
13 February 2nd. Comments on our draft plan closes a month
14 later, on Monday, March 2nd. And our plan is to take
15 both our proposed final Transportation 2035 Plan as well
16 as our proposed final Environmental Impact Report to our
17 commission for its action in March.
18 We have two meetings. The first one is on
19 March 13th, Planning Committee meeting and then, of
20 course, our March 25 commission meeting where we would
21 request action on -- final action on both documents.
22 With that, I'll close and turn it back to
23 Kendall.
24 KENDALL FLINT: Okay. Thank you, Ashley.
25 What we're going to do now is give you an

21

1 opportunity to comment on these two documents. And I
2 want to kind of go over a little bit of sort of how
3 that's going to work and how these comments are going to
4 be used so that we have an expectation that we can all
5 live with.
6 At previous meetings, we've had a lot of
7 back-and-forth dialogue where you've been asking
8 questions and staff has been responding to that. At
9 tonight's meeting, it's a little bit different. First,

10 we'll talk about the EIR. We'll be taking comments on
11 the Environmental Impact Report and we're going to be
12 looking for you to -- if you have any concerns or
13 questions about the completeness of the document or the
14 adequacy of the document.
15 If you didn't have time to read it in the half
16 hour you were here, you can take it home this weekend
17 and you can read it at your leisure and then provide
18 written comments when you have a chance to really think
19 that through. There's comment sheets also that you can
20 write on tonight. And again, you can make those
21 comments through the Web site.
22 As it pertains to the draft plan, we are going
23 to be taking your comments. And as Ashley mentioned,
24 we're going to be summarizing those and bringing those
25 comments back to the MTC Board. What I want to remind

22

1 you of is, that, yes, this is -- the big part of this
2 document is going to be about the implementation. So
3 while we're very interested in any comments or concerns
4 you have, we won't really be having a dialogue about
5 those tonight, unless we can help you better understand
6 how to pose a question.
7 So if you have a question about how a study was
8 done or why something was done in a particular way, if
9 it's relevant to your ability to ask the question, we'll
10 go ahead and have staff respond to that, but otherwise
11 we're really not going to get into it.
12 We're going to have about an hour and 15
13 minutes or so to go through this. And again, we want to
14 get to as many people as possible. So what I'm going to

ask you to do is just raise your hand. You're going to have a little blue card. We just want to get your name on the blue card. And the reason for that is that our friends at the court reporting land can get your name correctly spelled for eternity in the documents that will be used to go with this meeting.

So with that, anyone like to start? Anyone have a comment? Let's go right here in the center, Scott. He's going to give you a microphone there so that we can all hear you.

NORMAN ROLFE: I'm Norman Rolfe. And the first

C2-A

thing that occurs to me is, I think you've got the process, the cart, before the horse. How can you be making a complete EIR before you have a plan complete? It seems to me like it ought to be the other way around. You'd have comments on the plan itself and then later you prepare an EIR on that.

But there are some requirements here. The plan calls for freeway expansion, which would result more on the flow of traffic. One environmental impact that has not been evaluated or even mentioned, is the additional deaths and injuries from automobile accidents will be a result of this plan's generation of more automobile traffic, in other words, more VMT.

The attached document re: Doyle Drive -- and here's a copy for you here -- should prove that freeways are more dangerous than supposedly (inaudible), Doyle Drive, which had its last fatal accident in 2003. It certainly shouldn't be replaced by a freeway, which is in your plan. There will be deaths on it every year.

20 It should be easy to see the freeways are generally more
21 dangerous than other types of roadways and this impact
22 should be addressed in the EIR. And the plan will work
23 against smart growth, transit, and transit-oriented
24 development."
25 It will cause more loss of open space, more

1 loss of farmland. Alternatives that would have been
2 better from these viewpoints have been dismissed. This
3 EIR and the alternative it promotes should be rejected.
4 One of the alternatives that would be better for smart
5 growth transit and transit-oriented development should
6 be adopted and a new EIR and a new EIR outline should be
7 made.
8 MTC should work with other agencies and cities
9 and counties to adopt all these plans that will advance
10 smart growth and transit and transit-oriented
11 development. And they don't seem to be doing it right
12 now. And the claims they're making -- 85 percent of the
13 money available to the transportation project has
14 already been committed. Apparently, "committed" means
15 carried over from the Transportation 2020 Plan.
16 In a letter dated August 10th, 2008, the
17 Attorney General threw doubt on this and urged you to
18 review these projects and change the priority.
19 KENDALL FLINT: I'm going to ask you to wrap up
20 just a little bit because it seems like you've got
21 written comments, and we can take those and --
22 NORMAN ROLFE: Well, I may want to make some
23 changes between now and tomorrow's meeting, but, okay.
24 Well, to summarize, what's left here is, forget

25 about these committed projects. MTC says they can't do
25

1 anything about it. That's not my impression. MTC has a
2 lot more power than it wants to admit, and it should
3 start working with these local authorities and so forth
4 and uncommit some of these projects and put on some new
5 ones.
6 Now, there's one other thing that requires
7 really close scrutiny, and that's the emphasis of the
8 level of service. The level of service of E or F might
9 actually be good for the environment if it discourages
10 automobile use and encourages transit ridership.
11 Furthermore, after I wrote this, somebody
12 informed me that this level of service isn't even in the
13 CEQA law. It was someone -- by a legend interpretation
14 and instruction on how to use it, apparently inserted on
15 how to work that in.
16 And so, you might as well drop everything about
17 LOS in being good, bad, or indifferent because,
18 apparently, it's not required by CEQA.
19 KENDALL FLINT: Okay. Let's get your name for
20 the record.
21 NORMAN ROLFE: It's Norman Rolfe, and it's
22 spelled R-O-L-F-E, no relation to --
23 KENDALL FLINT: Okay. I'm going to come here
24 in the back and see who this gentleman is right here.
25 And then if I can have you be brief and give us
26

1 your name.
C2-B 2 FRED DOOLITTLE: My name is Fred Doolittle.
3 And looking through the plan, there's obviously a

4 tremendous amount of work that went into that and, you
5 know -- so I think there's a lot of kudos.
6 One of the roles, I think, of the MTC in doing
7 a quarter-century-out plan is to take a big picture
8 view. And I think with the HOT lanes, they're doing
9 that. I think with Bicycle Network, they're doing that,
10 and that's fantastic.
11 Largely, though, the plan is just a collection
12 of existing individual agency projects. And one of the
13 major issues in the Bay Area is a backbone corridor, you
14 know, up the peninsula, up from here to Marin, 680, 880.
15 And, you know, the amount of demand during peak times on
16 those is easily 20,000 or more people per hour, and in
17 order to fulfill that you'd need a 15 or 20 or 30 lane
18 freeway.
19 The only way to properly do that would be with
20 some sort of high-capacity transportation, and I didn't
21 see anything in here, even in a visionary sense or a
22 conceptual sense of getting some transit, you know, at
23 five-minute intervals down the peninsula, from here up
24 into Marin, down 680 along the San Ramon Valley, and up
25 80 to Sacramento. These are very severely deficient
27

1 corridors today. A quarter century out it's going to be
2 unbelievable. And with Caltrain at, you know, 15-minute
3 intervals, is just -- can't even make a dent in the
4 demand.
5 So between that and -- oh, another thing I
6 noticed is there are several points where there are big
7 intermodal intersections, like west Oakland, for
8 example. You have automobiles, you have the Capital

9 Corridor, BART, all these things crisscrossing over each
10 other, and there's no mention of getting some sort of an
11 intermodal transit center in that location, in Dublin,
12 in Walnut Creek. And there are probably a couple
13 others, but that ought to be looked at, especially for
14 looking at quarter-century out.
15 And finally, as the gentleman said, the whole
16 funding picture could be changing in a very big way
17 between the greenhouse gas regulation, not only
18 statewide but nationwide and the infrastructures then
19 coming available with the new federal administration.
20 Thanks.
21 KENDALL FLINT: Well, done. Next, right behind
22 the blue shirt. I'm walking around by Scott, and I'll
23 come over here on the right-hand side.
C2-C 24 ROGER BAZELEY: Thank you very much. My name
25 is Roger Bazeley. And the areas, two areas, I think

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1 they're kind of missing is, there isn't enough emphasis
2 in the EIR on the social and economic and equal part of
3 the impact of transit. It's very important where the
4 rubber hits the ground, so to speak, walking and
5 pedestrians to and from different transit connecting
6 points, nodes, and quarters. I think what's always been
7 missing is a last-mile coordination between different
8 modes of transit. We are a multimodal transportation
9 region, and so I think that's something that needs to be
10 more emphasized.
11 I believe two areas that I want to hit here in
12 the PowerPoint are the transit maintenance issue and the
13 road maintenance. And I want to use as an example,

14 let's just say, Van Ness Avenue; it happens to be in
15 this particular transit district. I've noticed that
16 over the last couple months in using the bus every
17 single day and doing these transit changes in my pattern
18 of commuting, that there's a real direct connection to
19 the quality, the degraded quality of pavement, as to the
20 comfort, enjoyability, and the desire to ride the
21 transit system, whether it's MUNI or anybody else's.
22 Van Ness is a dual-jurisdictional corridor,
23 Caltrans and San Francisco local control. Even though
24 there's a plan to propose a BRT system along that, along
25 Geary, and other areas of the Bay Area, which I think
29

1 are really good ideas to move travel to -- to shorten
2 the travel time for commuters, there's a real direct
3 connection to the comfort, not only the comfort of a
4 rider, but if you look at the increasing level of
5 seniors, the increasing level of those that are disabled
6 and handicapped or with mobility disabilities, I think
7 that we have a lot more of -- an increasing number of
8 those people, because we have a very active society that
9 does a lot of sports.
10 You'll notice that certain bus companies, like
11 samTrans, they have padded seats, and so a senior can
12 get in and be very comfortable. You know, so other
13 systems, because they go to the lowest bid or for
14 certain maintenance issues, vandalism or whatever
15 mitigation of that, they have very hard seats. And
16 therefore seniors, in different parts of topography in
17 routes such as where they're very hilly, slide back and
18 forth in the seats. They get banged up by the pipes.

19 They get banged up by the boarding.
20 Many of the buses have extremely -- especially
21 ones that are, say, ten years old -- five or ten years
22 old, are basically traditional buses where the platforms
23 come out. And so they had a very high step thing. And
24 at numerous times I've seen numerous people struggling
25 to get up into the bus. Not only is it a time issue

30

1 when you're loading, but it also increases the
2 aggravation on people's mobility injuries.
3 I'd like to see some uniformity, where the MTC
4 Regionally as an MOP [sic], ideas of uniformity in
5 getting the highest level of accessibility so that one
6 transit agency who decides to spend more money in that
7 area, or has more money free, can do it, and another
8 agency doesn't do it. And I would like to see where
9 there are standards in our industrial design, our
10 human-factor standards of everything from where we
11 locate bus shelters, you know, and the type of bus
12 shelters and seating that's available for people who
13 have to wait for longer-distance buses, to the actual
14 safety equipment in getting in and out of the buses are
15 improved.
16 And I'll just cite one example of a system that
17 really runs very well, that I've enjoyed, is the
18 Wilshire BRT, the Rapid Bus System. It has a
19 five-minute, six-minute headway during the rapid
20 commute. They've upped their ridership from 45,000 to
21 95,000. It proves that the system works very
22 effectively. And they have these Nambi, N-A-M-B-I,
23 buses, which are just incredible and the bus drivers

24 really seem to love them.

25 So the last thing is that when you're buying

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1 buses and switching out, very often they're sometimes

2 dictated to a lowest-bid situation where they don't get

3 the best, most comfortable-type bus for the ridership,

4 and so I'd like to see more of that emphasis in that.

5 And as I say, I've combined the highway pavement

6 structure. And what I'm saying about pavement is that

7 when you have a transit corridor, especially used by --

8 a light rail has its own smoothness.

9 KENDALL FLINT: Okay. I'm going to ask you to

10 wrap up.

11 ROGER BAZELEY: Right, this is a wrap-up. I'm

12 on the last sentence.

13 KENDALL FLINT: Okay.

14 ROGER BAZELEY: When you have a transit

15 corridor such as the pavement is degraded, there should

16 be some way where you don't have to wait five years for

17 that pavement to be filled in when you're running a bus

18 system down Van Ness, so you can get a smoother, better,

19 more comfortable ride, and a faster, efficient service.

20 Thank you very much.

21 KENDALL FLINT: Thank you. Well said.

22 I think I saw a hand up here. Was that you?

23 Okay, there you go.

C2-D 24 JAIMIE WHITAKER: My name is Jaimie Whitaker.

25 I'm with the Rincon Hill Neighborhood Association. I

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1 just have a few project comments, things I would love to

see as someone who lives in the -- sort of the heart of the multimodal transit center area. A bicycle parking facility with showers I think would be great at some point near the Transbay center. As a full-time pedestrian, I think the biggest problem is, not so much getting wider sidewalks -- although I love them, but it's slowing cars down in -- south of Market in San Francisco. Extending Caltrain to Transbay, of course, is a big priority for me, expanding the ferry boat service. And finally, just making sure that the Transbay transit center is connected to BART.

That's it. Thanks.

KENDALL FLINT: Okay. Thank you. Now, we're going to go in the back here, the gentleman in the black shirt. You've got the -- Scott is coming up right behind you. Actually, we'd prefer you did just so we can catch it for the court reporters.

C2-E

BOB ALLEN: Bob Allen with the organization called Urban Habitat based in Oakland, but I'm here tonight as a San Francisco resident. So this is a plan that a lot of us had followed for a long time. I think there is a lot of really laudable goals, and the staff should be commended for the vision and the approach.

I think it has one fundamental problem, and a

lot of us have talked about it for a while. It's premised on funding the existing system and, you know, transit being a robust part of achieving all the goals. And within that plan there's always been an inconsistency of major operating shortfalls for the major transit operators in the Bay Area.

7 Now, we're facing a pretty much -- what
8 everyone agrees is an unprecedented economic crisis. We
9 know that sales tax revenue and other kinds of revenue
10 are going to be down dramatically in the Bay Area.
11 Those transit operating shortfalls are going to, I
12 think, only get worse, and that's not something that's
13 the fault of any of the regional bodies or any of the
14 regional governments; it's economic conditions overall.
15 I mean I would really like to see -- and I know
16 we're not going to have a back and forth tonight -- is
17 to press MTC: Are they going to go back and look at
18 some of the fundamental assumptions that underline the
19 calculations for how their calculating operating
20 shortfalls in the systems.
21 In other words, there is really laudable goals
22 in our economy, equity, environment. I don't see how
23 you're going to meet them with a system that's facing
24 even worse operating shortfalls than when the Draft RTP
25 was being considered over the last year.

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1 I just think it's just a fundamental
2 inconsistency that we're going to premise this based on
3 transit, and the goals are based on that and your air
4 quality performance. All those things are based on
5 having robust transit.
6 You're facing bottoming out a revenue that's
7 going to fund those transit operators. I think it's --
8 I think it's problematic, to say the least, that we're
9 going to go forward with this RTP without an honest
10 recalculation or considering those numbers.
11 And the second point would be, real quickly,

anything that comes through in this economic stimulus that a lot of folks have been working on -- I don't want to get too in the woods about the kind of funding, but funds like 5307 dollars and funds that MTC has placed conditions on and how those funds could be used, I would hope that they're going to maximize any flexibility that comes through the Obama economic stimulus so that those funds can be allocated -- not according to transit capital needs, but maybe under the current crisis according to trans-operating shortfall needs and the maximum flexibility for operators.

I know a lot of people in the room right now, their eyes are probably glazing over. And we talked about this, but the point is we need to have really bold

leadership. We're hoping to get that in Washington, and I think we just can't go forward.

In the region I think we do have a lot of regional leaders, including people at MTC who want to do the right thing, but we really need them to make a dramatic shift. And we can't just go forward even though staff has worked on this stuff for a year and a half, two years or more of their lives with the same set of numbers and pretend that those numbers are fundamentally sound.

KENDALL FLINT: Okay. Thank you. Well said. All right. Someone else? Okay. I'll come up here and then we'll come back around and go one, two, three. Okay. Here you go.

C2-F RODNEY LLEWELLYN: You want me to stand up?

KENDALL FLINT: Sure, be a star.

17 RODNEY LLEWELLYN: Okay. I'm Rodney Llewellyn.
18 I would say the major problem that I have with
19 the plan is that while it advertises change in motion,
20 its basic purpose is to maintain the suburban lifestyle
21 the way it is. Take a look at the rail investments. A
22 lot of money is placed in rail investments, but almost
23 none of that money is actually invested in the urban
24 core.
25 San Francisco, for example, gets exactly two

1 miles of rail out of it, the central subway, which is
2 probably one of the worst (inaudible) projects ever
3 designed. But it is a San Francisco preferred
4 alternative, so that's our fault.
5 And the second is the extension to Transbay
6 Terminal, which may or may not happen as MTC has
7 consistently fought that one over the years. That's a
8 good project, but again, mainly serves suburban
9 commuters coming into the city.
10 The inner East Bay gets virtually nothing.
11 Basically all of the rail improvements are focused in
12 outer regions, and so it's no surprise that they have
13 the poor operating numbers that are indicated.
14 At earlier 2035 meetings, MTC showed that, yes,
15 we're investing 60 billion in rail, but it's not
16 variably very good. It doesn't really work that well,
17 and the reason why is there were alternatives
18 considered.
19 There was no opportunity for the public to
20 place projects forward. We could name them, but they
21 would simply have gotten ignored. They simply presented

22 a plan that was not like, here's Plan A, Plan B, Plan C.
23 There is the plan; you either like it or you don't.
24 And the existing plan that's presented here is
25 very inefficient, because it investigates the majority

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1 of the money in places that are never going to have a
2 high level of transit ridership, because the land use
3 that is there simply doesn't support it. So the attempt
4 is made to shore up an increasingly creaky suburban
5 model, which depends on cheap gasoline and so on. Well,
6 that becomes increasingly unlikely.
7 In some correspondence that I had with MTC,
8 they indicated that their models assumed that in 2035 it
9 will be cheaper to operate an automobile than it is now.
10 Okay. I'm just curious how many people think that's a
11 realistic model.
12 FRED DOOLITTLE: Some automobiles.
13 RODNEY LLEWELLYN: Some automobiles, okay.
14 Well, I think most people would find that rather
15 unrealistic.
16 Two, their modeling for air quality depends on
17 the concept that cars in themselves will become less --
18 will become more efficient -- considerably more
19 efficient, and therefore it's okay to have more and more
20 of them.
21 So what we see is a plan that's designed for
22 stasis and to support the existing model rather than
23 really -- you know, for our transformation to a newer
24 model which is actually, you know, pretty convenient to
25 use transit.

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I don't see that what the -- even with the proposed investments in transit that it will be significantly more convenient to use. I think if I was traveling, let's say, from here to Santa Rosa, by 2035 I would still be facing a four-hour transit ride and one-hour car ride. Just to pick one example. And that doesn't seem to me to indicate that there is going to be a significant mode shift.

KENDALL FLINT: Okay. Good point. Right here.

C2-G WOODY HASTINGS: Good evening. My name is Woody Hastings. I am a member of MTC's advisory -- I'm a member of MTC's Advisory Council. I was also recently appointed to the San Francisco Peak Oil Preparedness Task Force. I'm just speaking as a resident of San Francisco tonight.

As a member of the Peak Oil Preparedness Task Force, I've been emerged in information about Peak Oil. And based on my review of data and the range of opinions from petroleum geologists, I'm concerned that the MTC is significantly underestimating the future price of gasoline in its traveled forecast data summary where it estimates $7.50 a gallon in 2035.

You know, I think that the current reprieve from high fuel price is very temporary and should not be misconstrued as some kind of sign that global petroleum

supply is not facing limitations in the next two decades and beyond. You know, that would be like misinterpreting current cold weather snaps is an indication that climate change is not a problem.

Even many of the most optimistic petroleum

6 geologists place the peaking of supplies well before
7 2035. And the significance to the peak, for those that
8 aren't familiar with it, is that once we're on the
9 downside of the peak, in a petroleum depleting context,
10 we will be in uncharted territory relative to pricing of
11 petroleum fuels.
12 So the regression models that were used to come
13 up with the $7.50 estimate which is based on historic
14 conditions won't apply. I'm not exactly sure what to do
15 about that.
16 My initial suggestion is to try and predict --
17 is to not to predict what the price will actually be,
18 but just to come up with a couple of higher estimates.
19 But I understand that that would complicate things
20 significantly, so I'm not exactly sure what to suggest
21 on that. But I just think that the estimate -- current
22 estimate is way too low.
23 Which brings me to another suggestion. I do
24 commend the MTC for adopting the three E's: Efficiency,
25 environment and equity. And I think those three guiding
40

1 principles cover a lot of territory, but I -- that
2 sounds better -- but I do believe there is something
3 important missing.
4 The three E's referred to in the report as
5 principals of sustainability, but then they are sort of
6 unpacked to talk about reliability, efficient freight
7 travel, clean air climate and so forth, and they leave
8 out one important thing in the details of what it's all
9 about, which is sustainability.
10 And when I say that, I mean strictly

11 sustainability in terms of being able to continue
12 getting around business as usual, not that I'm
13 suggesting that we might want to continue getting around
14 in a business-as-usual way. But I'd like to suggest a
15 fourth E, which is energy.
16 It's not that -- and maybe this is for the
17 future iteration of the next plan for 2013, but -- and
18 it's not that energy mostly in the context of fuels is
19 not addressed in the RTP, it's just that it's not
20 emphasized to the degree I think it needs to be.
21 KENDALL FLINT: I'm going to ask you to wrap it
22 up just a little bit.
23 WOODY HASTINGS: Yeah. So I guess that's
24 pretty much it.
25 KENDALL FLINT: Okay. Well done.

1 Paul.
C2-H 2 PAUL BROOKS: Yes. I'm Paul Brooks, and I'm
3 rather concerned on this in that the cost of transit
4 both in -- is listed at 65 percent expansion and
5 maintenance of the total spent when it carries, what,
6 ten percent of the passenger miles.
7 And I'm utterly staggered that it is so
8 expensive, which means that it's much more heavily
9 subsidized than, say, driving. And I'm worried that the
10 cost of Co2 production per ton is vastly higher than it
11 would be in a more -- well, a more sensible
12 environmental regulation to try and look at the cost of
13 Co2.
14 I don't see that the problem is going to be oil
15 reduction. I see the problem is going to be getting rid

Jan. 27, 09

METROPOLITAN TRANSPORTATION COMMISSION

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TRANSPORTATION 2035 CHANGE IN MOTION

C2-H Reference

Comment Sheet
January 2009 Public Hearing

Please use the space below and on reverse to offer additional comments.

1) The EIR should cover cost per tonne of CO_2 reduction.

2) The EIR should discuss cost per passenger mile for different modes.

3) An option that does not spend as much on transit should be included - this would save considerable money without making any significant change in travel patterns

Name and contact information (optional):

Name: Paul Brooks

Address: 450 Bear Oaks Dr., Briones, Ca. 94553

E-Mail: paul@nature.berkeley.edu

16 of carbon dioxide and the cost. And it doesn't appear
17 that -- anywhere that it has estimates of the cost of
18 carbon dioxide per ton for the remission reduced here,
19 or the cost per passenger mile on the very subsidies.
20 It's clear that this massive investment in
21 transit makes almost no difference in driving
22 whatsoever, and it's unfortunate, but it's a reality. I
23 think from an environmental viewpoint, if we have loads
24 and loads of more cars which is simply stuck shuffling
25 along the freeway, that could be much worse than having

1 a free-flying system. So I think the cost effective per
2 passenger mile has to be looked at.
3 And I'm personally against expensive rail
4 systems when they degrade the bus system which the poor
5 and the infirm -- of which we will all be one day when
6 our eyesight goes -- depend on to get around.
7 And instead, it's spent on expensive -- a few
8 percent of commuters who can travel on expensive rail
9 systems, which has happened in Los Angeles and here in
10 part. And I think that needs to be looked at as an
11 equitable point of view after. Thank you.
12 KENDALL FLINT: We're going to the back.
C2-I
13 ARLY CASSIDY: My name is Arly Cassidy. I'm
14 the assistant planner for the City of Emeryville and a
15 resident of Oakland.
16 My comment has more to do with a kind of gap in
17 what comes next. As the assistant planner for
18 Emeryville, I was looking at this hoping to get a little
19 more guidance on how to incorporate your proposed plans
20 into Emeryville's next steps.

21 So I'm wondering if there are follow-up
22 documents that are proposed, or if there is going to be
23 kind of more information on how the individual
24 municipalities that this plan affects can implement the
25 goals and projects that you suggest and how we can maybe

1 have a vote of support.
2 You know, if there is a document that we can
3 sign saying this is a great idea, here's what I wish was
4 here. I'm pretty new to this field, so I don't know
5 what the process has been.
6 KENDALL FLINT: Let me try and answer that just
7 in very slight.
8 As far as the environmental question goes, if
9 you have questions about the environmental document, one
10 of the things that will happen is the final EIR is
11 basically a written response to any question an
12 individual or a jurisdiction or an agency may have.
13 As it pertains to the plan, though, great
14 question and great point. The implementation phase is
15 really the big part of this -- and I wonder, Therese,
16 did you want to chime in on that just a little bit and
17 kind of explain? That's going to be the real work
18 ahead.
19 THERESE MCMILLIAN: Yeah. The plan, you might
20 say, is sort of just this blueprint for like a quarter
21 century. So the important piece is that within the plan
22 there are a number of specific programs.
23 For example, Transportation for Livable
24 Communities program, or the work that we're doing with
25 smart Growth, our climate program. In each one of those

instances, there will be an entirely different level of outreach and working with cities and counties on specific next steps.

So you know, it's hard in this little document to kind of lay that all out, but the point will be made by the Commission and we'll take this as maybe stressing that next level of involvement as part of a final, that that's a full expectation that we need to do.

ARLY CASSIDY: Great. I was just hoping that it would be kind of expanded out, and there's room for more specificity and involvement, so thank you.

KENDALL FLINT: Great. Next question. We'll come over there. Scott, can you help on that side.

C2-J MICHAEL LUDWIG: Hi. I'm Michael Ludwig, and I wanted to comment on a couple of other people's comments, mainly, like this guy in front of me was commenting on how the road quality can affect the transit ride quality.

And I also wanted to say that the quality of the roads that the buses travel on will also affect how much money you have to spend to maintain the buses.

And so I think when you look at -- especially since you have shortfalls, when you look at where are these road maintenance monies going, the priority should be to the transit corridors, the corridors where the

buses are, so that you don't have the increased bus maintenance cost for that.

And I also wanted to comment on I think the

extension of Caltrains to the First and Mission Transbay terminal is a necessary project. It's long overdue, and I'm excited to see you pick phases 1- and 2A fully funded. I was looking at appendix A being a details geek.

But I'm disappointed that there is a phase 2B and that the shortfall remains in that, and I'm confused as to what that means for the Caltrains extension and the new Transbay terminal.

Will it be completed by 2035 or not? I would think -- I would think it would be an appallingly bad decision if those two projects are not completed by 2035.

KENDALL FLINT: Go ahead. Wrap it up and then we'll --

MICHAEL LUDWIG: Okay. And I just also wanted to say that I think you should be investigating more money in mass transit, because it's more efficient transit, and it can take more people per lane, you know.

KENDALL FLINT: Okay. Well done. Anyone else want to comment? Oh, right next -- there. The woman just to his left -- right.

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C2-K

SHIRLEY JOHNSON: Hi, I'm Shirley Johnson, and I notice that you want to improve the freeway system, you said a freeway performance initiative. That sounds like a great idea at fist, but if you make it easier for people to drive, more people will drive. And what we really would like to see is more people on transit.

There's a question of greening the last mile, and I would recommend that if people can walk, that's

great, but bicycling will make that more than one mile, three to five miles. And if you put bicycles on transit, then people have that option at the other end. It's just as flexible as the automobile.

KENDALL FLINT: Well put. Anyone else? Oh, say it isn't so. We're going to finish early? Right over here. Welcome to the meeting.

C2-L

JONATHAN FRIEMAN: Just in time. This is the public comment section; right?

KENDALL FLINT: This is public comment. We're not actually having a dialogue on this. We'll give you a couple of minutes to state your case. There's also some forms you can fill out and put a written comment in.

JONATHAN FRIEMAN: Okay.

KENDALL FLINT: This is regarding the Draft Plan and the EIR.

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JONATHAN FRIEMAN: I was at a presentation earlier this year in San Rafael, and some folks talked about an issue called Peek Oil. I don't know that that's been brought up tonight or not. Has it been.

KENDALL FLINT: Yes.

JONATHAN FRIEMAN: Well, that's what I was going to talk about. I was quite surprised that it was not mentioned in either the EIR or the other reports. I download both reports, and I was surprised.

Both reports seem to be predicated by the fact that the same amount of energy for 35 years -- or 15 to 20 years -- that we have now. It's not the case. And so there is a line where it says how transportation can

affect energy use, and I think it's the other way around. How is energy going to affect the transportation? I really hope we can concentrate on that.

KENDALL FLINT: Can we get your name just so we have it for the court reports here.

JONATHAN FRIEMAN: I filled out the blue card.

KENDALL FLINT: Okay. But if you can say it again, just so...

JONATHAN FRIEMAN: My name is Jonathan Frieman. And there is a movement called the Transition Town Initiative, and that's just starting up like wild fire

across the U.S., and I'm involved in Marin on that one.

KENDALL FLINT: Great. Thank you. I thought I saw a hand in the back. Did I see a hand in the back? I did, right here in the...

C2-M

SHERYL KARPOINZ: Hi. My name is Sheryl Karpoinz. I'm originally from New York City. I came here in September because I have always wanted to live in the Bay Area. And I guess I'm spoiled having grown up in the South of Brooklyn and having to commute over 30 miles every day to school, and right now the subway system only costs $2. And it's very, very expensive, unlike what I see is -- you know, the BART system here has like three and five transit fare zones.

I went for an interview in Walnut Creek about a month ago and a roundtrip cost me $15. That was really expensive. And I can imagine people that have to commute on a daily basis to San Francisco -- I mean how can you afford $15 every day.

19 In addition, I was reading on page 28, you
20 write: "Massive investment in transit over the next 25
21 years will deliver only 10 percent of the carbon dioxide
22 reduction in the Bay Area needed to meet the 2035
23 objective of limiting daily Co2 emissions." So from
24 what I understand, that's not going to be meeting AB 32
25 mandate.

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1 And in addition, I was reading that the
2 majority of funding comes from a gasoline excise tax, so
3 I see that being rather ironic.
4 And like this woman said here, I mean if you
5 give more -- if you have to increase roads, for
6 instance, to have more HOT lanes, then you're giving
7 more people the incentive to drive. So that's not
8 really helping the situation. I would say you should
9 put more funding into mass -- your mass transportation
10 system.
11 KENDALL FLINT: Okay. Well done. Anyone else?
12 I'm going to check and see -- if nobody else has any
13 comments, then we'll -- nobody has anything else they
14 want to add?
C2-N 15 PAUL WEBBER: I'll make a comment.
16 KENDALL FLINT: Okay. Right here. Well, go
17 ahead, and then we'll let you go back. It's not like I
18 want to force you or anything. American Idol is on
19 tonight, just in case you didn't know.
20 PAUL WEBBER: What was that?
21 KENDALL FLINT: Never mind.
22 PAUL WEBBER: My name is Paul Webber. So one
23 of the things that I was wondering about is -- and I've

24 just gone briefly through this, and I don't know whether
25 it's addressed. But it's actually the announcements of
50

1 the changeover that so much emphasis is put on freeway,
2 and I think that a lot of people have brought that up.
3 And I have heard something about Peak Oil and so on.
4 And I know there is a great optimism that
5 somehow technology is going to solve this and we're
6 going to be able to have hybrids and high-efficiency
7 cars and things like that.
8 But we do have a system -- we do have a problem
9 where it's, you know, if we want to think of our
10 roadways as arteries, you know, we're going to have high
11 blood pressure really, you know. How are we going to
12 get all these cars on these roads, and it doesn't seem
13 to be addressing it.
14 And then I think, you know, the point that you
15 brought up that we're going to fail to meet our AB 32
16 goals. That's not being addressed. It needs to be
17 addressed much more aggressively. And if it's not -- if
18 we've got a plan here to 2035 and we're not addressing
19 that here in the Bay Area, what are we doing? You know,
20 we have to start making those decisions now. So anyway,
21 that's my comment.
22 KENDALL FLINT: Well put. Okay. Before I go
23 back to this gentleman here, does anyone else want to go
24 on the record tonight? Okay. We'll go back.
25 RODGER BAZELEY: Rodger Bazeley, again. I just
51

C2-C continued

1 want to add one short thing.
2 The Peak Oil discussion brought up a point that

3 I wanted to ask if it was emphasized enough or see if
4 it's emphasized enough, is the electrification of
5 Caltrains is one of the big projects that they're trying
6 to get done, and it's sort of a little bit behind, I
7 believe.
8 But the issue is the electrification of
9 different types of transit, such as trolly/buses versus
10 hybrid/diesel. And I wonder if there is some workup on
11 MTC on those particular issues so that one could see
12 what the impact -- the cost impact is going to be on
13 meeting the air quality standards as it goes on through
14 the -- until we get to 2035, basically.
15 And so I'd like to see that kind of analysis
16 come out in some of the discussions, some of the
17 paperwork, some of the work, and so we know that where
18 we fall when we cost out the transit system, where we
19 should emphasize electric trolly systems for Rapid Bus
20 Systems, the BRT's that are going to be proposed and put
21 along certain corridors, and where we should be actually
22 looking for the technology of both electric and diesel
23 hybrid buses so that the systems can be operated on an
24 canard (phonetic) system and operated on off, therefore,
25 the buses have some flexibility.

52

1 Also, the last thing is there is some issues
2 with equipment that have become very expensive for BRT
3 when you want to do a center island versus two-side
4 offloading, which is the traditional right-hand door
5 loads on buses.
6 There is a need for some of the more advanced
7 systems, if you want to use an island center to have

dual-side loading board issues. And so if we could get the purchase numbers up and the application of that in more zones, it might be able to bring down the cost of some of their equipment. Thank you.

KENDALL FLINT: Thank you. Before any of you sneak out, I'm going to ask you to do something before you leave with those little clickers. So don't leave yet, please.

Okay. Right here and the one in the back, yeah.

C2-O

DON ROTHBLATT: Hi. Is this working?

KENDALL FLINT: I might just have the good mic. That's okay. Here you go.

DON ROTHBLATT: Hi. My name is Don Rothblatt, and I'm also the advisory counsel for MTC, but I'm speaking for myself tonight, if I may.

And I just want to add my voice to the other voices arguing for more investment in transit, but not

necessarily trains, as this gentleman suggested. I mean buses can be seen as the kind of capillaries of the transit system, and if you do need to serve the bulk of this suburban community, which the last of our metropolitan areas are comprised of, buses would be in my judgment the best way to go.

But in any case, I'm not criticizing the presentation tonight. I think it was great, and the staff has done a fabulous job on all this work, but there were some important graphs that were presented in other events for public participation that weren't presented in the power point presentation today.

13 And on page 82 you have different maintenance
14 graphs. And although there are other important issues
15 as to how firm those numbers are and projection of
16 probabilities of what those outcomes really will happen.
17 But in any case, on page 82 there is a graph
18 about transit maintenance, which lends credibility I
19 think to some of the comments -- many of the comments
20 that were made tonight about investigating more into
21 transit, especially in the maintenance of transit.
22 And as I understand it, Therese, from what we
23 are discussing on other meetings, that there is enough
24 money in the kitty estimated to replace all the moving
25 stock, but that's the stock that exists now; is that

1 correct? Not what might be used in 25 years. You need
2 more stock.
3 So you're not only going to have to replace --
4 just to stay at this level of service -- I'm going to
5 use that term -- where we are now, we would not only
6 have to replace all the vehicles we have in effect now,
7 but add, whatever, another 25 percent. So I don't know
8 if that covers that.
9 Of course that's capital investment, but it
10 seems that even if you can marginally replace what you
11 have, which seems to be the case, there are so many
12 other -- and I don't want to use words against you --
13 you know, replacement of assets such as stations,
14 maintenance facilities, service vehicles, will be
15 deferred and requires increasing the expense of
16 maintenance or repairs later on.
17 But if the cornerstone of this plan -- or one

of the major corner stones is in fact encouraging people to use transit and there are arguments -- legitimate arguments where that transit should be located, what type of transit to different parts of the region.

It makes just common sense that you should take extra care to maintain the transit at an excellent level or near excellent; especially given the fact that it's likely that the funds you're counting on may not always

be there given the -- you know, the dire straights of the economy. So anyway, that's it. I'm just adding a voice into that.

Just another quick comment or two and that is: Will these comments be made available on the internet or, you know, to what extent will the results of these meetings --

KENDALL FLINT: We'll be addressing that after we wrap this up.

DON ROTHBLATT: Okay. And then finally, to what extent have the comments that you've gotten on the participatory process really change the plan along the way? Do we really know that? I mean, you know, how transparent -- if I can use an overworked term these days -- has been the process of decision making? Thank you.

C2-H Continued

PAUL BROOKS: I just wanted to comment again. I think that all of us would wish that if we just spent a little more on transit and not on roads, that most people would be able to take transit and make a difference.

The data shows it doesn't. That's the horrible

23 thing. And I love transit. I take trains whenever I
24 can, which most of the time is not, because I don't have
25 time, and I don't have the money.

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1 The lady was saying that it cost a lot of money
2 to take BART to Walnut Creek. That covers 60 percent of
3 the operating cost. Add capital cost; three to four
4 times.
5 The horrible fact is our rail systems are only
6 viable because they're heavily subsidized by the rest of
7 the population, mostly who drive. That is not a
8 sustainable system to try to replace cars.
9 They depend on cars, and that data shows that
10 clearly in this report -- which I think is very good --
11 is the fact that 65 percent of the money spent on
12 transit results in essentially no appreciable decrease
13 in the amount of driving. We need to look at the cost
14 effectiveness of all of these systems.
15 And frankly, I completely agree that a lot of
16 the suburban rail systems are so hopelessly cost
17 ineffective that they should be just scrapped.
18 But when you say let's build a system in San
19 Francisco because it's more efficient, I have been told
20 that by far if you want to make the biggest difference
21 in carbon dioxide or the number of people in this nation
22 the way you put transit, you put it in New York City.
23 That's where you build the best system, because it's the
24 most cost effective -- as this lady was pointing out --
25 and the rest of the system doesn't.

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And that's the horrible fact that we have to face the fact that we have to make cars much more efficient and much less polluting, and that's really the way the data shows it. It's the only way we can do it, and it's unfortunate. I don't like.

I come from Britain where gasoline costs $9 a gallon. In the 1980's -- late 80's and early 90's, the government raised the prices at 7 percent a year to get people off the road. And most people (inaudible) the middle and upper class is trying to keep the poor off to keep the roads uncrowded.

The roads are vastly more crowded now. People drive small efficient diesel cars, which is great. I think that's good, but that's the way it is. 87 percent of the trips in Britain are made by car, 92 percent in the United States. Even the cost of gasoline and Peak Oil is not going to make that much difference, and that has to be the reality.

KENDALL FLINT: Okay. I wanted to address a couple things here. We're going to go here, and then we'll go up here in the front.

The comments that we're taking tonight are going to be part of a record. That record will be part of a report that will be coming out in support of the plan. It will talk about all of the comments that were

given and how they were put together.

In terms of influencing the overall document, I think when we get done tonight, we might want to have a little wrap-up on that from Therese just to kind of talk about that. But the bottom line is yes, it definitely

6 has, because this document is much different than
7 previous RTP's.
C2-P 8 Amanda, we'll go here with you.
9 AMANDA?: Thanks so much. My name is Amanda
10 Ekin (phonetic). Thank you again to staff and
11 commissioners for all your hard work. Just two quick
12 comments.
13 I read a very promising document today that
14 many of you have probably seen from the Joint Policy
15 Committee on implementation of SB 375. And it indicates
16 that MTC might actually start working as soon as this
17 year with local agencies to make sure that regional
18 investments and policies actually support both AB 32
19 goals and SB 375 implementation and compliance.
20 And I just want to strongly recommend our
21 support for this intention, and we would like to see a
22 firm commitment in the RTP and the EIR for including
23 sort of an outlined plan for how MTC will work with
24 local agencies to achieve the greenhouse reduction goals
25 of AB 32 and 375.

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1 And then just the second comment: I understand
2 that the no-project alternative and the EIR actually
3 includes 28 billion in expansion projects, which is a
4 little bit confusing to some of us. So we would like to
5 see a refined definition of no-project alternative that
6 is truly a no-project alternative, so that we can truly
7 assess the impacts of the various alternatives. Thank
8 you.
9 KENDALL FLINT: Okay. I think I had a couple
10 more comments up here in the front, yeah.

C2-Q

JANEL STERBENT: Hi, Janel Sterbent. I think the pedestrian travel is an essential link between people's houses and transit, and it's essential for it to be safe, convenient and comfortable. And I don't see any funding going towards pedestrian transportation, and I was wondering if that was because it's not considered a regional project.

And also I feel like the plan underestimates the impact that bicycle transportation will have in reducing vehicle miles traveled. We depend too much on highway projects and just accommodating increase in highway traffic.

KENDALL FLINT: I have one other comment over here. One second. Has everybody else chimed in? Okay. We'll take you as the final comment.

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C2-A Continued

NORMAN ROLFE: Yeah.

KENDALL FLINT: And then we'll go back.

NORMAN ROLFE: This will be a really quick one.

KENDALL FLINT: Now, real quick.

NORMAN ROLFE: Okay. You hear a lot of people saying that if we increase efficiency, move traffic, relieve congestion, we could get rid of air pollution. Wait a minute. Let's analyze some numbers here.

Let's take a car that's going 10 miles -- is caught in traffic, it's averaging ten miles an hour and only getting ten miles to the gallon. That means in one hour, it's going to burn one gallon of gasoline, put one gallon worth of pollutants into the air.

So now we speed up traffic, we build a super freeway, cars moving 50 miles an hour, and you're

16 getting 30 miles to the gallon. Hey, but wait a minute,
17 that means in one hour it covers 50 miles and it burns
18 one and two-thirds gallons of gasoline.
19 So this means more -- far more pollutants from
20 the cars that had been speeded up than by the ones stuck
21 in traffic. So when people use this excuse that we got
22 to build freeways, we got to speed up traffic because
23 that's going to reduce air pollution, the answer is no,
24 it doesn't.
25 KENDALL FLINT: Okay. Well, we definitely

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1 heard some very interesting comments tonight, and I know
2 that staff will be working very diligently to put those
3 together. I want to remind you that the comments on the
4 environmental impact report, any comments or questions
5 need to be to MTC by this Monday.
6 Is that a 3 o'clock deadline, Ashley?
7 ASHLEY NGUYEN: 4:00.
8 KENDALL FLINT: 4 o'clock, oh, I'm sorry. Read
9 the thing, a 4 o'clock deadline. You'll have an
10 additional month to make comments on the draft RTP, and
11 that will be on March 2nd.
12 And then again, staff will be responding to all
13 of your questions as they relate to the EIR in the final
14 Environmental Report Document. And so everybody who
15 asked a question -- sometimes there may be people who
16 asked the same question more than once, but they will be
17 answered.
18 As far as the Regional Transportation Plan goes
19 -- will you turn the volume down on that for me? As I
20 get closer, I think that's what it is -- those comments

21 will be taken back to the MTC board and they will be
22 made aware of what kinds of things came out of these
23 meetings.
24 Now, what I would like to do now is have you
25 all grab your little clickers again, because they're so

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1 much fun. And if anybody does not have one because you
2 maybe arrived a little bit late, please raise your hand,
3 and we'll get one over to you.
4 This will only take just a few very brief
5 moments, and one of the things that's really important
6 and really helping us, we go back to federal government
7 and basically say, this is what we did for our outreach
8 programs. So we try to get as much feedback for about
9 how we can improve this and make it better.
10 So I'm going to ask you a series of questions
11 and just ask you to give your honest opinion. Does
12 everybody have one now? Okay. For those of you that
13 missed the beginning, they're pretty simple. You just
14 pick the number that's your answer and vote. And what
15 I'm going to do right now -- I apologize in advance --
16 we're all going to see the answers. Normally, I try to
17 hide them.
18 This question right here: I had the
19 opportunity to provide comments tonight. Number 1,
20 strongly agree; 2, agree; 3, neutral; 4, disagree; 5,
21 strongly disagree.
22 So how did you feel about tonight? Did you
23 have an opportunity to provide comments? Okay. So
24 everybody seems to have chimed in on that one. Let's
25 see.

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I found the meeting useful and informative. Strongly agree, agree, neutral, disagree, strongly disagree.

I guess I was smarter than I thought. Okay. You've had a chance to answer that one. Great. We'll move on to the next question.

I gained a better understanding of other people's perspectives. Again, that's strongly agree, agree, neutral, disagree, strongly disagree.

I swear this is the fastest group on these clickers that we've had in the last year and a half. It's really impressive.

The information presented was clear and had a an appropriate level of detail. Strongly agree, agree, neutral, disagree, strongly disagree.

Okay. That's everybody.

There were no barriers (language or other) that prevented me from participating.

Okay. A couple more to go there, and I think that might have been the last one. It was.

Hey, on behalf of MTC staff and everybody that's been working on this project, we really value your time and your opinions. Thank you so much for coming tonight. Again, there will be another meeting tomorrow. There's yellow sheets over on the right so

you can put additional comments. Everyone go home. Be safe. Thank you.

(Whereupon, the meeting was concluded at 8:47 p.m.)

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CERTIFICATE OF REPORTER

We, Dawn E. Howard, CSR No. 13201, and Audrey L. Takato, CSR No. 13288 Certified Shorthand Reporters, do hereby certify:

That said proceedings were taken by us at the time and place set forth and was taken down by us in shorthand and thereafter reduced to computerized transcription under our direction and supervision, and

we hereby certify the foregoing transcript is a full, true, and correct report of said proceedings which took place.

And we further certify that we are disinterested parties to the said action nor in any way interested in the outcome thereof.

IN WITNESS WHEREOF, we have hereunto subscribed our name this 29th day of January 2009.

DAWN E. HOWARD, CSR No. 13201

AUDREY L. TAKATO, CSR No. 13288

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EMERICK & FINCH (925-831-9029)

Letter C3

01/28/09
Oral Comments

15 Comments

MTC PUBLIC HEARING ON THE DRAFT TRANSPORTATION 2035 PLAN
Oakland, California, 10:00 a.m.
Taken before DAWN E. HOWARD, CSR No. 13201, and
AUDREY L. TAKATO, CSR No. 13288

Wednesday, January 28, 2009
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A P P E A R A N C E S
--o0o---
TOM AZUMBRADO, MTC Commissioner
TOM BATES, MTC Commissioner

DEAN CHU, MTC Commissioner
DAVID CORTESE, MTC Commissioner
CHRIS DALY, MTC Commissioner
BILL DODD, MTC Commissioner
DORENE GIACOPINI, MTC Commissioner
FEDERAL GLOVER, MTC Commissioner
ANNE HALSTED, MTC Commissioner
STEVE KINSEY, MTC Commissioner
SUE LEMPERT, MTC Commissioner
JAKE MACKENZIE, MTC Commissioner
JON RUBIN, MTC Commissioner
BIJAN SARTIPI, MTC Commissioner
JIM SPERING, MTC Commissioner
ADRIENNE TISSUER, MTC Commissioner
AMY WORTH, MTC Commissioner
KEN YEAGER, MTC Commissioner
FRANCIS CHIN, MTC Attorney
STEVE HEMINGER, MTC Executive Director
ANN FLEMER, MTC Deputy Executive Director, Operations
ANDREW FREMIER, MTC Deputy Executive Director
ASHLEY NGUYEN, MTC Senior Planner

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P R O C E E D I N G S

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BILL DODD: I'd like to begin and open this public hearing on MTC's Draft Transportation 2035 Plan. MTC is responsible for preparing the Regional Transportation Plan for the nine Bay Area counties. The plan will guide Bay Area transportation policies and investments over the next 25 years.

We are nearing the end of a 24-month dialogue.

10 We've held dozens of meetings around the nine Bay Area
11 counties to talk about priorities and investment
12 tradeoffs. We've taken what we've heard, completed a
13 technical analysis, and released a draft plan for public
14 comment. We call it the Draft Transportation 2035 Plan,
15 and we've added a subtitle, "Change in Motion."
16 The key word here is "Change." We're proposing
17 to do a lot of things differently with the
18 Transportation 2035 Plan than we have with past plans.
19 In a moment you will hear a brief overview of the draft
20 plans.
21 We are here this morning to hear from the
22 public. We have two court reporters taking down all
23 comments. If you wish to speak, please fill out a blue
24 speaker card. MTC public information staff are here to
25 collect your cards. If you want to offer written

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1 comments, we have a yellow comment sheet for your
2 convenience. The public comment period on the Draft
3 2035 Plan Environmental Impact Report closes on Monday,
4 February 2nd at 4:00 p.m. The close of the public
5 comment for Draft Transportation 2035 Plan comes a month
6 later on Monday, March 2nd at 4:00 p.m. Staff will
7 summarize comments here today for the February 13th
8 Planning Committee Meeting.
9 And now I'd like to introduce Ashley Nguyen,
10 who will make a brief presentation on the Draft
11 Transportation 2035 Plan. Ashley.
12 ASHLEY NGUYEN: Thank you, Chairman Dodd. Good
13 morning, Commissioners. Ashley Nguyen with MTC's
14 planning section. And I'm here to provide an overview

15 of our Draft Transportation Plan as a context piece for
16 today's public hearing.
17 Let me begin with some basics. The
18 Transportation 2035 Plan is a 25-year, long-range
19 regional transportation plan that lays out the
20 transportation policies and investments that will serve
21 the mobility and accessibility needs of the Bay Area
22 population. As Chairman Dodd mentioned, we took a
23 different approach in developing this plan than we did
24 in past plans.
25 From the get-go we started with a collaboration

1 process. We partnered with our regional agencies. This
2 includes ABAG, the Air District, as well as BCDC in
3 developing this plan. We also established the three E's
4 of economy, environment, and equity, as well as the
5 goals and performance objectives to provide the policy
6 framework for the Transportation 2035 Plan.
7 We focused our effort from the start on
8 developing a vision of what we would like to see in year
9 2035 and thinking about the transportation policies and
10 investments that would support that vision. So this is
11 a structurally different approach than past plans, where
12 we started with the budget first and focused on project.
13 So again, vision before budget was our focus this time
14 around.
15 We also did a completely different planning
16 approach. We assessed performance. Performance was a
17 big thrust in the development of the Transportation 2035
18 Plan. We assessed performance at a number of different
19 levels. One, at a scenario performance assessment.

20 We did a project level performance assessment,
21 and once the commission developed its Draft
22 Transportation 2035 Plan, we ran our plan through that
23 performance assessment. And this performance assessment
24 will really help to provide the framework for all the
25 discussions we had with investment tradeoffs and then

1 ultimately the development of the draft investment
2 strategy. The plan didn't happen overnight.
3 Unfortunately, it took about 24 months of extensive
4 intra-agency consultation and public outreach. We had a
5 number of lively discussions and debates throughout
6 these 24 months.
7 And just to give you the flavor of all the
8 efforts that we went through to develop this plan, we
9 started in early 2007 with a series of early dialogue
10 workshops. This was followed up with the Bay Area On
11 the Move Regional Summit, where we partnered with ABAG.
12 And that summit drew about 700 participants.
13 We had a number of joint meetings with our
14 citizen advisory committees to debate issues related to
15 our Transportation 2035 Plan. We held a number of
16 round-table discussions with our three E leaders and
17 commissioners, and we held numerous workshops around the
18 region, one in each county, and we did it a couple of
19 times.
20 In addition, we did not one, but two
21 statistically valid telephone surveys. We also posted
22 our surveys on our Web to get a larger response.
23 Knowing that not everyone gets to come out to our
24 meetings, we did person-on-the-street interviews, just

25 to get some responses from participants about key

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1 transportation issues. And we held multiple focus group
2 discussions, as well as tribal consultations and a
3 consultation with our federal and state partners.
4 To provide you with a little bit of context of
5 what it would look like in year 2035 -- first of all,
6 the Bay Area is currently home to 7 million people and
7 it's about $3.5 million -- I'm sorry, 3.5 million jobs.
8 By year 2035, we will see 2 million more people and
9 2 million more jobs. This population and job growth
10 comes with an increase in daily auto trips by 32
11 percent, as well as an increase in vehicle miles
12 traveled by 33 percent.
13 On the air quality front, what we will be
14 seeing is that there will be a decrease in carbon
15 dioxide emissions from on-road mobile sources over the
16 next 25 years. This is in the tune of about 14 percent.
17 And most of this reduction is really attributable to the
18 vehicle technology changes mandated by state law.
19 On the not-so-positive news, the population,
20 job growth and increases in vehicle miles traveled
21 brings with it increases in particulate matter emissions
22 from tailpipes as well as road dust. This is going to
23 increase about 30 percent. So these are some of the
24 challenges that we will be addressing as part of this
25 plan.

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1 As required by state and federal planning
2 regulations, this plan is financially constrained. This

is a term of art, meaning that MTC staff first forecasts the revenues that we think will be reasonably available to the region over the next 25 years and we develop an investment strategy that fits within that investment portfolio. This is to prevent us from developing a long laundry list of projects with no financial support behind them.

On the first chart that you see here, what we wanted to share with you is the fund sources that make up this $226 billion budget. And as you can see here, nearly half of the revenues come from local sources. This is primarily transit fares, dedicated sales tax programs, and state and county subventions to local streets and road maintenance. The other half is from regional, state, and federal revenue sources, namely state and federal gas taxes, as well as our bridge toll program.

On the other chart, we show you the spending recommendations in our Draft Transportation 2035 Plan. The spending recommendations of this plan are focused on maintaining and sustaining the existing system we have in place. In fact, we spent 166 billion, or over 70 percent of our budget, for this specific purpose. The

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remaining expenditures include another $20 billion towards system operations to better run the system we have in place and $40 billion to expand our highway and local roads systems.

What I wanted to do next in the next couple of slides is to give you some highlights of the key investments that we make in this plan. But I want to

8 first mention that from the outset the public expressed
9 a call for change. The message we heard, "Our world is
10 changing and we must change with it," rang loud and
11 clear throughout this planning process.
12 This plan responds to this mandate by focusing
13 its policies and investments in a number of different
14 areas, including fixing our existing system, taking the
15 lead on climate change, running our transportation
16 system more efficiently, implementing pricing through
17 our Regional HOT Network, and supporting focus growth
18 through investments that support walking, bicycling, and
19 transit use.
20 First of all, let me just focus on local
21 streets and road maintenance. In the graph that you see
22 here, MTC staff is estimating that our 25-year
23 maintenance needs for the region total about $35
24 billion. Once we account for all the monies that are
25 committed to local streets and road maintenance, we

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1 still see a shortfall of about $18 billion.
2 As part of this plan, the commission has set
3 aside $7 billion in discretionary funds to prevent
4 further deterioration of our local road system. Even
5 with that added revenue, we do still see an $11 billion
6 shortfall that remains on the table.
7 For transit maintenance, the transit
8 maintenance needs for just capital replacement total
9 about $40 billion. And again, like for local streets
10 and roads, once we account for all the committed
11 revenues that go towards transit capital replacement --
12 and when I say "capital transit replacement," I mean

13 fixing our buses, replacing our train cars, fixing
14 tracks, fare machines, et cetera -- what we see is that
15 there is still a shortfall of about $22 billion.
16 So as part of this plan, our commission has set
17 aside $6.4 billion to go towards transit capital
18 expenses. But again, like the local streets and roads,
19 there's still a shortfall that needs to be addressed,
20 and this is in the tune of about $16 billion.
21 To address climate change, the four regional
22 agencies, MTC, ABAG, the Air District, as well as BCDC,
23 join forces to sponsor a five-year transportation
24 climate action campaign. The campaign has two facets.
25 The first facet is to focus on public outreach and

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1 education to really help the Bay Area populace change
2 its driving and travel behaviors. And the second
3 component includes funding for capital infrastructure
4 improvements through our Climate Grant Program, our Safe
5 Routes to School Program, Safe Routes to Transit
6 Program, and other action-oriented incentive programs.
7 The commission has set aside $400 million towards this
8 Regional Transportation Climate Action Campaign.
9 In addition, to address particulate matter
10 emission, the commission has set aside $45 million
11 towards a Goods Movement Emissions Reduction Program
12 that would augment the existing program that the Air
13 District is currently implementing.
14 To improve the performance of our existing
15 freeway system, the commission has earmarked $1.6
16 billion towards our Freeway Performance Initiative. The
17 Freeway Performance Initiative, as you know, is a

18 collaboration between MTC, Caltrans, our Congested
19 Management agencies, CHP, and other stakeholders to look
20 at ways to better operate our freeway system.
21 The Freeway Performance Initiative, or FPI for
22 short, includes rent meterings at freeways to improve
23 main lane operations. It has cameras to detect traffic
24 incidents and to report those incidents to our
25 transportation management center and also to have

11

1 parallel arterial improvements. This plan also proposes
2 to create an 800-mile Regional HOT Network. The
3 network, MTC estimates, will cost about $3.7 billion.
4 This will all be paid with toll revenues.
5 And once the network is in operation, it's
6 going to generate about $6 billion in net toll revenues.
7 And these net toll revenues can be directed towards a
8 number of purposes, including investments in express
9 buses, rail expansions, other access improvements, as
10 well as FPI types of improvements.
11 One key investment that we made in this plan
12 are investments towards our Lifeline, Bicycle, and TLC
13 programs. The commission has set aside $400 million
14 towards our Lifeline program to address accessibility
15 needs of low income populations. It has put aside a
16 billion dollars to complete our Regional Bicycle
17 Network, as well as doubling the size of our TLC program
18 to the tune of $2.2 billion to support our focus growth
19 efforts.
20 And lastly, I just wanted to mention that the
21 commission has reaffirmed its investment in our
22 Resolution 3434 Regional Transit Expansion Program.

23 This is an $18 billion program that includes regional
24 rail expansions, express buses, and ferries.
25 Just in closing, I just want to repeat some of
12

1 the more procedural items. This is -- today's public
2 hearing is the second of two public hearings for our
3 Draft Transportation 2035 Plan. The comment period on
4 our draft Environmental Impact Report closes on
5 February 2nd. Comments on our draft transportation plan
6 closes on March 2nd. Staff will bring comments back to
7 our planning committee on February 13th, and we will be
8 taking both our proposed final plan and EIR to our
9 planning committee as well as the Commission for Action
10 in March.
11 With that, I'll close and be happy to take
12 questions, and I'll start the public hearing.
13 BILL DODD: Thank you, Ashley.
14 And before we go to the public hearing, are
15 there any commissioners who would like to comment at
16 this time?
17 Seeing none, we're going to start with Duane De
18 Witt.
C3-A 19 DUANE DE WITT: Hello, commissioners. My name
20 is Duane De Witt. I'm from a neighborhood called
21 Roseland in Santa Rosa, Sonoma County. I wanted to talk
22 with you as a public transit rider, and I wanted to
23 address two issues. I believe in Change in Action, if
24 you will, starting as soon as possible for comfortable
25 connections for transit riders.
13

1 With that in mind, it was just mentioned

there's 7 million people in the Bay Area right now, going up to 9 million, and you talked to about 1,000 to maybe 1,100 people about this. You've got these nice flyers out, but I never saw them in any buses. I never saw them until today. I ride the buses. I ride the BART. I ride lots of transit all around.

What I'd like to do before I get into the specifics is also say thank you to James Corless, who's now left, because he was a good man who was approachable, forthright, and helpful to community members such as myself, trying to navigate this big maze of why you build such big things.

But my traffic ride doesn't get any better and it really still is a pain to use public transit. So with that in mind, I wanted to ask for increased community investment and involvement to improve service and increase the attractiveness of public transit to passengers. These passengers are the basis for the system, but often passengers are not at the forefront of transportation planning, especially for buses.

Excuse me, I've got a bit of a cold.

Now, new money may be coming to the Bay Area and to MTC from the federal government. I would like infrastructure to include the bus stop benches and

shelters that are needed for passengers to have comfort and feel like using this system. Also better connections for buses and bus, or bus-to-bus rail connections, such as the Golden Gate Transit and Bay Area Rapid Transit, Golden Gate to AC Transit, and things of that nature.

In your Change in Motion document on page 126, appendix number one, item number 230437, Sonoma County, there is one little mention of bus stops as infrastructure. I'd really like to see that happen as soon as possible. This good weather might not hold, unless, of course, global warming is a reality, and then we might be better off in some ways. Shocking, isn't it?

But providing safety and protection from weather with good bus shelters should be considered infrastructure. This will increase ridership with small improvements that will benefit the community and then help your big projects, which apparently are all based on getting more of us to ride public transportation. So please think about us. It would be really nice. Bye now.

BILL DODD: Thank you very much.

The next speaker, Robert Allen.

C3-B ROBERT ALLEN: Yes, my name is Robert Allen. I

was a director of BART for 14 years, retired from the Southern Pacific in engineering and operations.

I would suggest the BART and Caltrain counties at Santa Clara, Alameda, Contra Costa, San Francisco, and San Mateo have about approximately six million people. They have about 82 percent of the Bay Area employment or job -- it's 82 percent of the population, I think, and 83 percent of the Bay Area jobs.

I would urge that this commission study blending BART and Caltrain, the operations. One possibility is a single five-county district, which

12 would be like the existing BART three-county district.
13 That would take legislation in Sacramento, which your
14 agency is uniquely qualified to pursue.
15 Adjusting for population and inflation, bonds
16 of the -- such a district equaling BART's $792 million
17 bond issue in 1962, would yield about $16 billion today.
18 Local funding like that would bring BART around the bay.
19 It could bring high-speed regional rail to the East Bay
20 and on up towards Sacramento.
21 It could bring high-speed -- it could bring
22 widened freeway medians and BART at grade without
23 structures or earth work, low-cost BART along interstate
24 580 to Livermore, ACE, along Route 4 as far as
25 Brentwood -- it's certainly a lot better than e-BART.

16

1 One-seat transit is what will bring people -- and in the
2 interstate 80 corridor, from El Cerrito del Norte up
3 toward Crockett.
4 It would bring grade separation of passenger
5 and most freight trains, road crossings, which would
6 yield a large amount of safety. And safety can be a big
7 problem with grade crossings, with noise, with traffic
8 delays for both for trains and for vehicles. They
9 could prove --
10 BILL DODD: Allen, could you wrap up, please.
11 ROBERT ALLEN: Could I take about half a minute
12 more?
13 BILL DODD: Well, you know, we've got a lot of
14 speakers here. Just try to wrap up, if you would,
15 please.
16 ROBERT ALLEN: Okay.

BILL DODD: Thank you very much.

ROBERT ALLEN: It would bring improved access to all three major airports, greatly reduced air pollution, relief of freeway congestion, and better length to the adjoining counties and to Sacramento.

Thank you.

BILL DODD: Thank you, Mr. Allen.

Charlie Cameron, followed by Cal Simone.

CHARLIE CAMERON: Good morning, Commissioners.

C3-C

Charlie Cameron, a Hayward resident. First of all, I want to say hello and thank you to some of the good ol' boys, like Commissioner Spering. I know Commissioner Haggerty has left for other engagements, but some of the good ol' boys are around. And to include women that are -- have been around for quite a while, whatever, not to be blasphemic.

For the women that do not know me, I am the one your mother warned you about and told you about, as long as we're on a constructive commenting.

I'd like to turn in my comments and corrections to the EIR. I told Ashley I'm going to do it. They're mostly all grammatic and geographic, but the only thing that you have to worry about -- if I corrected the corrections, as we speak, what else is wrong with the data and information, as we speak?

Trusting there isn't any other thing wrong with the district. So -- and just in closing, the -- almost the only way out of the box or inside the box, or outside the box, is socialization, mass transit, indoctrination, one-on-one, than anyone that wants to

22 live, work, or commute in the greater nine Bay Area
23 counties. That's the only way you're going to beat and
24 solve the problems.
25 So Ashley, here are the comments and
18

1 corrections.
2 BILL DODD: Thank you.
3 Cal Simone, followed by Andrew Casteel.
C3-D 4 CAL SIMONE: Good morning. My name is Cal
5 Simone, and I'm one of the appointees to the San
6 Francisco Peak Oil Preparedness Task Force.
7 First of all, I want to say I really appreciate
8 the effort that went into this massive report for the
9 last couple of years. I'm here today primarily to talk
10 about an assumption on which some of your plan is based,
11 and that has to do with the estimated price of gasoline
12 in your forecast models. This is in the Travel Forecast
13 Data Summary, which is in one of the supplemental
14 documents. It's kind of buried down in the document.
15 And I want to start out by saying that
16 there's -- I see quite a bit on climate change, but what
17 I don't see is the equally pressing issue of oil
18 depletion. So to get to the specifics of it, your plan
19 rests on the assumption, assumed price, that gasoline is
20 going to be -- in 2035, is going to be $7.47 per gallon.
21 Now, I appreciate that this is a revised
22 estimate from a couple of years ago of $3.96, but this
23 is a gross underestimation of what's going to be
24 happening, a gross underestimation. This is not
25 taking -- it appears not to take into account what we
19

1 know about oil depletion and the export situation.
2 The international agency, the energy agency, in
3 October, their report says, yes, essentially, yes, we
4 can have more supply, but only if there's a
5 multitrillion-dollar upswing in building new production
6 capacity. The problem is, as demand goes down, then the
7 incentive to do those new projects also goes down.
8 Without that extra investment to raise production, the
9 natural annual rate of output decline is estimated by
10 the International Energy Agency at 9.1 percent.
11 And even with those new projects on line, that
12 would be 6.4 percent. Demand for oil has been recently
13 severely depressed by the economic crisis. We don't
14 know how far or how long this will go. It's also
15 been -- the production capacity has been eroded both by
16 depletion and the reduction of these new projects.
17 So there's an uncertainty built into the
18 system. The problem with using regression models to
19 estimate gas prices is that we're dealing with a very
20 volatile situation in the oil market, and it's going to
21 get more volatile. Essentially, you get these wide
22 swings where it's a general up and down.
23 The swings are wider, and it's moving higher
24 as -- in general as you do it. So the swings are going
25 to produce intermittency. They're going to produce all
20

1 kinds of problems. I know you probably can't account
2 for that, but at least when you make your estimates --
3 we could have deflation, in which the prices will stay
4 low or hyperinflation. The one thing pretty much

everyone agrees on is the volatility.

The consequences -- again, the consequences of these low prices is no investment, no further investment in the energy sector. Those of us who were looking at this really believe that by 2035, and perhaps even by 2025, gasoline will only be affordable to the very rich. So I, myself, am looking at $10, $12 a gallon by 2015 and 20 -- $20 a gallon by the end of the next decade.

So just to wrap up, I'm trying to project, future prices based on the current prices in this particular scenario is a problem. We're entering the unknown here, and I urge you to look at and research the report I mentioned from the IEA, and I'm happy to engage in a dialogue with you myself.

BILL DODD: Thank you, Mr. Simone.

Andrew Casteel, followed by David Schonbrunn.

C3-E ANDREW CASTEEL: Yes, Andrew Casteel, Executive Director of the Bay Area Bicycle Coalition.

Good morning, Commissioners. The BABC would like to commend the MTC for recognizing the importance of bicycle and pedestrian facilities towards achieving

21

the goals set forth in 2035 Regional Transportation Plan.

As 43 percent of trips in California are two miles or less in length, the BABC looks forward to working diligently with the commission to promote bicycling and walking to get people out of their cars for those short trips.

We would like to thank the MTC for the $1 billion this plan invests in the Regional Bike Network

10 and the $100 million invested in safe routes to school
11 and safe routes to transit as part of the Climate Action
12 Campaign, as decided at the July 23rd, 2008 commission
13 meeting. These investments will prove valuable for
14 reducing bicycle and pedestrian crashes, vehicle miles
15 traveled, greenhouse gas emissions, while making for
16 more livable communities, and providing for improved
17 access and public transit ridership.
18 In terms of needed improvements, many of MTC's
19 projections in the draft EIR and other forecasting
20 documents would benefit from improved bicycle and
21 pedestrian counts. MTC's own projections for the -- in
22 the 2004 memo on route analysis by population, shows
23 that when complete, the Regional Bike Network will be
24 within half a mile reach of 71 percent of the Bay Area
25 population.

22

1 Other studies, including the Portland, Oregon
2 Office of Transportation's 2007 Bicycle Count Report
3 demonstrates that increased bikeway miles translate to
4 increased bicycle mode share. However, the DIR
5 projections for bike and ped use do not substantiate
6 this.
7 We are encouraged by MTC's new subcommittee on
8 bicycle and pedestrian counts, and we will continue to
9 work with MTC through this committee on improving
10 bicycle counts. While the plan makes some reductions in
11 VMT and greenhouse gas emissions, it falls short of its
12 own objectives in those areas.
13 We believe the solutions to these shortfalls is
14 to promote smart growth as well as walkable and

15 bike-able communities, which will allow people to walk
16 and bike for their commutes to work, school, shopping,
17 and access to transit.
18 The Bay Area Bicycle Coalition looks forward to
19 working with the MTC on implementing this plan. Thank
20 you.
21 BILL DODD: Thank you.
22 Jonathan Bair.
C3-F 23 DAVID SCHONBRUNN: You called me next.
24 BILL DODD: Yes, excuse me, David, sorry.
25 You're next, followed by Jonathan Bair.

23

1 DAVID SCHONBRUNN: David Schonbrunn with
2 TRANSDEF. I'd like to welcome Supervisor Daly to MTC.
3 Nice to see you here.
4 The RTP has some great language and great
5 programs in it, but when you look beneath the surface,
6 the project mix is pretty much like the 1994 plan when I
7 first arrived here at MTC. This RTP is all about
8 accommodating the single occupant vehicle through HOT
9 lanes. It's got some lipstick on it, but this plan is
10 disconnected from the realities of 2009. It's not bold
11 enough for the needs of today.
12 Here's the news from yesterday's Chronicle:
13 "Scientists familiar with the report said it emphasizes
14 the need for immediate action to control emissions. As
15 a climate scientist, this was my intuition, but they
16 have done a really good job of working through the
17 details and make a case that the situation is more dire
18 than we thought, if we don't act quickly and
19 aggressively to curb carbon dioxide emissions."

20 "The policy relevance is clear. We need to act
21 sooner, even if there is some doubt about exactly what
22 will happen. Because by the time the public and
23 policymakers really realize the changes are here, it's
24 far too late to do anything about it." Said
25 geoscientist so-and-so, this really is a wake-up call

1 about the seriousness of this issue.
2 There's a reason for the disconnect that I've
3 identified between the plan and the realities of today.
4 Your agency doesn't do adequate environmental review.
5 Your EIR does not take the threat of climate change
6 seriously and so refuses to look at what a maximum
7 effort to reduce greenhouse gases would look like.
8 As a result, you decision-makers have no idea
9 of what the actual tradeoffs are in a situation like
10 that. Without an adequate EIR, you can't make informed
11 decisions. The EIR treats committed projects as if they
12 were already built and ignores the discretion that you
13 have to change direction based on change conditions.
14 The committed projects in your RTP come from an era of
15 bottoms-up planning when VMT was not an issue.
16 The advent of AB32 and SB375 effectively put an
17 end to that era and requires a new kind of planning, one
18 that looks at the overall performance of a plan. The
19 committed projects in your plan were explicitly excluded
20 from the performance evaluations. The problem is you're
21 waiting for somebody on high to change -- to require you
22 to change your process. TRANSDEF's strong preference
23 would be for MTC to take the initiative, to do the
24 planning for an all-out effort to reduce greenhouse

25 gases.

1 That would mean studying an alternative without
2 highway widening and a system of highway tolls, that
3 would fund a network of cost-effective transit and
4 create the economic incentive for riders to use it. We
5 think this kind of study is what a responsible MPO would
6 want to do, and we believe CEQA requires such an
7 alternative.
8 However, if MTC remains intransigent, we will
9 have to exercise our legal options to make sure that you
10 as decision-makers have the option to act now vigorously
11 as called for by the climate scientists --
12 BILL DODD: Thank you, David.
13 DAVID SCHONBRUNN: -- to protect our climate.
14 We want the Bay Area to be a national model, and we
15 believe you do too. Thank you.
16 BILL DODD: Thank you.
17 Jonathan Bair, followed by Norman Rolfe.
C3-G 18 JONATHAN BAIR: Good morning, commissioners.
19 Thank you for this opportunity to comment on this
20 important plan. My name is Jonathan Bair and I'm chair
21 of the City of Oakland's Bicycle and Pedestrian Advisory
22 Committee.
23 The Draft Transportation has an inspiring
24 title, Change in Motion, but like many of the other
25 speakers you've heard, I do not think that there is

1 enough change embodied in this plan to reach the goals
2 of stainability and equity that were the measurements
3 you put forth.

4 Overall, it is still wedded to an ineffective
5 and suburban-favoring highway expansion plan. I
6 strongly support HOT lanes and the other freeway
7 performance measures, but there is no reason why these
8 measures have to be limited with an expansion of
9 capacity on the highways.
10 The measures could be implemented without
11 expanding capacity, as to not inducing extra demand, but
12 using our existing resources more efficiently. You can
13 see this very clearly when you look at the map of
14 priority development areas and compare it to the map of
15 highway expansion and transportation expansion. They're
16 not in the same places.
17 There is additionally an extraordinary amount
18 of money for BART when there are existing rail lines
19 that could be upgraded much more cost effectively. The
20 capital corridor supplies the need for rail
21 transportation from the East Bay to San Jose, and it is
22 not given nearly as much funding or priority as building
23 an entirely new rail link at an extraordinary cost.
24 I am very disappointed that there is no
25 region-wide pedestrian program. I understand staff's
27

1 comment that pedestrian facilities are decentralized,
2 but that is really a call for you to think more
3 creatively about setting region-wide goals for
4 individual streets and individual neighborhoods.
5 The safe routes to transit program should be
6 your top priority, because if everyone is driving to a
7 suburban BART station rather than getting to, you know,
8 facilities that they can walk to in intracity bus

9 systems, then the environmental benefit of building new
10 transportation will -- is severely limited.
11 I would also like to point out two errors in
12 the plan. The transit-oriented development is an
13 important component of a holistic view of transportation
14 placing people near existing transportation -- near
15 potential transportation.
16 The barriers to transit-oriented development
17 are not legal; they are political. And I don't know
18 what the MTC can do about that, but statements and minor
19 changes in state law are inadequate to encourage
20 transit-oriented development in the central Bay Area.
21 Furthermore, the Outer Harbor Intermodal
22 Terminal in Oakland is on the rocks. I am pleased that
23 the MTC includes goods movement as a transportation --
24 regional transportation priority as it should be, but
25 there needs to be more coordination with Oakland.

28

1 Thank you very much for this opportunity to
2 speak.
3 BILL DODD: Norman Rolfe, followed by Carlie
4 Paine.
C3-H 5 NORMAN ROLFE: Good morning. I am Norman
6 Rolfe, and the first thought that occurs to me is that
7 you got the car before the horse. You're asking to
8 complete an EIR before the plan is completed. I mean
9 your deadlines don't seem to add up, and I think you owe
10 us an explanation unless you're telling us that the plan
11 ain't going to change regardless of what we say.
12 And this plan calls for freeway expansion which
13 will result in more automobile traffic, more

14 environmental impact. And what has not been evaluated
15 or even mentioned is the additional deaths and injuries
16 that will be injuries from automobile accidents that
17 will be the result of this plan's generation of more
18 automobile traffic. That is more BMT.
19 Here is a document here which I ask the
20 secretary to pass around, which is an analysis of
21 figures from the highway patrol showing that this
22 allegedly dangerous oil drive is actually safer than
23 freeways are. The last fatal accident was 2003, and
24 freeways are killing people every year. And I predict
25 that with this new plan you replace (inaudible) with a
29

1 freeway, you're going to have people dying on it every
2 year.
3 And the plan will work against smart growth
4 transit and transit-oriented development. It will cause
5 more spoil, more loss of open space, more loss of farm
6 land. Alternatives that would have been better from
7 these viewpoints were dismissed.
8 This EIR and the alternative it promotes should
9 be rejected. One of the alternatives that -- one of the
10 alternatives that was mentioned and would be better for
11 smart growth transit and transit-oriented development
12 should be adopted and a new EIR analyzing it should be
13 made.
14 MTC should work with other agencies and cities
15 and counties to adopt land-use plans that will advance
16 smart growth and transit-oriented development.
17 And then the claims made that 85 percent of the
18 money available for transportation projects have already

19 been committed, well, I ask you to refer to a letter of
20 August 10th, 2008 from Attorney General Brown which
21 throws the whole thing into question and so well, I'm
22 going to submit this thing before your deadline. It's
23 the next to the last paragraph, and I really urge you to
24 read it and think about it.
25 And you're going to have to -- should -- you
30

1 won't, but you should revise these plans, honor my
2 comments and some of the other comments you received.
3 Another thing that requires closer scrutiny is
4 the emphasis on level of service, the LOS. An LOS of
5 ERF might actually be good for the environment if it
6 discourages auto use and encourages transit ridership.
7 Furthermore, I have been informed -- check that
8 out -- that the level of service is not actually in the
9 CEQA law itself, but is in some administrative
10 guidelines that were added after the law was passed by
11 the legislature.
12 Now, if this is so, then I would urge you to
13 either dismiss LOS, not even use it, or if you do use
14 it, apply it to the movement of people, not the movement
15 of vehicles.
16 So I'll ask the secretary to pass this out and
17 I'll get this other stuff in final form and get it to
18 you before the deadline.
19 BILL DODD: Thanks, Mr. Rolfe. Carli Paine,
20 followed by Tom Blalock.
C3-I 21 CARLI PAINE: Good morning. Carli Paine,
22 Transform.
23 First, I want to affirm the progress reflected
Page 26

24 in this RTP through setting goals that were really
25 ambitious and through unprecedented investments in land
31

1 use, in bicycling and making walkable communities.
2 One of my coworkers was recently last week at
3 the Smart Growth America. It's a national conference in
4 Albuquerque this year, and this RTP was being held up as
5 the model for other regions. And so I wanted to affirm
6 and say that we are really pleased with that direction.
7 But saying this, I also want to point out that
8 the progress made in this RTP is not enough. We can't
9 rest on our laurels and say, yes, we've done it and
10 we've achieved everything we've set out to achieve,
11 because we haven't.
12 The DEIR shows one way that we can get closer
13 to the goals that we've set out -- still not achieving
14 them, but getting closer, though -- to the heavy
15 maintenance and climate protection scenario.
16 And this is only shifting a small fraction of
17 the total RTP investments, so if we think about what we
18 really could achieve if we took a step back and thought
19 creatively about how to handle some of those
20 off-the-table committed funds, I think that we really
21 could move towards a future that we've all said we want
22 to achieve.
23 So one thing I would really like to see MTC
24 include and that Transform would like to see MTC include
25 in the final RTP plan is an articulated process of how
32

1 MTC can work with the county agencies to not top-down,

but really collaborate and figure out how to reevaluate projects that the counties control most of the funds for, because I think that's where the tension is.

And you all can't make those decisions entirely without calling on your elected officials and voters in the counties. And we want to see that happen, and so I think MTC needs to make a commitment to starting that process immediately so that next RTP we can come out, you know, those two years before an adoption of a plan and say, listen, we freed up some of those funds. We found alternatives to create good access and mobility in these corridors, and we aren't going to have some of these tensions that we're feeling right now.

I want to affirm what David Schonbrumm said about the problems with the no-project alternative definition. No project is not, let's build 85 percent or spend 85 percent of the funds. That's not doing no project. That's doing most of the project.

The other thing I want to say is that some of the elements of this plan also need flushing out, specifically the proposed Regional HOT Network. It needs to include a clear commitment to funding transit on the corridors at the time of opening and equity addressing and a plan to look at how to start pricing

segments without expansion that's going to induce growth and demand.

So I'll be submitting more extensive comments in writing. Thank you.

BILL DODD: Thanks, Carlie. Tom Blalock, followed by Frank James.

C3-J

TOM BLALOCK: Good morning, again, Chair Dodd and commissioners. It's good to be here with you to go over this plan that's been worked on for a year and a half. And our staff has been -- on behalf of BART, we want to thank you for all of the effort that's gone into this.

First, I think I would say that I believe BART is probably the lowest carbon footprint per passenger carried. Just there's been a lot of emphasis on that, and I think that is true.

We are pleased the draft plan includes the fix-it first priority which has been standard. We strongly support the investment levels in the Draft RTP as a starting point for addressing continued investment in maintenance.

Unfortunately, with the fund shortage, this investment is truly only a starting point and leaves 16 billion regional capital replacement shortfall. This affects everyone in the region and is a concern that we

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all need to focus on.

In the region's transit operators, BART has the largest need, which we saw on the slide, because we have the largest capital asset base. We have a more physical plan that needs replacing, renovating and maintaining than any other transit operator; thus, we have more to lose when these assets are not maintained.

Our 25 years capital shortfall is about 7 billion, and that is exclusive of critical core-capacity projects necessary to address increasing ridership. This plan proposes to fully fund BART's vehicle

12 replacement needs.

13 It only funds 25 percent of our other highest

14 rated needs. That means important projects like track

15 replacement, traction power, train controls, may go

16 unfunded if we can't find funds in the future.

17 The challenges here are certainly formidable

18 and BART and other transit systems are key strategies in

19 reducing the vehicle miles traveled. BART has been a

20 self-help agency in the past.

21 And just to remind you of a couple of the most

22 recent projects that were self-funded, the west Dublin

23 BART station, the seismic rehab bond that we passed, the

24 original refurbishment of 439 car fleet -- our original

25 fleet, was partially self-funded by the -- we got a lot

1 of help from MTC, but a lot of self-funding that we put

2 into that.

3 Our needs are (inaudible) the functioning of

4 the region's economy and go beyond our ability to fund

5 them alone. We certainly want to work with you and look

6 forward to the completion of Draft EIR. Thank you very

7 much for your help.

8 BILL DODD: Thanks, Tom. Frank James, followed

9 by Christine Culver.

C3-K 10 FRANK JAMES: I'm Frank James. I live in

11 Fremont, and I'm honored to be following Mr. Blalock,

12 and I concur with Mr. Rolfe.

13 I believe that before spending money on a

14 lane-changing system on the Golden Gate Bridge and the

15 retrofitting of the Golden Gate Bridge as well as

16 rebuilding Doyle Road, plans should be made for a light

17 rail from the Embarcadero station in San Francisco to at
18 least Larkspur.
19 The bridge is strong enough to hold it, and
20 this could enable people who aren't necessarily going
21 downtown who can't make use of the ferry, such as
22 hospital workers going to San Francisco from Marin
23 County, to be able to make use of this by having
24 shuttles from stops after going across the bridge.
25 And traffic could be greatly improved and

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1 funding for the rail would also be a new source of
2 revenue possibly from state and federal government
3 funds.
4 I'm also recommending instead of spending money
5 on road improvements at Willow University and an extra
6 lane on 101 near Marsh Road, you instead spend the money
7 for the people you're taking it from, from the Dumbarton
8 Bridge, and build a direct connection from the immediate
9 west end of the bridge going under the -- under it for
10 westbound travelers wanting to go west or to the
11 Embarcadero Road, the Oregon Expressway, or wanting to
12 go south on 101 be able to have a direct route to 101.
13 Instead, they have to go up to Willow. They
14 have to go up to University and go back down. That's
15 about 75 percent more driving than they have to do if we
16 have a connection that goes directly to those three
17 areas of the Oregon and Embarcadero and 101.
18 I'm also recommending that we get the funding
19 for the rail at the Dumbarton Bridge, the renovation
20 that was proposed. It had a tremendous amount of
21 support when I went to a meeting a few years ago in San

22 Leandro.

23 I don't understand why the bridge payers should

24 be paying for everything besides what the bridges are

25 for or traffic at least in their direction.

37

1 We pay a sales tax for BART. That has nothing

2 to do with connecting our peninsula with the East Bay.

3 So that money should be used to try to connect these

4 people. My wife works in Palo Alto. She should be

5 entitled to be able to have a public transportation to

6 get to work near Page Mill.

7 I also think that -- I know you don't have a

8 lot of control on how funding is being made. It's done

9 through the state legislature, but some of you have

10 access to the media, and I think the media should be

11 talked to.

12 $22 million was spent by a Google executive to

13 go on some Russian space odyssey and no sales tax or

14 anything was applied to help transportation, while my

15 wife is paying $4 a day to cross the bridge and she's

16 paying a sales tax.

17 And we need to start collecting the money from

18 the people who have the money so we can get sufficient

19 funding to get these programs going. Thank you.

20 BILL DODD: Thank you, James. Christine

21 Culver, followed by Len Conley.

C3-L 22 CHRISTNE CULVER: My name is Christine Culver.

23 I'm the executive director of the Sonoma County Bicycle

24 Coalition.

25 Good morning, Chairman Dodd and commissioners.

38

I really appreciate this opportunity.

It was about five years ago that I spoke to you about the transportation plan, the 2035 transportation plan, and I want to say thank you so very much for recognizing bicycles as a critical link to fixing some of our transportation problems.

I'm very excited to see that the Regional Bike Plan has been included completely, and that we have more funding going to Safe Routes to School so we can get our kids out of cars, get them healthy, reduce our carbon footprints.

And also, safe routes to transit which is going to be increasingly important for Sonoma County with the passage of our smart train coming through. So I'm very excited about that. Thank you.

I wanted to also ask you to consider including consistent bike-count program is this plan. It's very important to know how our investments are performing.

And also, our class 1 bike paths are an important part of our regional network, and a lot of them are closed during non-daylight hours. This needs to be considered, because if we want people to be able to use them, they need to be able to use them when they want and when they need to.

Highway 1 is a critical corridor in Sonoma

County for bike transportation. We have a lot of people traveling the coast from Washington down to San Diego and beyond. We need to make our -- Highway 1 needs to be included in our Regional Bike Plan, and it needs to have access to the towns that are east of there, the

Santa Rosa and Healdsburg. We need to make this easier. They need to be included.

And lastly, I want to just mention that we need to include over-crossings over 101, which is quite a barrier to pedestrians and bikes. And we are asking for funding for a bike/pedestrian bridge that will lead from the junior college over to the new smart train station. And we would also like that included.

Again, I want to say thank you so very much. It's a pleasure to work with your staff, and I'm glad to see this program -- this plan moving forward in this direction. Thank you.

BILL DODD: Thank you, Christine. Len Conley, followed by Gerald Cauthen.

C3-M

LEN CONLEY: Good morning. Can you hear me okay? I just want to make a couple of comments on your greenhouse gas section of the Draft EIR.

The last sentence on page 2 of section 25 creates the impression that there is a dispute among scientists among climate change. The sentence begins:

40

"However, many scientists believe that emissions from human activities have elevated the concentration of greenhouse gases in the atmosphere beyond naturally occurring concentrations."

The use of the word "many" in this sentence conflicts with a sentence in the second paragraph on page 1 of section 25 which states: "While scientists are certain that human activities are changing the composition of the atmosphere and that increasing concentrations of greenhouse gases will change the

11 planet's climate."
12 It creates a misleading impression of the
13 findings of the UN IPCC and suggests that this is a
14 disputed fact. And I urge you to look at that and maybe
15 correct the language, because the public needs to
16 understand this is a serious problem.
17 The second point is in the first paragraph on
18 page 15, section 25 -- and I'll leave this paper with
19 you. Under significant criteria of the TS 2035 DEIR it
20 is stated that: "Implementation of the transportation
21 plan would have potentially significant adverse impact
22 if plan projects would, 'criteria one: Result in an
23 increase in Co2 emissions from on-road mobile sources
24 compared to existing 2006 conditions."
25 It goes on to say for this program EIR, MTC has
41

1 selected this criteria as the most responsible and
2 comprehensive approach to this greenhouse gas impact
3 analysis since it addresses a cumulative impact of
4 implementing all transportation projects in the plan.
5 Now, that's unquote.
6 Now, I'd like to say how can this criteria be
7 called the most responsible and comprehensive approach?
8 In as much as one, it will not result in the reduction
9 of greenhouse gas emissions called for in AB32. And
10 two, that failure to reduce these emissions will most
11 likely result in the dire consequences predicted by the
12 UN IPCC.
13 To avoid potentially significant adverse impact
14 pointed out by the IPCC, the criteria should be that the
15 plan results in a decrease in Co2 emissions from Bay
Page 35

Area transportation by 2035, compared to existing conditions in such a way as to meet the target set in the Air Resources Board.

I'd also want to mention that we broke the temperature record in Oakland by 14 degrees, as I'm sure many of you are aware. It's quite a dramatic number.

Also, in January we broke a temperature record of ten degrees -- ten days in a row. This doesn't really prove anything. It's only weather, but I just wanted to mention that fact. Thank you very much.

42

BILL DODD: Thank you, Mr. Conley. Gerald Cauthen, followed by Athena Applon.

C3-N GERALD CAUTHEN: Mr. Chairman, members of the commission. My name is Jerry Cauthen. I'm a professional engineer, and I want to acknowledge -- as Carli Paine said -- that I think there had been some steps taken to try to respond to the new situation.

But as you heard from Ashley a few minutes ago from her public outreach campaign, and as you're hearing again today, many people don't think you've gone far enough.

Now, others are actually taking action. The new President certainly seems to be taking a strong step towards changing things nationally. Senator Nunez and Senator Steinberg and others have been instrumental in getting -- and the Governor -- have gotten AB32 and SB375 through the process. These are very strong steps.

One other thing I wanted to refer to before I read you a very brief statement is that Carli Paine mentioned that Transform -- and I might also say the

21 Sierra Club in San Francisco. Many other groups have
22 said HOT lanes are okay, provided they don't involve
23 lighting the freeways.
24 Now, there are 18 different projects within
25 this EIR that specifically say widen freeway to make way
43

1 for a HOT lane. So that is in direct contradiction
2 between what all these groups have been saying for many,
3 many months.
4 Now, on page ES8 of the Environmental EIR
5 Summary, MTC acknowledges that the land use-oriented
6 alternative and the pricing-oriented alternative are
7 both environmentally superior to the alternative that's
8 being proposed to you.
9 This would seem to me to be a pretty
10 significant finding. There are two other alternatives
11 in there that work better. If the staff goes on to
12 recommend dropping both of those alternatives on grounds
13 -- as far as I can tell, only because you don't have
14 current leave of statutory authority to implement them.
15 It seems to me that in first representing two
16 environmentally superior alternatives and then summarily
17 dismissing them because of implementation difficulties,
18 fails to exercise your regional planning
19 responsibilities.
20 Why no official notification to the governor of
21 state legislature of what would be required to best
22 clean up the Bay Area's transportation problem? Why no
23 call for additional legislation if that's needed?
24 For that matter, why don't press conferences
25 and media blitz put the facts before the public in an
Page 37

effort to gain support for the best answer to the region's transportation problems?

Not being able to do something is one thing, but not even trying to rectify the situation while burying the truth of what's needed in an EIR is quite something else. I think a second look at this situation is warranted. Thank you.

BILL DODD: Thank you.

ATHENA APPLON: Good morning, commissioners. Thank you. My name is Athena Applon, and I am a staff member to West Oakland Environmental Indicators Project. I'm also a resident of West Oakland.

I would like to ask you to consider the OHID (phonetic) and the 7th Street L grid to be placed on hold.

The reason being, the port of Oakland has not demonstrated to the community of West Oakland and to the Commission -- California Transportation Commissioners mitigation measure to reduce the impacts due to pollution to the residents of West Oakland from these projects. Only consider these projects when the port can document any mitigation measures. Thank you.

BILL DODD: Shirley Stahlke, and then followed by Len Conley. And that's going to do it for the public comments, at least for the vocal portion here this

morning.

C3-P SHIRLEY STAHLKE: I'm Shirley Stahlke, and I came this morning on WestCAT. I came on the JPX, and I

took BART to our current meeting.

I have a concern. 2035 I'll be 96, so I probably won't be riding the bus, but right now I am, and this small bus service is having problems with finances. And so will you have a plan for the small buses that bring you to BART that may go out of business before 2035? Thank you.

BILL DODD: Thank you, very much. Len Conley.

LEN CONLEY: That's okay. I'll pass.

BILL DODD: Oh, you already spoke. Very good.

Okay. That will conclude the public hearing at least for today. And this public hearing, as I mentioned earlier, will be open until -- the public comment period for the Draft EIR closes Monday, February 2nd.

And the public comment period for the Draft Transportation 2035 Plan extends to 4 p.m., Monday, March 2nd.

Okay. With that, I'll close the public hearing. We'll move back to the -- or were there any comments from the commissioners on this? Commissioner Bates?

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TOM BATES: Yeah. I just wanted to share all the Commissioner's appreciation for the comments we've heard today. We appreciate people coming and making those comments.

But I just wanted to make a brief comment about this document, this Change in Motion document. I want to compliment the staff. I haven't had a chance to read it all, but it's presented so terrifically. It's a

fabulous document, and you're all to be congratulated for putting it forward.

JON RUBIN: There is a good call for (inaudible) at the very beginning, too. So it's worth considering. I don't know where that came from, but whoever got it, congratulations.

BILL DODD: Okay. Thank you, Commissioner Bates for bringing that up. I think there was such a haste to get on with the agenda that I didn't thank Ashley and the rest of the MTC staff and the public for coming here today and commenting on the 2035 Plan. We appreciate it very much.

(Whereupon, the meeting was concluded at 11:49 a.m.)

CERTIFICATE OF REPORTER

We, Dawn E. Howard, CSR No. 13201, and Audrey L. Takato, CSR No. 13288 Certified Shorthand Reporters, do hereby certify:

That said proceedings were taken by us at the time and place set forth and was taken down by us in shorthand and thereafter reduced to computerized transcription under our direction and supervision, and we hereby certify the foregoing transcript is a full, true, and correct report of said proceedings which took place.

And we further certify that we are disinterested

parties to the said action nor in any way interested in the outcome thereof.

IN WITNESS WHEREOF, we have hereunto subscribed our name this 29th day of January 2009.

DAWN E. HOWARD, CSR No. 13201

AUDREY L. TAKATO, CSR No. 13288

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EMERICK & FINCH (925-831-9029)

4 Responses to Comments on the Draft EIR

This section includes responses to each comment, and in the same order, as presented in Section 3. The responses are marked with the same number-letter combination as the comment to which they respond, as shown in the left-hand margin of the comment letters. In accordance with CEQA Guidelines Section 15088(b), on March 2, 2009, MTC transmitted responses to written comments submitted by public agencies for their information prior to the Commission's review and certification of the Final EIR.

AGENCIES

LETTER A1—UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (US EPA)

A1-A: The comment states that SAFETEA-LU requires that the mitigation strategy included in the long-range transportation plans promote *regional* avoidance (italics added by comment), minimization, and mitigation to preserve pristine areas, or restore or enhance areas with the greatest potential for success. As such, the comment suggests that in developing the regional mitigation strategy the long-range plan should identify: 1) what mitigation is proposed, 2) where it would be most successful, and 3) how specific mitigation activities will restore or maintain critical environmental functions. Also, the comment states that <u>the Draft EIR does not contain specific discussion of a regional mitigation strategy for the Transportation 2035 Plan, and therefore the document does not meet the requirements of SAFETEA-LU</u> (underline added by commenter).

MTC respectfully disagrees with the comment's interpretation of SAFTETEA-LU. Specifically, MTC contends that SAFETEA-LU does not require a "regional mitigation strategy", and the proposed Transportation 2035 Plan and process has fully complied with SAFETEA-LU requirements. Furthermore, it is MTC's position that U.S. EPA and other state/regional resource agencies that have the environmental expertise are better suited to develop such regional mitigation strategies, and MPOs should consult them in future long-range transportation planning efforts. The rest of this response describes the actual requirements of SAFETEA-LU (which apply to the Plan), and how the Draft EIR process helps to meet those requirements.

There are two SAFETEA-LU requirements for regional transportation plans that pertain to environmental mitigation and consultation, as follows:

- Section 450.322(f)(7) requires "a discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the metropolitan transportation plan. The discussion may focus on policies, programs, or strategies, rather than at the project level. The discussion shall be developed in consultation with Federal, State, and Tribal land management, wildlife, and regulatory agencies. The MPO may establish reasonable timeframes for performing this consultation."

- Section 450.322(g)(1) and (2) requires "the MPO shall consult, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of the transportation plan. The consultation shall involve as appropriate: (1) Comparison of transportation plans with State conservation plans or maps, if available; or (2) Comparison of transportation plans to inventories of natural or historic resources, if available.

MTC complied with the above two SAFTEA-LU sections by consulting with resource agencies during the development of the Transportation 2035 Plan and its Draft EIR, as part of the Notice of Preparation and public scoping efforts as described on p. 1.1-5 of the DRAFT EIR and consultation efforts on mitigation measures as outlined on p. 1.1-6 of the DRAFT EIR. As part of the November 12, 2008 agency consultation on mitigation measures, MTC specifically requested input from resource agencies in attendance (which included U.S. EPA, Caltrans District 4, U.S. Fish and Wildlife Services, California Coastal Commission, California Department of Conservation, San Francisco Bay Conservation and Development Commission, and Bay Area Air Quality Management District) to provide MTC with specific mitigation language that could be incorporated into the Draft EIR. During this discussion, there was interest expressed by the resource agencies, particularly U.S. EPA, about identifying "advanced mitigations" in the Draft EIR, and input on mitigations provided by resource agencies following this discussion have been incorporated in the Draft EIR. The requests made by agencies are a part of the administrative record, and the language modified in response to those requests may be found throughout the Draft EIR in issue sections relevant to each agency.

Regarding SAFETEA-LU Section 450.322(g)(1) and (2) and the parallel request under the first bullet point on page 3 of the comment letter, throughout the preparation of the Draft EIR for the Transportation 2035 Plan, MTC made a concerted and good-faith effort to identify key documents prepared by resources agencies that may impact future transportation plans and to ensure any actions in the plan do not conflict with those of the resource agencies. During the preparation of the Draft EIR, the EIR preparers reviewed numerous plans and resources, as well as compared the working draft of the Transportation 2035 Plan with the latest State conservation plans or maps that were available for analytic purposes. See the Bibliography section of *Part Four: Bibliography and Appendices* of the Draft EIR for all planning documents and resources referenced in the Draft EIR. Note that MTC did not receive any comment letters on the Draft EIR from resource agencies stating that the Transportation 2035 Plan and its EIR are inconsistent with State conservation plans, maps or inventories of natural or historic resources.

Regarding the first bullet point on page 4 of the comment letter, MTC notes throughout the Draft EIR that the specific alignments and design specifications of component projects within the Transportation 2035 Plan are as described in the plan, wherein projects are at different levels of project development ranging from planning concept, design, preliminary engineering or construction. For example, due to uncertainty about specific alignments, the farmland impact analysis is conducted using a generic conservative "buffer" around the centerline or midpoint of component projects. In some cases, the choices for alignments of projects or corridors have not yet been made (hence

the Draft EIR's recommendations for project level mitigations once the project level CEQA analysis is under way). In others, choices are made by local agencies prior to proposing projects for inclusion in the Transportation 2035 Plan. Either way, the EIR on the proposed Plan does not evaluate component projects within the Plan, but rather the program as a whole (CEQA Guidelines Section 15168).

Regarding the last three bullets on page 4 of the comment letter, MTC administers some federal, state and regional moneys slated for transportation and air quality purposes, and where appropriate, MTC has identified financial mechanisms to fund mitigations as described in Mitigation Measures 2.1-2(a), 2.1-2(c), and 2.2(b), 2.2(f). However, because MTC does not have authority to establish conservation easements nor does MTC prepare project-level CEQA/NEPA documents where one could describe county/city designation of open space, MTC identified mitigation measures to be considered and implemented by project sponsors as described in Mitigation Measures 2.3(a), 2.3(b), and 2.3(c).

Nonetheless, in the interest of supporting US EPA's efforts, MTC is providing language in the Mitigation Monitoring Program of this Final EIR (Appendix C) to support the overarching goals of a "regional mitigation strategy":

In Support of a Regional Mitigation Strategy

In its role as a regional transportation planning agency, and in cooperation with its partner regional agencies ABAG, BAAQMD, and BCDC, MTC is identifying opportunities for region-wide coordination to achieve environmental protection goals, not the least through the Joint Policy Committee's efforts to coordinate implementation of Assembly Bill 32 and Senate Bill 375 and through ongoing interagency consultation with federal/state resource agencies, Tribal governments, and other stakeholders. Key opportunities to enhance coordinated mitigation efforts may include increased integration of conservation mapping data to inform easement decisions and project location choices (a process that has already begun in this Draft EIR (e.g. farmland mapping and sea level rise mapping, among others) and enhanced travel and socio-economic demographic forecast models.

A1-B: Under CEQA, the Draft EIR on the Transportation 2035 Plan is responsible for helping MTC determine whether the proposed Project may have a significant effect on the environment. CEQA Guidelines Section 15382 defines the term "significant effect on the environment" as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance." The definition goes on to state that "economic or social change by itself shall not be considered a significant effect on the environment." Furthermore, "evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment." (CEQA Guidelines Section 15064(f)(6))

Under this definition, the economic or equity impact on low income communities of potential pricing strategies presented in the alternatives analysis are not evaluated as a part of the Draft EIR. Rather, MTC conducted a separate Equity Analysis (described on

page 3.1-5 of the Draft EIR) in order to evaluate and address these issues. This report is available on MTC's website: http://mtc.ca.gov/planning/2035_plan/.

Furthermore, MTC would like to clarify that it did not "choose" the Heavy Maintenance/Climate Protection + Pricing Strategies alternative, but rather the Draft EIR alternatives analysis contained in Chapter 3.1 identified it as the environmentally superior of the alternatives available. Other factors and tradeoffs, described on Draft EIR pages 3.1-38 through 3.1-41 must be taken into account before a project is chosen.

A1-C: A revision to Draft EIR p. 2.5-23, mitigation measure 2.5(c), is provided in Section 2 of this Final EIR to incorporate suggestions in this comment.

A1-D: The Draft EIR (pages 2.2-8 and 2.2-9) acknowledges and discusses the public health impacts of diesel particulate matter and toxic air contaminants, particularly in areas of concentrated emissions, such as near ports, rail yards, freeways, or warehouse distribution centers. The Draft EIR also cites recent efforts to evaluate port-related emissions and health risks undertaken by the California Air Resources Board (CARB), Bay Area Air Quality Management District (BAAQMD), and the Port of Oakland (see Footnote 4 on page 2.2-9 of the Draft EIR). To more directly address the comment about MTC's commitment to engage the public and other agencies to address goods movement emissions and health impact issues, a revision to Draft EIR p. 2.2-22, mitigation measure 2.2(c), in the form of additional language is provided in Section 2 of this Final EIR to address this comment.

A1-E: This comment about aligning Plan objectives better with Plan environmental goals concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA. It should be noted that MTC's performance-based approach to preparing the Transportation 2035 Plan focuses on ways to protect the economy, environment, and equity. The performance objectives approved by the Commission for this plan presently focus on transportation, air quality, and transportation-housing affordability metrics. When preparing the next regional transportation plan update, which includes the Sustainable Communities Strategy as required by SB 375, MTC will take the opportunity to consider other performance objectives such as the suggested one to protect endangered species, critical habitats and open space.

LETTER A2—CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)

A2-A: The comment is correct to specify that the environmental checklist in Appendix G of the CEQA Guidelines (14 CCR 15000 et seq.) poses the question of whether the project would cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections). These types of questions are intended to encourage thoughtful assessment of impacts but do not constitute specific thresholds of significance for determining

project impacts. A revision to Draft EIR p. 2.1-7, paragraph 1 under Significance Criteria, is provided in Section 2 of this Final EIR to address this comment by removing the text.

A2-B: The comment incorrectly states that Table 2.5-2 of the Draft EIR shows the region's already unacceptable carbon dioxide emissions are projected to increase significantly by 2035 with or without the plan. Contrary to this comment, page 2.5-18 of the Draft EIR states that the "proposed Transportation 2035 Plan, with implementation of the Pavley Phase 1 and Phase 2 rules for greenhouse gas emission standards for new cars, is expected to result in about 76,000 tons of carbon dioxide emissions per day by 2035, reducing emission rates by 14,000 tons per day (16 percent) compared to existing conditions."

The comment further states that the Plan should do more to effectively address these problems, and suggests that there be a commitment to instituting roadway pricing strategies and to extending these beyond HOT lanes to price whole corridors relative to fluctuations in demand as a means to reduce the transportation and associated environmental problems that the region will face in 2035. While MTC agrees that pricing strategies should be used to manage travel demand as described on page 12 and pages 58-63 of the Draft Transportation 2035 Plan, MTC currently does not have legislative authority to implement the Regional HOT Network or any other pricing strategies. Please see response to comment B16-C for additional information about next steps to implement pricing strategies.

A2-C: MTC respectfully disagrees with this suggestion. CEQA gives discretion to lead agencies to establish thresholds of significance based on individual circumstances. The EIR preparers established significance thresholds consistent with CEQA Guideline that states that a threshold of significance is an identifiable quantitative, qualitative, or performance level of a particular environmental effect, noncompliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant (CEQA Guidelines Section 15064.7(a)). MTC undertook the following steps to identify thresholds of significance for this EIR, as follows:

(a) Referenced the environmental checklist contained in Appendix G of the CEQA Guidelines;

(b) Reviewed the thresholds of significance used in MTC's Transportation 2030 Plan Draft EIR (see MTC, Transportation 2030 Plan Draft Environmental Impact Report (October 2004) at http://www.mtc.ca.gov/planning/2030_plan/eir.htm);

(c) Surveyed thresholds of significance used by other California metropolitan planning organizations in their most recent EIRs for the their regional transportation plans;

(d) Conducted research on white papers, technical advisories, and other research documents for guidance on a threshold of significance for greenhouse gas emissions; and

(e) Selected thresholds of significance for this EIR, updating previous thresholds from past EIRs and adding new ones based on our research.

While vehicle hours of delay was not used as a threshold of significance for the impact analysis, the Draft EIR provided information about the comparison of the proposed Project to the future baseline and existing conditions with respect to vehicle hours of delay as shown on Draft EIR page 2.1-17 (along with other transportation indicators) for purposes of fully disclosing the transportation analysis conducted in this EIR.

A2-D: This comment about committing funding to bicycle and pedestrian studies concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA. However, please see response to comment B4-A for more information about the role of bicycle and pedestrian counts in the Draft EIR and modeling efforts. Note also that in 2003 MTC developed a standard methodology to count bicycles and pedestrians. As part of this study, 100 locations in the region were identified to provide data collection points to compare activity and exposure on an annual basis. MTC is working with the ITE on the National Documentation Project and partner agencies to conduct counts beginning in spring 2009 with updated methodology to develop exposure which will help to develop collision rates. Furthermore, MTC's Routine Accommodations Policy will help to assist MTC and local agencies to see which projects have provided facilities for both bicycles and pedestrians. MTC will also begin an effort to work with its partners and stakeholders to develop a methodology to assess the pedestrian needs within the region and in particular FOCUS PDAs and other transit-focused developments.

A2-E: MTC staff works directly with Caltrans, the Native American Heritage Commission, and the National Indian Justice Center each time a plan is updated, in order to obtain the most current and comprehensive list of tribes to invite to participate in the planning process, as well as to refine and enhance the consultation process itself. The list of tribes consulted for the Plan and this Draft EIR is a part of the administrative record, and includes over 16 distinct tribal organizations in the region. In accordance with SB 18 and SAFETEA-LU, MTC consults and will continue to make a good faith effort to consult with tribes in the region. Please see Draft EIR pp. 1.1-6 and 2.11-10 for more information on specific tribal consultation activities conducted for this EIR process.

A2-F: This section of the comment letter concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA. MTC has prepared a separate response to comments on the plan.

LETTER A3—SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION (BCDC)

A3-A: A revision to Draft EIR p. 2.5-7 in the form of a replacement map is provided in Section 2 of this Final EIR to address this comment.

LETTER A4—BAY AREA RAPID TRANSIT DISTRICT (BART)

A4-A: This comment letter concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This letter does not raise environmental issues under CEQA. MTC appreciates BART's commitment to work with us on climate change issues.

However, the proposed Project does not specifically include development of housing or jobs around transit stops described in paragraph five of the comment letter, and therefore the Draft EIR does not evaluate the impact of specific housing or jobs on public facilities or services, including BART service provision. Rather, the Draft EIR on the Transportation 2035 Plan evaluates the programmatic environmental impact of proposed improvements that *are* included in the Plan, all of which are transportation-related improvements. General regional housing and job growth are taken into account in cumulative impacts and the growth-inducing assessment (Chapter 2.12 of the Draft EIR).

Also pursuant to CEQA, the Draft EIR does not evaluate the direct or indirect economic or financial impacts of the proposed Project, such as the indirect cost to BART of serving potential future development focused around transit stations. Lastly, the impact of road pricing on transit as described in paragraph seven of the comment letter is evaluated in *Part Three: Alternatives and CEQA-Required Conclusions* of the Draft EIR, as it is a part of the overall modeling of the Heavy Maintenance/Climate Protection Emphasis + Pricing Strategies alternative.

LETTER A5—TRANSBAY JOINT POWERS AUTHORITY

A5-A: A revision to Draft EIR p. 2.9-43 removes the project from the impact list, and is provided in Section 2 of this Final EIR to address this comment.

LETTER A6—ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

A6-A: MTC acknowledges your ongoing support and participation in the development and review of the Transportation 2035 Plan and Draft EIR. Please see the response to comment B11-B regarding committed funds and projects, as well as response to comment A7-A regarding the inclusion of committed projects within the No Project Alternative definition. These responses demonstrate that MTC's analysis and assumptions are consistent with the comment.

LETTER A7—ALAMEDA COUNTY PUBLIC HEALTH DEPARTMENT

A7-A: This is the first of a number of letters that comment on the definition of the No Project alternative. Some comments proposed a No Project alternative wherein no funds, including committed projects, are invested (Comments A7-A, B5-G). These comments question whether it is appropriate to include as part of a No Project alternative "committed" projects that have full funding and/or were part of a voter approved transportation expenditure plan but are not actually under construction, because, according to some comments, MTC possesses discretion in its role of programming funds, and could allegedly reallocate this funding to other purposes (Comments B9-A, B11-A, and B11-K). Some comments questioned only the inclusion of committed

expansion projects in the No Project alternative. Comment B11-A claims that MTC failed to properly analyze the impacts of the proposed Project as compared to the 2035 No Project alternative, because the definition of the No Project includes these "planned-but-not-constructed" investments. As MTC's definition of the No Project is consistent with CEQA, this response is intended to address the CEQA definition of the No Project analysis, and how the Draft EIR on the Transportation 2035 Plan meets CEQA requirements pertaining to "no project" analysis. For the response regarding the definition of committed projects, please see Comment B11-B.

According to CEQA Guidelines Section 15126(e)(1), "the purpose of describing and analyzing a no project alternative is to allow decision-makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project." Under CEQA, "[t]he 'no project' analysis must discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, 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 Section 15126.6(e)(2), italics added).

MTC's approach to defining the No Project alternative in this program EIR is guided by CEQA Guidelines Section 15126.6(e)(3)(A), not Section 15126.6(e)(3)(B) as argued in comment B11-A. The comment states that the Transportation 2035 Plan is rightfully defined not as a land use or regulatory plan but as a "collection of conventional projects." The comment contends this "collection" should be evaluated as a single project, and CEQA Guidelines Section 15126.6(e)(3)(B) would define the No Project condition as the property's "existing state."

MTC's response to this contention is three-fold:

> 1) MTC maintains that the Transportation 2035 Plan is rightfully a "revision to an existing land use or regulatory plan, policy, or ongoing operation" as described under CEQA 15126.6(e)(3)(A) because it is a long-range program for a multiplicity of coordinated actions to be taken over time by various agencies over a very large planning area (this description of the RTP as a program of projects is what was used to decide to produce a "program EIR" as defined under CEQA; see Draft EIR p. 1.1-2, EIR Scope, for more information),
>
> 2) It is clear that other projects initiated under the existing Transportation 2030 Plan will continue while the new plan is being developed, and
>
> 3) The practical result of the proposed Project's non-approval would be the continuation of the existing plan.

The No Project future condition, thus defined, includes the components of the Transportation 2030 Plan that are reasonably expected to be continued. It includes the existing transportation system, transportation projects under construction, and transportation projects that have full funding commitments, such as fully funded sales tax

transportation projects authorized by voter-approved transportation expenditure plans and expected to be completed over the Transportation 2035 Plan period (Draft EIR, p. 1.1-8). This definition, though it includes investments that are not yet constructed, is consistent with CEQA because it reflects MTC's best estimate of what may reasonably be expected to occur if the Transportation 2035 Plan were not adopted and the existing Transportation 2030 Plan were continued into the foreseeable future. It would be far less reasonable to assume that all of these funding commitments and associated projects in various stages of development at the local, regional, state, and federal level would cease or fail to occur simply because the Transportation 2035 Plan is not approved.

The apparent reason for criticism of the No Project definition seems to be the perception that it reduces the effectiveness of the EIR alternatives analysis, particularly as it pertains to illustrating the full adverse environmental impacts of the proposed Project. A comment states that "given the global climate change crisis, as well as the greenhouse gas reduction goals set in AB 32, it is essential that decision makers and the public understand the environmental impacts of new investments combined with existing investments" (Comment A7-A). MTC addresses this issue by providing through this Draft EIR a complete description and analysis of the change between existing conditions and the complete proposed Project, which includes both committed projects and new commitments. It is this comparison that forms the basis of the findings of significance.

LETTER A8—CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

A8-A: MTC acknowledges your ongoing support and participation in the development and review of the Transportation 2035 Plan and Draft EIR. Please see the response to comment B11-B regarding committed funds and projects, as well as response to comment A7-A regarding the inclusion of committed projects within the No Project Alternative definition. These responses demonstrate that MTC's analysis and assumptions are consistent with the comment.

LETTER A9—SANTA CLARA VALLEY TRANSPORTATION AUTHORITY

A9-A: MTC acknowledges your ongoing support and participation in the development and review of the Transportation 2035 Plan and Draft EIR. Please see the response to comment B11-B regarding committed funds and projects, as well as response to comment A7-A regarding the inclusion of committed projects within the No Project Alternative definition. These responses demonstrate that MTC's analysis and assumptions are consistent with the comment.

LETTER A10—CALTRAIN

A10-A: MTC made a technical correction in reference to this project to reflect that Phase 2b is unfunded. A revision to Draft EIR p. 1.2-18, last paragraph, sentence 1, is provided in Section 2 of this Final EIR to address this comment. As shown on p. 85 of the Draft Transportation 2035 Plan, there are two components of the Caltrain Express project: Phase 2a covers design and implementation of safety elements related to signal communication and positive train control, and Phase 2b includes implementation of

systemwide level boarding program and terminal improvements. While Phase 2a is fully funded and included in the financially constrained Transportation 2035 Plan, Phase 2b does not have sufficient funding and is therefore excluded from the financially constrained Transportation 2035 Plan. The sponsor must identify funding for Phase 2b prior to its inclusion in the plan. However, illustrative projects may be identified in the adopted transportation plan if additional resources beyond those identified in the financial plan were to become available (SAFTEA-LU Section 450.322(f)(10)(vii)). As such, the Caltrain Express Phase 2a and 2b are included in the proposed Project which was evaluated in the Draft EIR.

A10-B: MTC made a technical correction in reference to this project (#21627) to reflect that this project was evaluated only as part of the proposed Project and was not included in the program of projects evaluated in the four EIR alternatives. A revision to Draft EIR Appendix C is provided in Section 2 of this Final EIR to address this comment. This project was excluded from the No Project because the project is not fully funded but instead relies on future discretionary funds as identified on page 86 of the Draft Transportation 2035 Plan. It was also excluded from the three Heavy Maintenance/Climate Protection Emphasis alternatives because the discretionary funds assigned to this project were directed to other uses that address system maintenance and efficiency.

The comment also seeks clarification about the Caltrain electrification from Tamien Station to Gilroy project (#230534), and how it was evaluated in the Draft EIR. MTC also made a technical correction in reference to this project (#230534) to reflect that this project was evaluated only as part of the proposed Project and was not included in the program of projects evaluated in the four EIR alternatives. A revision to Draft EIR Appendix C is provided in Section 2 of this Final EIR to address this comment. Although this project is fully funded as identified on page 121 of the Draft Transportation 2035 Plan, this project would be implemented in conjunction with the larger Caltrain electrification from San Francisco to Tamien (#21627).

LETTER A11—SAN JOSE DEPARTMENT OF PLANNING, BUILDING, AND CODE ENFORCEMENT

A11-A: A footnote to Draft EIR p. 2.3-4, paragraph 2, sentence 1, word 8 is provided in Section 2 of this Final EIR to address this comment.

A11-B: MTC acknowledges that the average size of households by superdistrict is not portrayed in Table 2.3-1. However, the magnitude of population and development in Santa Clara County, and San Jose in particular, is not obscured by the omission of average household size in this table. In the data set "MTC Superdistrict and County Summaries of ABAG's Projections 2007 2000-2035 Data Summary", Downtown San Francisco has 234 persons per residential acre to Central San Jose's 24.1. This statistic accounts for household size, and yet still reflects that large density difference between San Francisco and San Jose. Draft EIR Table 2.3-8 on page 2.3-15 provides average household size by county, in which it is clear that Santa Clara County has a consistently larger average household size than San Francisco County.

Nonetheless, a revision to Draft EIR p. 2.3-5, Table 2.3-1 is provided in Section 2 of this Final EIR to address this comment. This revision consists of a footnote that explains that the table does not reflect differences in average household size by superdistrict. Information in the comment does not affect the Draft EIR conclusions.

LETTER A12—SOLANO TRANSPORTATION AUTHORITY

A12-A: MTC acknowledges your ongoing support and participation in the development and review of the Transportation 2035 Plan and Draft EIR. Please see the response to comment B11-B regarding committed funds and projects, as well as response to comment A7-A regarding the inclusion of committed projects within the No Project Alternative definition. These responses demonstrate that MTC's analysis and assumptions are consistent with the comment.

LETTER A13—CONTRA COSTA TRANSPORTATION AUTHORITY

A13-A: MTC acknowledges your ongoing support and participation in the development and review of the Transportation 2035 Plan and Draft EIR. Please see the response to comment B11-B regarding committed funds and projects, as well as response to comment A7-A regarding the inclusion of committed projects within the No Project Alternative definition. These responses demonstrate that MTC's analysis and assumptions are consistent with the comment. MTC will respond to specific comments pertaining to the Transportation 2035 Plan in a separate response letter.

ORGANIZATIONS AND INDIVIDUALS

LETTER B1—BILL ALLEN

The MTC response is included in reproduction. Please also see the web page http://mtc.ca.gov/planning/2035_plan/ for a link to the Draft Equity Analysis.

LETTER B2—SHERMAN LEWIS

The MTC response is included in reproduction.

LETTER B3—SHERMAN LEWIS

The MTC response is included in reproduction.

LETTER B4—BAY AREA BICYCLE COALITION

B4-A: The bicycle and walk travel forecasts are based on a non-motorized network that does not vary between the alternatives evaluated in the Draft EIR. This means that zone-to-zone travel times for bicycle and walk modes are constant, and that only changes in transit and auto travel times and costs will affect bicycling or walking activity. The decrease in regional bicycle trips between the No Project alternative to the proposed Project is insignificant, at 0.2 percent. This is due to shifts in travel to transit and carpooling modes, and shifts away from driving alone and non-motorized modes. On the other hand, the increases in bicycle and walk trips in both the Heavy Maintenance/Climate Protection

Emphasis alternative with land use and pricing are substantial, due to shorter overall trips in the land use alternative; and the higher costs of auto travel in the pricing alternative.

MTC agrees that a comprehensive Bay Area Travel Survey of households will be necessary for updating and improving on existing travel models. Data on bicycle ownership and usage, and pedestrian trips, is an important component of all household travel surveys conducted in the Bay Area. On the other hand, a comprehensive system of bicycle and pedestrian counts should be very useful when producing estimates of non-motorized travel for purposes of safety analyses; but less useful for improving the accuracy of travel models. Eventually, data on the quality of the bicycle/pedestrian network, perhaps using the GIS data on Class I/II/III bicycle lanes, may be useful in producing models that can respond to non-motorized investments, but further research and model development is needed to establish empirical relationships between investment in non-motorized facilities and increased usage.

LETTER B5—MICHAEL CLUSTER

B5-A: Comment noted.

B5-B: This comment, and others, states that the EIR should include a discussion of induced growth from highway widening (See, e.g., B9-C). Draft EIR *Chapter 2.12: Growth-Inducing Impacts,* is the chapter dedicated to discussing growth-inducing effects of the Transportation 2035 Plan. Pursuant to CEQA Guidelines Section 15126.2(d), the Draft EIR considers growth-inducing effects as those "ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." The growth-inducing analysis focuses on whether the proposed Project increases growth beyond that already projected for the region.

MTC recognizes that any transportation improvement may have the potential to induce growth by making traveling within a region and between regions easier, cheaper, and/or more attractive (Draft EIR p. 2.12-1). The summary on Draft EIR pages 2.12-9 and 2.12-10 describes the most important factors in coming to the conclusion that the Transportation 2035 Plan has only minimal potential to induce population or employment growth. Some of these factors include: transportation improvements generally lag behind growth in the Bay Area; proposed Plan improvements represent small incremental change compared to existing overall capacity of the largely built-out transportation network in the region; local agencies have land use authority and many have implemented growth management regulations and urban-rural boundaries to prevent growth and sprawl; and existing demand for housing in the Bay Area far exceeds supply, which currently prevents rapid population growth. The conclusion follows that the Transportation 2035 Plan does not substantively remove the major obstacles to population growth that already exist in the region. Any site-specific analysis of potential induced growth would be beyond the scope of this programmatic EIR. Any meaningful, site-specific analysis of induced growth would require detailed information on local transportation, land use, and planning conditions. That analysis will be performed when

specific improvements are considered. Please see Draft EIR page 1.1-2 for more explanation of the scope of this program EIR.

B5-C: Paratransit services are included in the regional transit network definition. The American Disabilities Act (ADA) requires that public entities which operate non-commuter fixed route transportation services also provide complementary paratransit service for individuals unable to use the fixed route system. Complementary paratransit service must be comparable to fixed route bus service with respect to response time, fares, geographic area of service, hours and days of service, and capacity constraints. Therefore, each Bay Area transit provider is required to provide funding for paratransit services in their annual operating budgets. Note that when MTC prepared its 25-year financial forecasts of transit operating revenues and costs, paratransit operating revenues and costs were included in those projections.

B5-D: The Draft EIR provides information on both total daily VMT (as shown on Table 2.1-9 on page 2.1-12 of the Draft EIR) and per capita VMT (as shown in Table 2.1-16 on page 2.1-22 of the Draft EIR). The significance threshold used for the transportation impact analysis is per capita VMT as described on page 2.1-7 of the Draft EIR.

B5-E: MTC did not include this measure because transit passenger delay due to the effects of highway congestion and reliability is currently impractical to quantify as distinct from other sources of delay. Bus delay due to congestion can be approximated by taking the scheduled bus travel time during peak periods less the scheduled bus travel time during off-peak periods. The travel "unreliability" of the transit journey would be the additional time incurred by the traveler relative to the published rail, bus or ferry travel times. But this unreliability cannot be tied directly back to highway congestion. The impact of reliability on transit patronage levels is an increasingly important topic, and empirical research using stated preference surveys and other data is needed before a comprehensive measure of transit passenger delay can be articulated.

B5-F: This response addresses several comments regarding the adequacy of MTC's travel demand models (comments B9-D, B11-M, B17-F, B18-D, and B18-M). The current generation of travel demand models (such as MTC's) does a reasonable job in reflecting travel behavior changes from land use changes (density of development, diversity of mixed developments), which are inputs into the mode choice models. The non-motorized components of the existing MTC trip-based models, and the future set of activity-based models, are based on land use characteristics, socio-economics of the trip-maker, and zone-to-zone travel times for bicycle and walk modes. Like most models today, MTC's also does a reasonable job in assessing all of the major components of induced travel demand, including route shifts, time-of-day shifts, modal shifts, and trip destination shifts. In addition, MTC's travel demand models include feedback between trip assignments and auto ownership choice (e.g., increases in transit investment and transit accessibility will dampen the increase in auto ownership levels). This means that both auto ownership and the subsequent trip generation forecasts are sensitive to changes in auto and transit accessibility. Induced vehicle trip demand is reasonably accounted for in each of these forecasts, and the estimates of vehicle hours of delay are not underestimated.

The limitations to the MTC travel forecasts are based on the accuracy of the input socioeconomic assumptions, pricing assumptions, network assumptions, and travel behavior assumptions, and the stability of the parameters of the empirical modeling relationships over time. Errors can be introduced by aggregating traveler markets to simplified levels (e.g., households by income levels.)

The new set of activity-based models, currently under development for MTC, will eliminate the aggregation errors and in doing so will be well suited for analyzing the travel behavior patterns of all sub-markets, including children, the retired, the unemployed, and workers working non-traditional hours (comment B5-F). Nonetheless, errors in the input assumptions and the stability-of-model-parameter assumptions will always be a concern in understanding and evaluating future-year projections. These new models will not take into account bicycle or pedestrian amenities or investments (e.g., bicycle lockers, bicycle lanes, sidewalk improvements, better information or signage for pedestrian and cyclists).

It is not at all certain whether future activity-based models will ever be able to capture the cultural effects or quality-of-life effects of future investments in bicycle or pedestrian amenities, including programs such as Safe Routes to Schools, Safe Routes to Transit or other educational/incentive programs. This is because of the uniqueness of these programs and the lack of credible data, methodologies or models (either anecdotal or empirical) that can be used to analyze the environmental impact outputs from the standard modeling processes. These particular programs need their own performance metrics to analyze the "before-and-after" impacts on congestion, travel behavior, and the environment, which would need to be based on elaborate "before-and-after" panel surveys and studies, focus group surveys, stated preference surveys, and other specialized models designed to capture the effects of these "quality-of-life" programs.

This is why future investments in bicycle and pedestrian amenities should be based on empirical “off-model” analyses, common sense, and community input, rather than network planning models. Any adjustments to the models (e.g., changing the utility of bicycling or walking) to account for these factors would at this time be speculative rather than evidence-based. Efforts to quantify the effectiveness of these programs should be considered within the community context of the program.

Nonetheless, in recognition of the challenges of regional travel modeling and the usefulness of that modeling to transportation planning, SB 375 will now require that the California Transportation Commission, in consultation with the California Department of Transportation and the California Air Resources Board, maintain guidelines for travel models used in the development of regional transportation plans. These guidelines must, to the extent practicable within resource constraints, account for: the empirical relationship among land use density, automobile ownership, and vehicle miles traveled; the impact of enhanced transit service on vehicle ownership and VMT; induced travel behavior and land development likely to result from highway or rail expansion; mode splits between automobile, transit, carpool, bicycle, and pedestrian trips; and speed, frequency, days, and hours of operation of transit service (Government Code Section 14552.1(b)). In its role as a regional planning agency, and in cooperation with its partner

regional planning agencies ABAG, BAAQMD, and BCDC, MTC is identifying opportunities for region-wide coordination to achieve environmental protection goals, not the least through the Joint Policy Committee's efforts to coordinate implementation of Senate Bill 375. Key opportunities to enhance coordinated mitigation efforts through SB 375 include enhancing transportation and development modeling and complete alignment of regional agency policies through the JPC (Draft *Policies for the Bay Area's Implementation of Senate Bill 375*, January 23, 2009, p. 4-14). The new activity-based model will be available for SB 375-related planning in preparation for the next RTP update, scheduled to be adopted in 2013.

B5-G: Please see response to comment A7-A.

LETTER B6—CHARLIE CAMERON

B6-A: Figure 1.2-1 has been revised and included in Section 2 of this Final EIR to address this comment.

B6-B: Figure 2.2-1 has been revised and included in Section 2 of this Final EIR to address this comment.

B6-C: A revision to Draft EIR p. Bibliography-7 is provided in Section 2 of this Final EIR to address this comment.

LETTER B7—LEN CONLY

B7-A: A revision to Draft EIR p. 2.5-2 is provided in Section 2 of this Final EIR to address this comment.

B7-B: The comment requests that the threshold for determining a significant adverse impact for greenhouse gases be changed from any increase above existing levels of emissions to anything other than a decrease in emissions rates "in such a way as to meet the targets set in AB 32." In other words, under this suggestion the proposed Project would have a significant impact if it did not decrease emissions in such a way to meet the AB 32 targets.

Unfortunately, there is still a lot of uncertainty about what "such a way" might be, particularly given that regions such as the Bay Area contribute only a portion to overall statewide emissions. When MTC considered possible criteria for this analysis, it was determined that a threshold was definitely needed, but that any numerical threshold other than "no increase" would seem arbitrary due to the lack of specific guidance from the State about levels of emissions for which each region or agency should hold themselves responsible. MTC contends that selection of the "no increase" threshold, consistent with the best guidance at the time (see footnote on Draft EIR p. 2.5-15), facilitated the transparent reporting of quantified impacts; demonstrated the overall cumulative significant effect of any ongoing emissions; and showed that under reasonable assumptions of future regulatory conditions, the rate of GHG emissions from the Bay Area transportation system would actually drop considerably from today's rates. MTC contends that it would not have strengthened the analysis to have chosen a threshold of "x percent" below today's emissions rates.

As a reminder, CEQA Guidelines reflect the range of meanings inherent in the concept of "significance". According to CEQA, "an ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting." (CEQA Guidelines Section 15064 (b)) In the absence of an impact necessarily deemed significant, the lead agency has discretion to adopt standards for determining whether an impact is significant. MTC contends the criterion chosen for the GHG analysis is the "most responsible" because it is simple and defensible, and "most comprehensive" because it is not tied to a specific piece of legislation. MTC will continue to refine its expectations and analytical approaches according to the most current guidance from the State.

LETTER B8—CHARLES KROUPA

B8-A: This comment does not concern the Draft EIR. This letter does not raise environmental issues under CEQA. MTC does not have the authority to require specific facilities at wineries, but it should be noted that most wineries do indeed provide "spit buckets." However, members of the public often choose to not use these facilities.

LETTER B9—TRANSFORM

B9-A: Please see response to comment A7-A.

B9-B: An extensive alternatives identification and screening process took place during development of the Transportation 2035 Plan and Draft EIR. This is described in detail in the Draft EIR pages 3.1-1 through 3.1-6. Nonetheless, several comments (e.g. B9-B, B11-C, B11-J, B16-D, B17-A and C, B18-A and C, B19-A) suggest other alternatives that MTC should evaluate in the EIR. Examples of different alternatives proposed include:

- Project + Pricing;
- Project + Land Use;
- Project + Pricing and Land Use;
- Heavy Maintenance/Climate Protection Emphasis + Pricing and Land Use;
- Heavy Maintenance/Climate Protection + Pricing minus committed expansion projects that are included in the No Project assumption, replaced by other transit project similar to the TRANSDEF Smart Growth Alternative evaluated in the EIR for the Transportation 2030 Plan;
- An alternative that includes public transit improvement, transit-oriented development, and pricing incentives.

All the suggestions present combinations of things already evaluated through the existing Draft EIR alternatives, or previously evaluated through the vision scenario assessment conducted early on in the Transportation 2035 planning effort (see MTC's *Transportation 2035 Plan Performance Assessment Report* (December 2008), rather than new perspectives. The comments state or suggest that the EIR has failed to analyze an alternative that "maximizes greenhouse gas reductions," which appeared as a request in

the Attorney General's Office NOP Comment Letter (October 1, 2008, see Draft EIR Appendix B). There is little evidence, however, that these suggested alternatives would substantively reduce greenhouse gas emissions below the environmental performance offered by the existing alternatives. Draft EIR p. 3.1-2, first paragraph states that a key finding of the early vision analysis was that changes in infrastructure investments had a minimal effect on improving system performance. Furthermore, suggested alternatives that shift funds from committed projects were already found to be infeasible by MTC (see Draft EIR page 3.1-4 which highlights findings from the Transportation 2030 Plan EIR, Draft EIR page 3.1-6 regarding the suggestion when put forth by the Attorney General's office during the NOP, and finally response to comment B11-B in this Final EIR regarding committed projects and funds).

The Attorney General's request (which was received several months after the close of the scoping period and after work on the Draft EIR was nearly complete) is addressed on page 3.1-6 in the Draft EIR; MTC clarified the alternatives definitions to address that letter. The rest of this response describes the CEQA requirements for consideration and discussion of alternatives to the proposed Project, and how the Draft EIR on the Transportation 2035 Plan meets these CEQA requirements. This background is also summarized on page 3.1-1 of the Draft EIR.

According to CEQA Guidelines Section 15126.6(a), also cited on page 3.1-1 of the Draft EIR, "an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the proposed project but would avoid or substantially lessen any of the significant effects… An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation." When MTC set out to define alternatives to the proposed Project, the Commission had to balance the basic project objectives with opportunities for substantially lessening significant environmental effects.

Regarding basic project objectives: the purpose and contents of Regional Transportation Plans (RTPs) are specified in Federal and State statute – the Federal metropolitan transportation planning rule is set forth in Title 23 CFR Part 450 and 49 CFR Part 613 and the State transportation planning rule is codified in California Government Code Section 65080(c). As described on p. 1.2-5 of the Draft EIR, Section 450.306 of the federal metropolitan transportation planning rules calls for the metropolitan transportation planning process to provide for consideration and implementation of projects, strategies, and services that will address planning factors pertaining to economic vitality, transportation safety, transportation security, accessibility of mobility of people and freight, environmental protection, transportation system integration and connectivity, efficient system management and operation, and preservation of the existing transportation system. Furthermore, according to the California Transportation Commission's *2007 Regional Transportation Plan Guidelines* which was prepared pursuant to Government Code Section 65080(c), RTPs are to "establish regional goals, identify present and future needs, deficiencies, and constraints, analyze potential solutions, estimate available funding and propose investments." The purpose of RTPs is to "encourage and promote the safe and efficient management, operation and

development of a regional intermodal transportation system that will serve the mobility needs of goods and people."

The Transportation 2035 Plan goals and objectives, therefore, are not only derived from federal planning factors but also established to support the movement of goods and people through the development of a safe, efficient, well-integrated regional transportation system. As outlined on p. 1.2-9 of the Draft EIR, following extensive consultation and input from partner agencies, transportation stakeholders, and members of the public, the Commission adopted the Three Es of economy, environment and equity and eight plan goals for the Transportation 2035 Plan, as follows: maintenance & safety, reliability, efficient freight travel, security & emergency management, clean air, climate protection, equitable access, and livable communities. As such, the most important function of the Transportation 2035 Plan is to define a cohesive investment strategy that reflects a good mix of transportation projects and strategies and strikes a balance at meeting the goals of the Transportation 2035 Plan.

The alternatives chosen for evaluation in the Draft EIR also reflect the careful consideration of potential for achieving these basic project goals and objectives. MTC designed alternatives that balanced the goal of GHG reduction with the other Plan goals described above, and came up with alternatives predicated on increased investment in operations and maintenance which would reduce other potentially significant adverse effects as well without jeopardizing the safety and functionality of the system.

Regarding the range of alternatives considered, CEQA Guidelines state that "there is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason." CEQA Guidelines Section 15126.6(f) describes the rule of reason as requiring "the EIR to set forth only those alternatives necessary to permit a reasoned choice." Therefore, it is not necessary to evaluate every possible configuration of sub-alternatives as suggested in Comment B9-B. Because the RTP is so large and is comprised of so many individual projects, there are an almost infinite number of potential alternatives that could be devised. In order to promote informed decision making, MTC chose to focus the alternatives on the broader concepts of land use and pricing which help to demonstrate the advantages and disadvantages to specific alternative approaches to transportation planning.

The alternatives ultimately evaluated in the Draft EIR meet all of the CEQA requirements outlined above:

1) They attain most of the basic objectives of the proposed Project (Draft EIR p. 3.1-39),

2) They avoid or substantially lessen numerous significant effects (Draft EIR p. 3.1-38), and

3) They permit a reasoned choice by distilling the information from extensive early scenario and sensitivity analyses conducted by MTC (described on Draft EIR pp. 3.1-1 through 3.1-2) into two alternatives—Heavy Maintenance/Climate

Protection Emphasis + Pricing and Heavy Maintenance/Climate Protection Emphasis + Land Use. (See *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704.)

The creation of separate alternatives for pricing and land use strategies served to distinguish both the environmental *advantages* of each approach (which some comments state should be combined into one "optimal" alternative) as well as the environmental *disadvantages* of each approach, which would not be distinguishable if both strategies were combined into one alternative. By evaluating the separate and distinct effects of different pricing and land use assumptions, one can determine how each of these sets of assumptions affects the overall program separately. By comparing the relative impact of the Heavy Maintenance/Climate Protection Emphasis + Pricing and Heavy Maintenance/Climate Protection Emphasis + Land Use alternatives against their "base" alternative Heavy Maintenance/Climate Protection, the environmental advantages and disadvantages of land use and pricing can be gauged individually. The analysis does not capture synergistic benefits of land use and pricing that are implied by the vision scenario analysis conducted for the Transportation 2035 Plan (see MTC's *Transportation 2035 Plan Performance Assessment Report* (December 2008) for more details). Nonetheless, the Draft EIR alternatives analysis would have been less transparent and less useful evaluation of the adverse environmental effects of land use and pricing strategies if the strategies were combined into one alternative.

Regarding the request to discuss the alternative density development scenario inside the Land Use and Housing chapter itself, MTC respectfully declines because as these are two separate requirements under CEQA, the alternatives discussion is intentionally kept separate from the project significance discussion. CEQA also does not require an evaluation of components of the proposed Project, such as the "selected development approach" but rather "the lead agency must consider the whole of an action, not simply its constituent parts, when determining whether it will have a significant environmental effect" (CEQA Guidelines 15003(h); see also Guidelines 15168 for the definition of a Program EIR, Draft EIR p. 1.1-2 where this EIR is described as a Program EIR, and response to comment B11-F which goes into more detail on this subject) nor does it require evaluation of the "relative costs and benefits" of the proposed project or any component of the proposed Project. Please see MTC's *Transportation 2035 Plan Performance Assessment Report* (December 2008) for more information on the benefit-cost assessment used in crafting the program of projects for the Plan.

B9-C: A nuance of growth-inducing effects is the potential for the Plan improvements to induce travel demand. This comment mentions induced demand particularly as it relates to transportation projects causing higher overall VMT by personal automobile. The Draft EIR on page 2.1-10 explains that ABAG forecasts a 26 percent increase in population, a 50 percent increase in employment, and a 29 percent increase in income levels over the next 25 years. As a result of this growth, MTC estimates that there will be 36 percent growth in person trips as more people travel and as auto ownership rates increase and 45 percent growth in commercial trips to serve a growing economy over the next 25 years. Furthermore, the Draft EIR on page 2.1-12 compares changes in vehicle travel between today's conditions and the proposed Project at 2035 future conditions. The transportation

analysis finds that daily transit use increases by 88 percent, daily vehicle trips increase by 37 percent and daily vehicle miles traveled increase by 32 percent. The Draft EIR concludes that the increases in regional travel activity, however, are not caused by the implementation of the proposed Project but rather by regional growth in population, jobs, workers, average household income, and auto ownership rates. This regional growth would occur with or without the implementation of the Transportation 2035 Plan. This suggests that travel induced by transportation improvements is likely to be a very small portion of all cumulative travel demand growth projected for the future. More information about MTC travel models and forecasts may be found at: http://www.mtc.ca.gov/maps_and_data/datamart/forecast/.

According to the US Department of Transportation Federal Highway Administration, (http://www.fhwa.dot.gov/planning/itfaq.htm) economists use the term "induced travel" to describe the additional demand for travel that occurs as a result of a decrease in the generalized cost of travel, including both travel-time and out-of-pocket costs. However, this term is often misused to imply that increases in highway capacity are directly responsible for increases in traffic. In fact, the relationship between increases in highway capacity and traffic is very complex, involving various travel behavior responses, residential and business location decisions, and changes in regional population and economic growth. While some of these responses do represent new trips, much of the observed increase in traffic comes from trips that were already being made before the increase in highway capacity, or reflect predictable traveler behavior that is accounted for in travel demand forecasts.

In metropolitan areas, highway facilities are usually built or widened where existing traffic congestion has already decreased travel speeds during certain times of the day. To avoid the congestion, some travelers may have diverted to alternative routes, changed the time they make their trips, switched to different travel modes, traveled to other destinations, or decided not to make a particular trip at all. A new or widened highway facility can potentially carry significantly more traffic before it becomes congested. Many travelers who previously took other routes or traveled at other times may switch to the new facility to take advantage of decreased travel times. The increase in traffic on the new facility resulting from these changes is largely offset by reductions in traffic along parallel routes and at other times of the day. The net effect on region-wide daily vehicle miles of travel resulting from these travel behavior changes is minimal. (Ibid.)

Decreased travel times along highway routes may potentially encourage some travelers who previously used public transit to make the trip by automobile. Travelers might also choose to travel to a different (possibly more distant) destination for some trips such as shopping, or they may take a trip that they previously avoided altogether, because it was simply "too much trouble" to make under congested conditions. Each of these travel decisions can result in additional daily miles driven on the highway system. Comment B9-C seems to reflect this last concern. However, as the Draft EIR chapter on growth-inducing impacts already notes, the proposed Transportation 2035 Plan contains improvements to both roadways and to transit systems, so the shift from transit to personal automobiles is not an inevitable outcome. On the contrary, Plan improvements in transit may just as easily lead people who once traveled by car to switch to transit as

their primary mode. Roadway lane miles are only increasing by 3 percent, while transit seat miles are increasing by 18 percent (Draft EIR p. 2.12-11). In fact, as described in detail in Chapter 1.2: Overview of the Transportation 2035 Plan, over half of the programmed investments go toward transit maintenance and 13 percent to transit expansion, making over 65 percent of the entire project dedicated to improving the reliability and reach of transit systems (Draft EIR p. 12-18). Based on this information and the results of the transportation analysis as shown in Table 2.1-9 on page 2.1-12 of the Draft EIR (that indicates the proposed Plan would result in lower VMT than the No Project condition), the proposed Plan does not provide a lop-sided investment in automobile infrastructure that would induce VMT growth in the future.

Furthermore, studies on the topic of induced travel demand have been inconclusive due to the difficulty of separating out the effects of other causes of growth in trips, such as changing workforce demographics, gasoline prices, shifts in land use, and growth in population and employment. Some research indicates that latent demand can affect the level of congestion relief afforded by increased roadway capacity. Studies show that some, but not all, of new capacity can be "used up" by induced travel; however, because some capacity remains, congestion is still reduced. A recent article "Smart Growth and the Transportation-Land Use Connection: What Does the Research Tell Us?" (International Regional Science Review, Vol. 28, No. 2, 146-167 (2005)) surveys existing literature to explore several specific questions about the relationships between transportation policy and land use: (1) does building more highways contribute to more sprawl?, (2) does building more highways lead to more driving?, (3) does investing in light rail transit systems increase densities?, and (4) does adopting new urbanism design strategies reduce automobile use? MTC's own research lends support to the value of transit-oriented development overall, but as the article's review of evidence shows, even in the best cases, our ability to predict the impact of smart growth policies, particularly related to induced travel, remains limited.

The current generation of travel demand models (such as MTC's) does a reasonable job in assessing all of the major components of induced travel demand, including route shifts, time-of-day shifts, modal shifts, and trip destination shifts. In addition, MTC's travel demand models include feedback between trip assignments and auto ownership choice (e.g., increases in transit investment and transit accessibility will dampen the increase in auto ownership levels). This means that both auto ownership and the subsequent trip generation forecasts are sensitive to changes in auto and transit accessibility. Induced vehicle trip demand is reasonably accounted for in each of these forecasts, and the estimates of vehicle hours of delay are not underestimated. Please see response to comment B5-F for more information on MTC's travel demand modeling. Please also see response to comment B5-B for the response regarding induced growth more generally.

B9-D: Please see response to B5-F.

B9-E: As shown on page 2.1-7 of the Draft EIR, there are three distinct thresholds of significance for the transportation impact analysis: (1) decrease in job accessibility by autos and transit, (2) increase in VMT at LOS F, and (3) increase in VMT per capita. The "increase in VMT at LOS F" significance threshold measures the change in the <u>total</u>

vehicle miles traveled by type of travel (i.e., freeways versus arterials and expressways) and by the level of service, as measured by volume to capacity ratio, on these facilities. This is a different metric than the "increase in VMT per capita" which measures the change in the number of miles each person travels on average. The analysis results are provided for both measures as shown in Table 2.1-15 and Table 2.1-16 in the Draft EIR. Please note that there is no mention of level of service in this performance objective pertaining to VMT per capita. See also the responses to Comment A2-C, B9-I, B11-G, and B12-D.

B9-F: Please see response to comment B4-A.

B9-G: The data shown in Table 2.1-5 are self-reported journey-to-work commute times based on responses from the 1990 and 2000 decennial censuses, and the 2007 American Community Survey. It includes data on all means of travel, including transit, bicycling and walking. One-way transit commute travel times (45.3 minutes in 2007) are substantially longer than one-way drive alone commute travel times (25.1 minutes in 2007). In contrast, the data shown in Table 2.1-11 are model-derived values, based on home-based work vehicle driver trips occurring across all time periods of the day. While the difference between census and model-estimated commute travel times are substantial, the appropriate comparison is between model-derived variables for existing conditions (2006) and all future year (2035) alternatives. The census data is also difficult to use due to self-reporting errors, where respondents tend to round off their data to the nearest 15 or 30 minutes.

B9-H: Please see response to comment B5-E.

B9-I Please see response to comment A2-C for an explanation of the process undertaken by the EIR preparers to identify thresholds of significance for this EIR.

The comment makes a good observation about phrasing inconsistencies among the significance criteria for the energy, transportation, and air quality impacts. The use of 5 percent in the significance criterion for energy dates back to MTC's EIR for the 1998 Regional Transportation Plan and was used consistently through the Transportation 2030 Plan EIR. The EIR preparers carried forward this criterion for use in this EIR, with some improvements, though we continue to reference the 5 percent value rather than use the qualitative word "substantial" as was done in the criteria for transportation and air quality. We will look to rectify such inconsistencies in future environmental documents.

In terms of defining what "substantial" means, MTC notes that phrases such as "substantially increase" or "substantially decrease" were consistently used in the significance criteria for transportation and air quality in RTP EIRs that were surveyed. For example, one of SACOG's significance criteria for transportation/traffic impacts is: "Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of

vehicle trips, the volume to capacity ratio on roads, or congestion at intersections."[1] Similarly, one of SCAG's significance criteria for air quality is: "Projected long-term emissions of criteria pollutants are considered significant if they are substantially greater than current emission levels."[2] So consistent with the practice used by California MPOs that MTC surveyed, the EIR preparers define the word "substantial" as a fairly large change in environmental conditions with the implementation of the proposed Project compared to existing conditions. To illustrate, as explained on page 2.1-18 of the Draft EIR, accessibility to jobs by autos increases by 39 percent and job accessibility by transit increases by 85 percent when comparing the proposed Project to existing conditions. The 39 percent increase in job accessibility by auto and 85 percent increase in job accessibility by transit would constitute a fairly significant improvement in job accessibility with the proposed Project over existing conditions. As explained on page 2.1-22 of the Draft EIR, the VMT per capita increases slightly by 4.4 percent with the proposed Project over existing conditions. In this case, a 4.4 percent increase in VMT per capita would not equate to a fairly large change in environmental conditions. As explained on page 2.2-20 of the Draft EIR, emissions of ROG, NOx, and CO are reduced by 72 percent, 80 percent, and 78 percent, respectively with the proposed Project over existing conditions. As such, a reduction of 70 percent or greater in emissions from these criteria pollutants would constitute a substantial decrease in emissions.

B9-J: Comment noted. Please see response to comment B5-C. However, the comment is correct that this is a growing concern with our aging population and that transit operators will likely need to provide greater levels of paratransit services overtime and/or look for more efficient and innovative ways to serve this population.

B9-K: A revision to Draft EIR p. 2.1-21 is provided in Section 2 of this Final EIR to address the comment regarding mitigation measure 2.1(a). In regards to allocating Local Streets and Roads funding specifically to PDAs, this is a policy issue that MTC can explore as a part of the implementation of the Transportation 2035 Plan.

B9-L: Mitigation measure 2.1(b) contains parking cash-out and parking opt-out strategies. A revision to Draft EIR p. 2.1-21 is provided in Section 2 of this Final EIR to address the second part of this comment regarding technical assistance to revise parking policies and programs.

B9-M: A revision to Draft EIR p. 2.1-20 is provided in Section 2 of this Final EIR to address this comment, incorporating the suggested revised text.

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[1] See SACOG, Draft Environmental Impact Report for the Metropolitan Transportation Plan for 2035 (October 2007) at http://www.sacog.org/mtp/2035/eir/Chapter%2018%20-%20Transportation/Chapter%2018%20-%20Transportation.pdf

[2] See SCAG, Draft 2008 Regional Transportation Plan Update Program Environmental Impact Report (January 2008) at http://www.scag.ca.gov/RTPpeir2008/draft/documents/Ch3-02_AirQuality.pdf

B9-N: This comment concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA. However, MTC agrees that it is beneficial to begin the process of preparing for SB 375 now, even if the legislation doesn't apply until the next RTP update in 2013. Please see response to comment A1-A for examples of MTC's current activities associated with SB 375, region-wide coordination of information and technologies to support environmental mitigation.

B9-O: The comment requests that SB 375 be discussed in the Land Use and Housing chapter in addition to where it is currently discussed in the Climate Change and Greenhouse Gases chapter. Comment noted. A revision to Draft EIR p. 2.3-19 in the form of additional regulatory setting text is provided in Section 2 of this Final EIR to address this comment.

The comment also states that MTC should rely on the "latest research findings", and suggests that the findings MTC cites are not current enough. However, MTC contends that just because a study is old does not mean it is not appropriate as a fundamental text on the issue. This is true of the 1977 study by Pushkarev and Zupan, which is a milestone text describing the connection between increased residential density and increased transit ridership. The study was not used for specific trip or transit generation rates, but rather as general support for the concept that residential density in proximity to transit will support more transit service. Please see response to comment B13-A for examples of more current research on transit-oriented development. Additionally, MTC research on the relationship between density and VMT per household is discussed in the 2006 MTC report on the Year 2000 Bay Area Travel Survey titled *Characteristics of Rail and Ferry Station Area Residents in the San Francisco Bay Area: Evidence from the 2000 Bay Area Travel Survey*, which can be found at:

http://www.mtc.ca.gov/planning/smart_growth/stars/index.htm

B9-P: A revision to Draft EIR p. 2.3-38 is provided in Section 2 of this Final EIR to address this comment.

B9-Q: As explained on p. 2.2-15 of the Draft EIR, MTC uses the California Air Resources Board's latest emissions inventory model (EMFAC2007) when preparing the emissions analysis. This model contains input assumptions about the regional vehicle fleet characteristics, fuel efficiency, and energy technology types. Therefore, when MTC calculates the emissions estimates for ground-level ozone, carbon monoxide, particulates, and carbon dioxide, the effects of improved vehicle efficiencies and fuels cannot be separated out from the effects of the plan investments. Therefore, the difference between the 2035 No Project alternative and the proposed 2035 Project should be used to distinguish changes that result from the implementation of the Transportation 2035 Plan.

B9-R: The comment suggests that the new $PM_{2.5}$ standard of 35 ug/m3 adopted by US EPA in 2006 be reflected in the EIR. Page 2.2-2 and Footnote C of Table 2.2-1 on page 2.2-3 of the Draft EIR include references to the US EPA action to lower the national 24-hour $PM_{2.5}$ standard from 65 ug/m3 to 35 ug/m3 in 2006 as well as the expected US EPA action on December 18, 2008 to designate the San Francisco Bay Area as non-attainment for this

new standard. Since the publication of the Draft EIR, the US EPA took action on December 22, 2008 to designate areas throughout the US, including the San Francisco Bay Area, as nonattainment for the national 24-hour $PM_{2.5}$ standard[3].

LETTER B10—JOHN BLAYNEY

B10-A: The calculation described by the comment can be completed using information in the Draft EIR, as follows (example given for baseline [2006] conditions):

Auto Energy: 1,150,600,000,000 BTUs consumed daily in vehicle travel (Table 2.4-4) ÷ 16,932,000 daily vehicle trips (Table 3.1-2) = 67,950 BTU per vehicle trip (approx.)

Transit Energy: 27,500,000,000 BTUs consumed daily in transit travel (Table 2.4-4) ÷ 1,106,000 daily transit trips (Table 3.1-2) = 24,865 BTU per transit vehicle trip (approx.)

Thus, for 2006 data, each private vehicle trip uses approximately 2.7 times the energy of each transit vehicle trip, measured in BTUs.

The same calculations performed for 2035 conditions result in about 41,770 BTU per vehicle trip and about 18,975 BTU per transit trip, meaning that each automobile trip would use approximately 2.2 times the energy, in BTUs, of each transit trip. (The greater improvement in auto efficiency compared to that of transit vehicles is a result of assuming full implementation of California's Pavley Phase 1 and 2 rules related to greenhouse gas emissions and the resulting assumed increase in vehicle miles per gallon.)

However, comparison on a per-trip basis is of limited utility in that the lengths of trips by different modes can vary substantially. Typically, transit trips are shorter than personal vehicle trips.

Additionally, as noted on Draft EIR p. 4.4-6, transit vehicles consume less energy per passenger when operating at or near capacity than when operating with few passengers. The energy consumption presented in Table 2.4-4 for transit vehicles excludes energy used in traveling to and from vehicle storage depots (i.e., without passengers).

The comment's calculation in reference to the Transportation 2030 Plan EIR has not been independently verified.

LETTER B11—TRANSPORTATION SOLUTIONS DEFENSE AND EDUCATION FUND (TRANSDEF)

B11-A: Please see response to comment A7-A.

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[3] See also US EPA's website for more information about the national 24-hour PM2.5 designations at http://www.epa.gov/pmdesignations/2006standards/documents/2008-12-22/factsheet.htm

B11-B: In addition to this one, there were several comments about the inclusion of committed projects in the proposed Transportation 2035 Plan and how committed projects are evaluated in the Draft EIR. A summary of those comments is as follows:

- Comment B18-M states that the EIR does not adequately evaluate impacts of all committed projects cumulatively, not just additions in the Transportation 2035 Plan.

- Comment B11-B states that (1) a full evaluation of committed projects was not conducted, (2) the Draft EIR does not analyze whether the committed projects will increase or reduce 2035 levels of carbon emissions (among other impacts) because MTC did not evaluate these projects against a valid No Project alternative, (3) the Draft EIR does not respond to the Attorney General's concern that many of the 'committed' expansion projects support only one (and in some cases none) of the identified performance goals, and (4) despite the analysis that some projects meet none of those goals, the analysis did not result in any changes to the list of committed projects in the Draft RTP or in the Draft EIR's analysis.

- Comment B11-D states that the DEIR incorrectly invokes "infeasibility" in its claim that committed funds cannot be moved to other projects.

- Comment B12-C (1) requests that the EIR redirect funds from projects that will do great harm to the environment to ones that will do less harm to the environment and will advance smart growth, transit and transit-oriented development, and (2) states that MTC should use its influence to change these priorities.

This "master" response is intended to address the above comments. For the response to issues about the inclusion of committed projects in the No Project alternative, please see response to comment A7-A.

This EIR—which identifies the potentially significant environmental impacts of the Transportation 2035 Plan—is a program EIR, as defined by section 15168 of the CEQA Guidelines, and is intended to be used as a general assessment of the overall program of projects presented in the Transportation 2035 Plan (see Draft EIR p. 1.1-2, EIR Scope, for more information). Accordingly, the Draft EIR appropriately evaluated the broad, regional effects of implementing the entire program of projects as identified in the Transportation 2035 Plan. In response to Comment B18-M, the program of projects covered by this EIR encompasses projects that are fully funded with committed funds as well as those funded through a combination of committed and discretionary funds. See Appendix C of the Draft EIR for a complete listing of all projects subject to this environmental assessment.

Comment B11-B incorrectly describes the approach, process, and outcomes of the performance assessment work conducted by MTC for the Transportation 2035 Plan. In terms of the approach, MTC used a performance-based planning approach to develop the Transportation 2035 Plan as a way to focus on measurable outcomes of potential investments and the degree to which they support stated policies. MTC staff was committed to making performance information available well in advance of key policy and investment decisions to be made by the Commission. Note that the use of performance measures in the Bay Area's long-range transportation plan is not new with

Transportation 2035. Government Code Section 66535 requires the Commission to establish performance measurement criteria to evaluate and prioritize all new investments for consideration in the RTP (SB 1492 (2002)). MTC previously conducted performance assessments for the *2001 Regional Transportation Plan*, and in 2003, for the *Transportation 2030 Plan*.

To set the stage at the start, MTC established a three-pronged policy framework for the Transportation 2035 Plan, starting with the Three Es of economy, environment and equity, followed by eight plan goals that reinforce these Three Es and a set of performance objectives that serve as benchmarks by which progress in achieving the goals would be measured. These Transportation 2035 goals and performance objectives (described on pages 1.2-8 through 1.2-1.2-13 of the Draft EIR) allowed MTC to test – through models and other analytic tools – what it might take to shape and achieve a different transportation environment 25 years in the future.

MTC conducted the performance assessments in three distinct components, as follows:

- **Vision ("What If") Analysis**: MTC started with a vision, or "what if," analysis to understand what it would take to reach the performance objectives through a combination of infrastructure investment and policy. MTC first evaluated three hypothetical alternative infrastructure investment packages: (1) freeway operations strategies, (2) a Regional HOT Network with bus enhancements, and (3) extensive rail and ferry expansion. MTC then tested pricing and land use strategies to see how demand-based strategies could help achieve the performance objectives.

- **Project Performance Assessment**: MTC assessed candidate projects proposed for consideration in the Transportation 2035 Plan to gauge how well these investments address the Transportation 2035 goals and performance objectives.

- **Program Assessment of the Draft Transportation 2035 Plan**: As the final step in the performance assessment, MTC evaluated how well the Draft Transportation 2035 Plan meets the performance objectives to assess how far the Draft Plan advance the region toward the objectives and to determine the size of the remaining gaps.

Because Comment B11-B and others focus on the evaluation of the committed projects, a brief explanation of the process and outcomes of the project performance assessment pertaining to committed projects is provided next. See MTC's *Transportation 2035 Plan Performance Assessment Report* (December 2008) for complete details.

In spring 2008, MTC undertook a two-part assessment composed of a qualitative policy assessment, to provide information on how projects address the Transportation 2035 goals, and a quantitative assessment, to measure cost-effectiveness with respect to the performance objectives. The purpose was to identify outliers – projects that most strongly support the Transportation 2035 goals and objectives and those that most notably do not.

The pool of projects subject to the performance assessment included some 700 projects and programs. The qualitative policy assessment applied to all projects proposed for consideration in the Transportation 2035 Plan. More specifically, all committed projects—which included those fully funded in the four-year Transportation

Improvement Program or fully funded with local monies, ongoing regional operations programs (e.g., 511 traveler information,, freeway service patrol, TransLink®), and the Resolution 3434 Regional Transit Expansion Program—were reviewed with respect to the Transportation 2035 goals. Whereas, the quantitative assessment was applied to approximately 60 projects, most of which have area-wide impacts and individually cost more than $50 million.

The approach for the qualitative performance assessment involved first establishing a set of evaluation criteria for determining support for each of the plan goals. Then, projects were grouped into 21 types (such as transit efficiency and expansion, bike and pedestrian, transit-oriented development, maintenance, high occupancy toll lanes, freeway-to-freeway interchanges, freeway expansion, and arterial expansion). Next, each project was evaluated against the plan's criteria and goals: a project type may "strongly support", "support", or be "neutral toward" the criteria for a goal. Project types that address the most goals comprise the high-performing outliers, and those that address just one or two goals comprise the low-performing outliers.

The review of the committed projects found that all the projects addressed at least one Transportation 2035 goal. Thus, comments that some of the committed projects satisfied none of the goals are incorrect. Of capacity increasing projects with total cost of $50 million or more (2007$), 61 percent of the committed projects meet four goals, 3 percent meet three goals, 1 percent meet two goals, and 35 percent meet one goal.

MTC staff synthesized the results of the project performance assessment for review and consideration by the Commission. The synthesized results identify the high-performing outliers (project types that have high benefit-cost ratios and support multiple goals), as well as low-performing outliers (project types that have low benefit-cost ratios and address few goals).

Thus, contrary to the commenter's assertions in Comment B11-B: (1) a qualitative evaluation of committed projects was conducted for the Transportation 2035 Plan, (2) the review of the committed projects found that all projects addressed at least one goal, and (3) the performance information was provided to the Commission for its review and consideration prior to any decisions about what projects would be included in the Draft Plan.

Comment B11-B also states that the DEIR does not analyze whether the committed projects will increase or reduce 2035 levels of carbon emissions (among other impacts) because MTC did not evaluate these projects against a valid No Project alternative. The DEIR's Chapter 2.5: Climate Change and Greenhouse Gases provides the analysis on global climate change (GCC) and greenhouse gases (GHGs). The DEIR analyzed the cumulative GCC impacts of the entire Transportation 2035 Plan, as measured against existing 2006 conditions (see DEIR, p. 2.5-15.) The assertion that committed projects were omitted from the analysis is inaccurate, as <u>all</u> projects in the Transportation 2035 Plan were included in this analysis. The DEIR provides the "full evaluation" of GCC impacts that the commenter urges. The level of analysis provided in the DEIR is appropriate for the programmatic "first-tier" level of review conducted for the Transportation 2035 plan. More specific analysis concerning individual projects in the plan is not required at this time because: 1) GCC impacts are cumulative in nature and

are therefore appropriately analyzed on a broad level, 2) the project analyzed in the EIR is the overall long-term plan for transportation in the region, and 3) individual projects are each required to comply with CEQA and will therefore be subjected to more specific GCC analysis, as appropriate. (See CEQA Guidelines, Section 15168, subds. (b)(4), (d)(2); see also Draft EIR, p. ES-2; see also *Al Larson Boat Shop v. Bd. of Harbor Commissioners* (1993) 18 Cal.App.4th 729, 746-747.)

The No Project alternative is the condition that would exist if the proposed Transportation 2035 Plan is not adopted. This alternative correctly includes the committed projects because these projects are fully funded and do not rely on future discretionary funding identified in the Transportation 2035 Plan, are at advanced stages in the planning process, and would occur with or without the proposed Transportation 2035 Plan (See response to comment A7-A for more details). Moreover, many of the committed projects were considered in the EIR for the Transportation 2030 Plan prepared in 2003. The Draft EIR on the Transportation 2035 Plan updates and incorporates by reference the analysis from this and other prior EIRs (see Draft EIR, p. 1.1-9.) As explained further below, MTC is not required to start from scratch with respect to committed projects every four years when it prepares a major update to its RTP. Instead, as explained in the last paragraph on p. 1.2-14 of the DEIR, the Transportation 2035 Plan separates out committed funds that have been reserved by law for specific uses, or allocated by MTC action prior to the development of the Transportation 2035 Plan, and then focuses its efforts on identifying the future discretionary revenue available to MTC that can be allocated to new investments via the Transportation 2035 planning process.

Comment B11-D states that the DEIR incorrectly invokes "infeasibility" in its claim that committed funds cannot be moved to other projects. On a similar note, Comment B12-C requests that the EIR redirect funds from projects that will allegedly do great harm to the environment to ones that will do less harm to the environment and will advance smart growth, transit and transit-oriented development, and states that MTC should use its influence to change these priorities.

In accordance with the California Transportation Commission's *2007 Regional Transportation Plan Guidelines*, MTC's approach to defining the program of projects in the proposed Transportation 2035 Plan involves a number of steps, including (a) identifying specific actions necessary to address the region's mobility and accessibility needs; (b) identifying public policy decisions by local, regional, State and Federal officials regarding transportation expenditures and financing; (c) identifying needed transportation improvements to serve as a foundation for the development of the Federal Transportation Improvement Program (FTIP) and the Interregional Transportation Improvement Program (ITIP); and (d) ensuring consistency between the California Transportation Plan, the regional transportation plan and other plans developed by cities, counties, districts, Native American Tribal Governments, and State and Federal agencies in responding to Statewide and interregional transportation issues and needs.

Transportation plans and projects evolve over time, often through complex multi-agency consultation, public outreach and review processes; and proposed actions do not require agencies, at every instance, to return to "square one" to continually reconsider the appropriate form and impact of their long-range planning efforts. Though the regional

transportation plan must be updated every four years, transportation improvements take many years to plan, review, design, fund, and implement. If MTC were to ignore the years of planning that have led to these funding commitments, it would fail to reflect the extensive and ongoing public and local agency efforts that have led to those commitments, and would be squandering the substantial public resources already invested in planning, conceptual design and engineering, and environmental analysis required to bring projects to the "committed" stage.

Comment letters A6, A8, A9, A12, and A13 from the Alameda County Congestion Management Agency, Santa Clara Valley Transportation Authority, City/County Association of Governments of San Mateo County, Contra Costa Transportation Authority, and Solano Transportation Authority, respectively, underscore the importance of committed projects in these counties. The basic idea, as articulated in these letters, is that MTC should retain its commitment to these fully funded projects because these projects (1) had to receive broad countywide consensus in order to be fully funded, (2) are well underway and represent the will of the people within these communities, (3) are not a collection of miscellaneous investments, but rather a program of projects that are interrelated and have been vetted within each community, (4) reflect prior commitments that are designed to reduce congestion, close critical transportation gaps, and improve transportation safety, and (5) when built, they will help form a regional multi-modal transportation network that will assist the Bay Area in achieving the goals that we are all striving to reach.

Accordingly, as explained in the Draft EIR p. 1.2-14 through p. 1.2-16, MTC honors funding commitments made in (1) the federally required Fiscal Year 2009 Transportation Improvement Program (TIP), a four-year funding program that identifies projects that are fully funded and are ready to be implemented through the TIP by way of design, right-of-way acquisition, or construction; (2) county transportation sales tax measure expenditure plans authorized by voters in seven Bay Area counties, including San Francisco, Santa Clara, San Mateo, Alameda, Contra Costa, Sonoma, and Marin, and (3) statute or Commission policy action that occurred prior to the development of the Draft Transportation Plan.

Examples of committed transit and roadway expansion projects include:

- **I-238 Widening** (Project #21455): This project is fully funded through Alameda County Measure B Transportation Sales Tax, State Transportation Improvement Program, and Local Funds.

- **7th Street /Union Pacific Railroad Entry at Port of Oakland** (Project #22082): This project is fully funded by Proposition 1B Trade Corridors Improvement Fund and Port of Oakland funds.

- **Caldecott Tunnel 4th Bore** (Project #21206): This project is fully funded through Contra Costa County Measure J Transportation Sales Tax, State Transportation Improvement Program, Federal Earmark Appropriation, Traffic Congestion Relief Program, Proposition 1B Corridor Mobility Improvement Account, and Regional Measure 2.

- **Doyle Drive Reconstruction** (Project #94089): This project is fully funded by San Francisco Proposition K Transportation Sales Tax, Federal Earmark Appropriation, State Transportation Improvement Program, Traffic Congestion Relief Program, State Highway Operations and Protection Program (SHOPP), and Other Federal/State/Local Funds.

- **Interstate 680 Carpool Lane Gap Closure** (Project #22353): This project is fully funded by Contra Costa County Measure J Sales Tax, and Regional Measure 2.

- **U.S. 101 HOV Lanes from Lucky Drive to North San Pedro Road** (Project #94563): This project is fully funded by Marin County Measure B Transportation Sales Tax, Federal Earmark Appropriation, and Local Funds.

- **U.S. 101 Auxiliary Lanes** (Project #98176): This project is fully funded by San Mateo County Measure A and State Transportation Improvement Program.

- **Santa Clara-Alum Rock Light-Rail** (Project #22019): This project is fully funded by Santa Clara County Measure A Transportation Sales Tax, and Other Federal/State Funds.

- **BART to San Jose** (Project #21921): This project is fully funded by Santa Clara County Measure A and Measure B Transportation Sales Taxes, and Other Federal/State Funds.

- **U.S. 101 HOV Lanes from Steele Lane to Windsor River Road** (Project #94689): This project is fully funded by Sonoma County Measure M Transportation Sales Tax, Proposition 1B Corridor Mobility Improvement Account, Federal Earmark Appropriation, and Other Federal/State Funds.

In July 2008, at the Commission's request, MTC staff identified a set of capacity-increasing committed projects totaling over $50 million, and evaluated these committed projects against three criteria: (1) What is the project's funding breakdown?; (2) Where is the project in the project development stage?; and (3) How many Transportation 2035 goals did the project strongly support? The analysis found that:

- Most committed projects (82 percent) were funded by sales tax, Federal New Starts, Proposition 1B, Traffic Congestion Relief Program, Federal Earmark Appropriations, or Other Local Funds, which MTC has no discretionary authority to reconsider.

- Most committed projects (68 percent) have advanced into the design, right-of-way, and construction phases, while only 7 percent are still in the early stages of planning and 25 percent are in the environmental review phase.

- Most committed projects supported four goals (61 percent), while 3 percent supported three goals, 1 percent supported two goals, and 35 percent supported only one goal.

To determine which committed projects would be subject to further review by the Commission, staff screened for projects that (1) have 25 percent or more "Other

Federal/State Funds" which are moneys that the Commission has authority to redirect, (2) are in planning or environmental review stage which indicate that some funding has been spent but that the project is not too far along into project development, and (3) meet only one Transportation 2035 goal. The analysis found only two projects that met this criteria: (a) San Francisco's Doyle Drive Reconstruction which is in the environmental stage and has $0.5 billion in committed "Other Federal/State Funds" and (b) San Mateo County's U.S. 101/Willow Road Interchange Modification which is in the environmental stage and has $0.03 billion in "Other Federal/State Funds." Replacing Doyle Drive with a modern, earthquake-safe facility is a high-priority safety project for the region, and modifying the U.S. 101/Willow Road interchange to enhance traffic through-put, freeway operations, and local circulation and access is also a high-priority project included in San Mateo County's voter-approved county transportation sales tax measure. Because both projects were meritorious and there is long-standing local and regional support to deliver these projects, there was no compelling reason for the Commission to shift funds from these projects to other uses.

The Draft EIR on p. 3.1-6 provides a description of the evaluation of the committed projects and feasibility of shifting funds from committed projects to other uses. MTC provides the following explanation to further illuminate the infeasibility of shifting funds committed from a particular project to other uses:

1) The federally required Transportation Improvement Program (TIP) is a comprehensive listing of Bay Area surface transportation capital projects that receive federal funds or are subject to a federally required action or are regionally significant. The TIP covers a four-year period and must be financially constrained by year, meaning that the amount of dollars committed to the projects (also referred as "programmed") must not exceed the amount of dollars estimated to be available. The TIP must include a financial plan that demonstrates that programmed projects can be implemented. Adoption of the TIP must be accompanied by an evaluation and finding of air quality conformity. Federal regulations also require an opportunity for public comment prior to TIP approval.

   MTC develops the TIP in cooperation with the Bay Area Partnership and its constituent members including individual cities and counties, transit operators and other project sponsors. The Partnership consists of federal and state agencies, county Congestion Management Agencies (CMAs), public transit providers, and city and county public works representatives. The Partnership, working through its committees and task forces, plays a significant role in the selection of projects programmed in the 2009 TIP.

   Once the Draft TIP has been developed, it is released for a 30-day public review and comment period. After the public comment period, the TIP is presented to the Commission's Programming and Allocations Committee for review, and then to the full Commission for adoption. After Commission adoption, it is sent to the Caltrans Office of Federal Programs for inclusion into the California Federal Statewide Transportation Improvement Program (FSTIP) or Statewide TIP. After review and approval by Caltrans, the FSTIP is forwarded to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) for their review and approval. Approval by FHWA/FTA constitutes the final approval of the TIP.

So for projects in the TIP, these projects have already been vetted through rigorous and multi-level local and regional required public review and hearing processes, as well as an intensive State and federal review process, including demonstration of transportation-air quality conformity. Moving these funds to other projects would render these processes, as well as the overall financial capacity and conformity findings, moot.

2) For projects that are funded through voter-approved transportation sales tax measures, the Commission does not have authority to move funding away from these designated projects and assign to another project. Instead, funding for these designated projects is controlled by various local agencies formed under the Bay Area County Traffic and Transportation Funding Act (Public Utilities Code 131000, et seq.) or Local Transportation Authority and Improvement Act (Pub. Util. Code, section 180000 et seq.).

   Public Utilities Code section 180206 mandates that a county transportation expenditure plan be adopted for the expenditure of the revenues expected to be derived from the tax imposed. The expenditure plan may not be adopted until it receives approval of the board of supervisors and city councils representing a majority of cities in the county and a majority of the population residing in unincorporated areas of the county (Pub. Util. Code, section 180206, subd. (b).). After such approvals have been received, the authority may impose a county-wide transaction and use tax ordinance. Once a sales tax ordinance is adopted, it is then placed on the ballot. (Pub. Util. Code, section 180203, subd. (b).) If imposition of the tax ordinance is subsequently approved by a majority of the electors voting on the measure at a special election, a county expenditure plan is adopted.

   Significantly, county expenditure plans concerning committed projects have already been adopted. Local agencies have already conducted elections concerning initiative measures for transportation funding for specific committed projects identified in the Draft EIR. The initiative measures included detailed expenditure plans for proposed investments in specified public transportation projects. The measures asked voters within each respective jurisdiction whether they were willing to approve a funding mechanism that would provide some of the revenues to undertake those projects. These sales tax measures received more than the required two-thirds vote. MTC does not have authority to invalidate or modify the county transportation expenditure plans adopted following these intensive administrative proceedings and special elections.

3) For other projects, such as the regional operating and coordination projects such as TransLink® and 511 traveler information, these are long-term funding commitments that in many cases are critical to the viability of current contracting agreements that assume extensions for reasonable implementation of the projects.

4) Finally, the Commission's commitment to long-term strategies that require many years to implement, such as Resolution 3434 Regional Transit Expansion Program, has no practical bearing if concomitant funding commitments are not adhered to. Full funding of projects are dependent on some level of trust among many partners that prior commitments are firm, unless and until all participating parties agree that

the project is not viable. However, in such instances, several steps have been built into the regional agreements—funding and land use conditions, for example in Resolution 3434—that allow the Commission to re-evaluate the continuing viability of the projects periodically over time, and determine—in cooperation with other partners—whether and how long term funding commitments should remain in place.

Comment B11-D misstates CEQA's requirements regarding the feasibility of shifting these committed funds. "Feasibility" involves a balancing of various "economic, environmental, social, and technological" factors. (See *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401 [citing Public Resources Code 21061.1].) MTC has attempted to accommodate these factors in their committed funds/projects policy. While the committed funds/projects policy is subject to review (as MTC has done), the policy does not need to be revisited in light of CEQA as long as that policy is a reasonable accommodation of the various competing factors in determining feasibility. (*Ibid.*) "Feasibility under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*Ibid.*)

Please also see response to comment B11-F regarding the need to evaluate the entire program of projects, rather than components of the program.

B11-C: Please see response to comment B9-B regarding the range of alternatives evaluated and how it complies with CEQA Guidelines. Furthermore, there is no evidence that shifting the portion of committed funds assigned to expansion projects would further reduce greenhouse gas emissions. Only a very small portion of those funds go to roadway expansion, and that expansion is aimed at reducing congestion. Improving these congested conditions could, in fact, reduce greenhouse gas emissions by relieving traffic congestion so that cars are not idling at low speeds or braking constantly. Travel at speeds that burn fuel at a more optimal rate has been documented to reduce emissions.

Note also that MTC's Transportation 2035 performance assessment analyses found that infrastructure investments alone would not advance the region's efforts to reduce greenhouse gases unless it was accompanied by transport pricing and land use strategies, technology advances and/or individual behavior changes (see MTC's *Transportation 2035 Plan Performance Assessment Report* (December 2008)).

B11-D: For the reasons provided in the Draft EIR page 3.1-4 through 3.1-6 and in response to comment B11-B, MTC does not evaluate an alternative in this EIR that shifts funds from committed projects to other new commitments. Though the comment states "these funding sources are highly flexible, or can be swapped with sources that are flexible", MTC's response to comment B11-B explains why committed funds are not flexible. The subsequent claim is that infeasibility "misses the point because … if [MTC] finds the program [of county projects] is inconsistent [with the RTP], it may exclude any project in the congestion management program from inclusion in the regional transportation improvement program."(comment letter page 5) As it pertains to the decision of which alternatives to consider overall, MTC's *Transportation 2035 Plan Performance Assessment Report* (December 2008) finds that the question of network make-up is moot (page 11). The report provides the technical support for MTC's decision to not vary infrastructure

packages between alternatives but instead to vary policy approaches such as land use and pricing which have much stronger effects. The range of alternatives evaluated, and CEQA requirements thereof, is discussed in more detail in response to comment B9-B.

B11-E: Comment noted. This comment suggests the GHG analysis is inadequate because of the alleged inadequacy of the definition of the No Project alternative. Please see response to A7-A regarding the definition of the No Project alternative.

B11-F: The comment states that the Regional HOT Network is subject to its own environmental review under CEQA. Likewise, comment B17-C contends that this EIR "must analyze its component projects to determine which of them result in increased VMT and GHG emissions." MTC respectfully disagrees with these statements. This EIR—which identifies the potentially significant environmental impacts of the Transportation 2035 Plan—is a program EIR, as defined by section 15168 of the CEQA Guidelines, and is intended to be used as a general assessment of the overall program of projects presented in the Transportation 2035 Plan (see Draft EIR p. 1.1-2, EIR Scope, and p. 1.1-7, EIR Approach, for more information). Accordingly, the Draft EIR appropriately evaluates the broad, regional effects of implementing the entire program of projects as identified in the Transportation 2035 Plan, rather than analyzing individual projects or components within the overall Plan. The definition and requirements of a program EIR are also addressed in response to comment B11-B.

As explained in Footnote 10 on p. 1.2-17 of the Draft EIR, this EIR analyzes a proposed Regional HOT Network as part of the overall program of transportation projects at a programmatic level. As the Regional HOT Network is just one component of the overall Plan, this programmatic EIR does not provide a more detailed analysis of the Regional HOT Network. See MTC's *Bay Area High Occupancy Toll (HOT) Network Study December 2008 Update* (December 2008) for more information; this report is available for review at: http://www.mtc.ca.gov/planning/hov/12-08/HOT_Network_Report_12-08.pdf.

The comment also contends that an alternatives analysis of the Regional HOT Network will help MTC assess whether the network will meet the State's goals of an 80 percent reduction in greenhouse gases by 2050, and though the Plan period ends before 2050 does not excuse the Draft EIR from planning in response to this State goal.

The Draft EIR (p. 2.5-8 through 2.5-14) describes the regulatory setting for the climate change and greenhouse gases issue area. MTC notes California's major initiatives for reducing climate change as outlined in AB 1493, Governor's 2005 Executive Order S-3-05, and AB 32. These efforts aim at reducing greenhouse gas emissions to 1990 levels by 2020 – a reduction of approximately 30 percent, and then an 80 percent reduction below 1990 levels by 2050. The California Air Resources Board has identified strategies for making these reductions as outlined in the AB 32 Climate Change Scoping Plan which was approved by the Board in December 2008. The AB 32 Climate Change Scoping Plan, not this EIR, is the appropriate planning document to respond to the State's goal of an 80 percent reduction of greenhouse gases by 2050. MTC, along with state, regional, and local governments and the people of California, should and will take responsibility to advance

the State's effort to reduce climate change and greenhouse gases as outlined in the AB 32 scoping plan plus other related policy and planning initiatives that support these goals.

It should also be noted, however, that the Regional HOT network will be required to undergo its own project-specific CEQA analysis, and that is the proper CEQA document to evaluate the HOT network contribution of greenhouse gases. The State's goal of an 80 percent reduction in greenhouse gases by 2050 does not necessarily constitute a threshold of significance under CEQA for purposing of considering and evaluating a project's impact on the environment. CEQA gives discretion to lead agencies to establish thresholds of significance based on individual circumstances. This EIR appropriately identified a significance threshold for the climate change and greenhouse gas emissions impact analysis as explained in Footnotes 22 and 23 on p. 2.5-15 of the Draft EIR. The Draft EIR appropriately assessed the proposed Transportation 2035 Plan's impact on the environment as detailed in the Draft EIR's Chapter 2.5, Climate Change and Greenhouse Gases, on p. 2.5-15 through 2.5-24.

B11-G: The comment states that the transportation threshold of significance of "a substantial increase in per capita VMT compared to existing conditions" is inconsistent with the significance thresholds for greenhouse gases, inconsistent with the existing environmental conditions, inconsistent with the Plan's goals and inconsistent with regional policy, and that the significance threshold should be set in parallel to the significance threshold for greenhouse gases.

Please see response to comment A2-C for an explanation of the process undertaken by the EIR preparers to identify thresholds of significance for this EIR.

Contrary to this comment, there are no references in the CEQA Guidelines that require thresholds of significance for one impact area to be consistent with either thresholds established for other impact areas or with existing environmental conditions. Furthermore, CEQA does not require thresholds of significance to be the same as performance objectives created for proposed Projects. Indeed, MTC explains this on Draft EIR page 1.2-12 paragraph 4. Rather, CEQA Guideline states that a threshold of significance is an identifiable quantitative, qualitative, or performance level of a particular environmental effect, noncompliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant (CEQA Guidelines Section 15064.7(a)). The EIR preparers established the significance threshold of "a substantial increase in per capita VMT compared to existing conditions" because it was consistent with significance thresholds used by other MPOs in their RTP EIRs (e.g., SCAG's significance threshold is "substantially more total daily Vehicle Miles of Travel (VMT) than the current daily VMT"[4]).

[4] See SCAG, Draft 2008 Regional Transportation Plan Update Program Environmental Impact Report (January 2008) http://www.scag.ca.gov/RTPpeir2008/draft/documents/Ch3-14_Transportation.pdf

B11-H: Please see response to comment B16-C regarding MTC's next steps to obtain statutory authority to implement pricing and land use strategies.

B11-I: MTC would like to clarify that for cumulative impact 2.5-1 related to greenhouse gas emissions, the proposed Project's contribution to the overall significant cumulative effect is not cumulatively considerable (Draft EIR page 2.5-8), in part because the cumulative influence of fuel efficiency regulations and project improvements reduces emissions from existing rates, and in part because the proposed Project results in fewer emissions than the likely future condition without the proposed Project (the No Project condition). Under this conclusion, mitigation measures are not necessary for CEQA purposes.

That being said, MTC voluntarily provides mitigation measures here because of the urgent need for a comprehensive response to global warming. However, because the Transportation 2035 Plan contains projects that would be developed by agencies other than MTC, MTC finds that the direct implementation and monitoring of some mitigation measures listed in the Draft EIR including mitigation measures 2.5(b), are not within its jurisdiction. As described in the Mitigation Monitoring Program (Appendix C of this document), MTC ensures compliance with the identified project-level mitigation measures by requiring individual projects to undergo CEQA and NEPA (if applicable) review. As a part of the record, the impact conclusions and recommended mitigation measures in this EIR become critical components of the project-level analysis undertaken by project sponsors, and those sponsors are responsible for using this EIR in the preparation of their project level environmental analyses. Please see the Mitigation Monitoring Program for more details.

Regarding the proposition that mitigation measure 2.5(a) should have been made a component part of the list for mitigation measure 2.5(b), MTC respectfully disagrees. Measure 2.5(a) is designed to be implemented by MTC directly, in cooperation with the other regional planning agencies, while the measures in 2.5(b) are expected to be implemented at the project level. In other words, the product of 2.5(a) would help to support the achievement of 2.5(b).

B11-J: Commenter suggests the Commission should adopt the Environmentally Superior Alternative, and also suggests changes to refine the alternative prior to adoption. Comment noted. This comment does not raise environmental issues under CEQA; however, as a part of the public record, the Commission will take this comment into account in its decision on the Transportation 2035 Plan. A response to the concern that the alternative should perform better is provided generally for comment B9-B, where the alternatives development and selection process is discussed.

B11-K: This comment suggests the cumulative analysis was inadequate because of the definition of the No Project alternative. Please see response to comment A7-A regarding the No Project alternative.

B11-L: This comment states that GHG impacts need to be evaluated temporally such that the EIR should estimate when, over the planning period, emissions reductions are achieved. This segmented analysis is not required, nor encouraged, under CEQA. Under CEQA, an

EIR must evaluate the change from existing conditions to the build-out condition of the proposed Project. Specifically, the lead agency must consider "all phases of project planning, implementation, and operation" (CEQA Guidelines Section 15063 (a)(1)). MTC, however, was cognizant of public interest in interim year impacts, and thus included in the Draft EIR (p. 2.5-19), for discussion purposes, a description of potential effects in interim years.

B11-M: As stated in responses to comments B5-F and B9-C: the current generation of travel demand models (such as MTC's) does a reasonable job in assessing all of the major components of induced travel demand, including route shifts, time-of-day shifts, modal shifts, and trip destination shifts. In addition, MTC's travel demand models include feedback between trip assignments and auto ownership choice (e.g., increases in transit investment and transit accessibility will dampen the increase in auto ownership levels). This means that both auto ownership and the subsequent trip generation forecasts are sensitive to changes in auto and transit accessibility. Induced vehicle trip demand is reasonably accounted for in each of these forecasts, and vehicle hours of delay are not underestimated. Please see response to comment B5-F for more information on MTC's travel demand modeling.

B12—SAN FRANCISCO TOMORROW

B12-A: The comment requests that the Transportation 2035 Plan evaluate the additional deaths and injuries from automobile accidents that occur as a result of the increase in vehicle miles traveled associated with the plan. MTC would first like to point out that the Draft EIR found a slight increase in per capita VMT under the proposed Project, but this increase is less than what is projected under the No Project condition. Therefore, it is inaccurate to attribute the slight increase in VMT to the Plan, when it is impossible to separate out the cumulative effects of regional population and employment growth from the effects of the Plan.

The Commission adopted a Transportation 2035 performance objective that includes three sub-parts: reduce fatalities from motor vehicle collisions, reduce bicycle fatalities and pedestrian fatalities, and reduce bicycle injuries and pedestrian injuries. As explained on p. 37 of MTC's *Transportation 2035 Plan Performance Assessment Report* (December 2008), MTC's performance assessment focuses on total motor-vehicle injuries and fatalities because of a limited ability to forecast each of the three metrics separately. Based on that assessment, the Draft Transportation 2035 Plan is forecast to reduce annual motor vehicle injuries and fatalities very slightly from 42,300 to 41,500 injury and fatalities per year compared to the 2035 No Project.

B12-B: The first part of this comment (that "the preferred plan discourages smart growth, transit and transit-oriented development") concerns the substance of the Transportation 2035 Plan itself rather than the Draft EIR, which provides environmental review of that plan. Therefore, this portion of the comment does not raise environmental issues under CEQA. However, MTC respectfully disagrees with the comment. Draft EIR *Chapter 1.2: Overview of the Transportation 2035 Plan* provides a complete description of the investment program, goals, and objectives, which support smart growth patterns and transit use (see

Draft EIR pages 1.2-8 through 1.2-9). Please see also Draft EIR *Chapter 2.12: Growth-Inducing Impacts*.

The comment claims that the EIR identifies the Heavy Maintenance/Climate Protection Emphasis + Pricing Strategies alternative as the environmentally superior alternative, while dismissing the Heavy Maintenance/Climate Protection Emphasis + Land Use Strategies alternative as not implementable. This is an inaccurate portrayal of the conclusions of the environmental analysis. Draft EIR pages 3.1-38 and 3.1-39 describe in detail the performance of both of the aforementioned alternatives and states on page 3.1-39, paragraph five that both perform "very well" environmentally. However, because CEQA requires the EIR to identify *one* environmentally superior alternative, the analysis goes on to explain four reasons related to both environmental performance and implementation that suggest why the Heavy Maintenance/Climate Protection Emphasis + Pricing Strategies alternative would be the (slightly) environmentally superior of the two. Furthermore, for full disclosure, the subsequent sections on how the environmentally superior alternative meets basic project objectives and stands up to feasibility challenges were expanded within the Draft EIR to encompass both of these alternatives, because of how closely they performed in the environmental analysis. It is in that wider feasibility discussion where MTC concludes that it does not yet have the statutory authority to adequately implement either of the aforementioned alternatives. Please also see response to comment B16-C for more information on MTC's next steps in regards to increasing the feasibility of the pricing and land use strategies by pursuing statutory authority to implement them.

The comment includes a request that the EIR identify an environmentally superior alternative that combines both land use and pricing. Since this combination was not among those evaluated in the alternatives analysis, it is not eligible for selection as the environmentally superior of those evaluated. Please see response to comment B9-B regarding CEQA requirements for the selection and evaluation of alternatives.

B12-C: Please see response to comment B11-B regarding committed projects and funds.

B12-D: As noted by the comment, the environmental checklist in Appendix G of the CEQA Guidelines (14 CCR 15000 et seq.) poses questions of whether the project (a) would cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections), or (b) would the project exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? In developing significance criteria that respond to these questions, EIR preparers traditionally measure the project impact as the effect of the project on traffic operating conditions as expressed in terms of LOS, volume to capacity (V/C) ratio, or average vehicle delay. For this EIR, one criterion MTC uses is "a substantial increase in VMT on facilities experiencing LOS F compared to existing conditions." However, as MTC recognized the LOS definition was limited, two additional significance thresholds were added for use in the transportation impact analysis – (a) job accessibility by autos

and transit, and (b) per capita VMT, both of which do a better job at measuring people movement.

See also responses to comments A2-A and A2-C.

The comment correctly notes that there appears to be a shift away from the use of LOS measure in environmental assessments, as indicated by the Office of Planning & Research's (OPR) preliminary draft amendments to the CEQA Guidelines to address greenhouse gases. OPR proposes to strike the two questions cited above in the environmental checklist and replace them with a new question that focuses on a "substantial increase in the number of vehicle trips, roadway vehicle volume, or vehicle miles traveled." See OPR's website for more information on the proposed CEQA amendments at: http://opr.ca.gov/index.php?a=ceqa/index.html.

B12-E: Regarding the comment that the Draft EIR fails to identify the most environmentally beneficial program, MTC refers the comment to CEQA Guidelines 15002(a) on the basic purposes of CEQA, which center not on identifying the "most environmentally beneficial program", but on: 1) informing the public and decision-makers about the potential significant adverse environmental effects of proposed activities, 2) ways those effects can be mitigated, 3) requiring changes to projects where feasible to prevent significant avoidable damage to the environment, and 4) to disclose to the public the reasons why a governmental agency approved a project if significant environmental effects are involved. Also, see response to comment B9-B regarding CEQA requirements for the selection and evaluation of alternatives.

Regarding the comment that the Draft EIR "discounts" the serious environmental impacts of road expansion the Draft EIR does in fact fully disclose adverse impacts of road expansion. In the context of an environmental analysis, the word "discounts" most likely refers to a process by which the relative "weight" or importance of one kind of environmental impact is considered less compared to the relative weight or importance of another kind of environmental impact. While personal opinions of the public and experts may consciously or subconsciously discount some kinds of impacts compared to others when reviewing this document, the Draft EIR was prepared with no such discount in its study approach or methodology. Rather, in each issue area, as applicable, a concrete or proxy measure was created to represent the impact of roadway expansion (e.g. VMT and air quality impacts were derived directly related to new roadway capacity, whereas land impact buffer distances were approximated around proposed projects). The impact was then quantified (when possible), and compared to the significance criteria in question. All potential impacts are reported in the impact analysis for each issue area. The same roadway network (including expansions) was assumed for all issue area analyses.

In the process of gleaning the subtle differences in environmental impacts between the Heavy Maintenance/Climate Protection Emphasis + Pricing alternative and the Heavy Maintenance/Climate Protection Emphasis + Land Use alternative in the selection of the environmentally superior alternative (Draft EIR page 3.1-39), the decision was made to consider impacts in the Energy and Climate Change areas somewhat more important than in other areas. This decision was based on the direct connection between energy use

and greenhouse gas emissions, and the direct relationship between greenhouse gas emissions and climate change outcomes.

Regarding the statement that the Draft EIR "does not acknowledge benefits of transit-oriented development", MTC respectfully disagrees with this statement on two levels. First, it is not the job of the EIR to simply acknowledge the benefits of TOD simply because people say they should exist, but rather to make a good faith effort to measure the effects of the proposed Project, and where there are benefits, to describe them. Within the regulatory setting an EIR may also describe the existing policies and programs that support TOD. This EIR takes both of these approaches to describing the benefits of TOD. In the alternatives analysis, the Heavy Maintenance/Climate Protection Emphasis + Land Use alternative performs better than the other alternatives, and in particular than the basic Heavy Maintenance/Climate Protection Emphasis alternative, specifically because of the land use assumptions which include denser development around transit and population living closer to employment. This analysis adequately illustrates for decision-makers and the public the relative benefits of transit-oriented development within the context of consideration of alternatives to the proposed Project. For a more complete summary of the alternatives analysis results, please see Draft EIR page 3.1-41. Furthermore, regional agencies' active involvement in and support of transit-oriented development is also acknowledged in the Draft EIR on page 2.3-19, where the Land Use and Housing regulatory setting describes the FOCUS effort, and on page 2.3-23 where MTC's existing TOD Policy is described.

B13—OMAR CHATTY

B13-A: This comment concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

The comment expresses his skepticism about the environmental benefits of transit-oriented developments. While this programmatic EIR does not specifically focus on this type of land use development, there has been research conducted on the effects of transit-oriented development. For example, the Transit Cooperative Research Project (TCRP) recently published its report titled *Transit-Oriented Development in the United States: Experiences, Challenges, and Prospects*. This report concludes that the most direct benefit of TOD and joint development is increased ridership and the associated revenue gains, and other benefits include vitalization of neighborhoods, increases in the supply of affordable housing, congestion relief, and improved safety for pedestrians and cyclists.

See http://www.fta.dot.gov/planning/planning_environment_6932.html for more information regarding benefits of TOD.

More specifically, MTC has conducted its own research as well, including MTC's Station Area Residents Survey (STARS) Report published in 2006. This study was undertaken to characterize the demographics and travel characteristics of station area residents – individuals living within close proximity to stops and/or ferry terminals in the region. Among its findings, the study concludes that (1) people living within a half-mile of a rail

or ferry station are four times as likely to use transit than people living farther than half-mile from a rail/ferry stop, and (2) households within half-mile of rail stations/ferry produce about half of the vehicle miles traveled of their suburban and rural counterparts.

See http://www.mtc.ca.gov/planning/smart_growth/stars/index.htm for more information.

B13-B: This comment concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA. However, please see response to comment B13-A.

B13-C: The comment suggests that the Draft EIR: (a) consider the violent and property crime impacts that occur in TODs; and (b) segment, identify and apply costs to the environmental and social impact of the TOD and other high-density developments, such as crime, non-transportation infrastructure, tax generation, unemployment, etc. While MTC understands the concerns raised in the comment about the social, economic and physical impacts about TODs, the scope of this EIR is not focused on assessing the environmental effects of TODs but rather the effects of implementing the transportation improvements identified in the Transportation 2035 Plan. See Chapter 2.3: Land Use and Housing for an evaluation of the potential effects of the plan on the conversion or loss of agriculture lands, open space, or natural areas; project consistency with adopted land use plans; and community displacement and disruptions, including potential loss of housing and businesses and separation of people from community resources.

B13-D: The comment states that the Transportation 2035 Plan does not plan for non-toll road improvements, particularly inter-regional road improvements, and the savings of VMT, VHT and the benefits coming from cleaner cars. See Draft EIR Appendix 1: Projects by County of the Draft Transportation 2035 Plan for a complete listing of projects/programs, which includes non-tolled highway and local road improvements.

MTC fully acknowledges the prospect that advances in vehicle technology (such as cleaner burning fuels, higher performing electric vehicles, etc) will assist MTC in attaining stricter vehicle emissions standards in the future. However, the proposed Transportation 2035 Plan itself does not propose future fleet characteristics because those are not under MTC's or local transportation agency control. On the contrary, the nature of the fleet will be largely dependent on market forces (for instance: the popularity of smaller and alternative fuel vehicles already exists, but the economic downturn may slow the rate of purchases of new vehicles, thus slowing fleet turnover and transition to high fuel efficiency).

That being said, the Draft EIR analysis does make adjustments in order to best reflect the likelihood of a more fuel efficient fleet in the future. Specifically, the Draft EIR analysis assumes the full implementation and enforcement of Assembly Bill 1493, otherwise known as the "Pavley rules" (Please see Draft EIR p. 2.5-9 for more information on this legislation). These rules set new, stricter emissions standards for new passenger vehicles and light trucks. The overall growth in VMT is moderated by the increase in overall fuel

economy. MTC is assuming that the overall fuel economy for private vehicles will increase from 19.86 miles per gallon (mpg) in 2006 to 32.15 miles per gallon by 2035. The proposed Project and all alternatives evaluated in the Draft EIR are based on this 32.15 mpg assumption, which was derived from the California Air Resources Board (CARB) EMFAC model system. See also p. C-16 of MTC's Draft Transportation Air Quality Conformity Analysis for the Transportation 2035 Plan and 2009 Transportation Improvement Program/Amendment #09-06 for more information. This report can be viewed at:

http://www.mtc.ca.gov/planning/2035_plan/Supplementary/AQCA-2009TIPAmend_FullDraft_109.pdf

The Draft EIR analysis results (for example, on p. 2.5-18) were reported in such a way as to fully disclose the difference in greenhouse gas emissions under full Pavley implementation, partial implementation, and no implementation for the proposed Project and for the No Project alternative, and compares those existing conditions. The bulk of vehicle emissions reductions between today and 2035 are attributable to these tightening standards, and MTC wanted to capture that reality in the analysis.

See also Draft EIR Chapter 2.1: Transportation, Chapter 2.2: Air Quality, Chapter 2.4: Energy, and Chapter 2.5: Climate Change and Greenhouse Gases for information about the potential effects of the Transportation 2035 Plan on VMT, VHT and the benefits coming from cleaner cars.

B13-E: The comment raises the issue of traffic congestion that occurs at at-grade train crossings. While MTC acknowledges that there are localized traffic delays at grade crossings, this type of impact is most appropriately addressed at the project level when specific rail operations, schedules, and frequency of service are determined.

B13-F: This comment concerns the substance of the Transportation 2035 Plan itself rather than the Draft EIR, which provides environmental review of that plan. The comment does not raise environmental issues under CEQA. More specifically, it is not the purpose of an EIR to evaluate the *need* for specific projects (see response to comment B12-E for more about the purpose of the EIR under CEQA). Rather, the EIR looks at the Project as proposed, and assesses the potential adverse physical environmental impacts of implementing that proposed Project. Thus, the absence of an evaluation of the "need and benefit to parallel existing freeways and highways that motorists use to get from San Jose to points east" is not a "major gap in the EIR" as the comment claims but rather something that could have been incorporated into the proposed Project prior to conducting the EIR analysis. Please see Draft EIR pages 1.2-10 through 1.2-13 and MTC's Transportation 2035 Performance Assessment Report (December 2008) for more information about the process by which projects were evaluated for inclusion in the Plan.

B13-G: The potential impact of the proposed Project on emergency access/ingress/egress was not evaluated in detail in the Draft EIR because the initial study and scoping of potential impacts in preparation for the EIR analysis determined that there was no possibility for significant reductions in emergency access as a result of investing in transportation

improvements identified in the proposed Transportation 2035 Plan. Stated another way, MTC determined that as all of the investments within the proposed Project are designed to improve the performance of the transportation network (e.g. reduce vehicle hours of delay or improve accessibility to jobs by car and by transit), then it could reasonably be assumed that provisions of the Plan would not reduce emergency access and movement compared to existing conditions. The comment refers to "highways as emergency vehicle ingress and egress in times of floods, fires, and earthquakes." Please note that when the 1989 Loma Prieta earthquake hit, it was freeways and highways that were most compromised in San Francisco. On the other hand, ferry service between San Francisco and Oakland, which had ended decades before, was revived during the month-long closure of the Bay Bridge as an alternative to the overcrowded BART. It is MTC's position that a safe transportation system is not solely reliant on cars, but rather is a network with many viable alternative modes.

In order to clarify why this issue was not evaluated in detail in the Draft EIR, a revision to Draft EIR page 2.1-7 pursuant to the above response is provided in section 2 of this Final EIR to address this comment.

B13-H: The EIR assesses the environmental effects of the transportation improvements identified in the Transportation 2035 Plan as a whole, rather than isolating out the effects that transit projects may cause. Please see response to comment B11-F regarding evaluation of component parts of a project and the requirements of a Program EIR. Please also see response to comment A1-B pertaining to impacts evaluated under CEQA, of which "transit costs" and "government employment impacts" are not a part.

B14—LIBBY LUCAS

B14-A: On December 19, 2008, MTC sent Bay Area public libraries, including the City of Palo Alto Public Library, a CD with a full electronic copy of the Draft EIR for circulation. The full Draft EIR was also available for viewing and downloading online at www.mtc.ca.gov/planning/2035 plan, and available for viewing at the MTC/ABAG Library located at 101 Eighth Street in Oakland. Printed copies were also available upon request by email to library@mtc.ca.gov or by phone at 510.817.5836.

MTC verified with the City of Palo Alto Public Library that the CD of the Draft EIR for the Transportation 2035 Plan was not available but no reason was given as to why it was missing from the library's catalog. MTC apologizes for this error and the inconveniences resulting from this error. MTC immediately rectified this problem by sending the City of Palo Alto Public Library a copy of the Draft EIR for the Transportation 2035 Plan. Note that a copy of the Draft Transportation 2035 Plan was available at the City of Palo Alto Public Library for viewing.

The rest of this comment letter concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment letter does not raise environmental issues under CEQA. However, we note our agreement with this comment about the need for regional investments to support California high-speed rail. MTC worked collaboratively with the California High-Speed

Rail Authority, BART and Caltrain on the development of the Regional Rail Plan, which was adopted by MTC in September 2007. Information about the Regional Rail Plan can be found at: http://www.mtc.ca.gov/planning/rail/index.htm. Even more recently as of February 2009, MTC and its regional and state partners are working on identifying investments priorities for spending funds potentially flowing to the region from a federal economic stimulus bill, known as the American Recovery and Reinvestment Act (ARRA) of 2009, including regional investments that would support high-speed rail.

B15—RAFT

B15-A: Please see response to comment A1-B.

B15-B: This EIR does not evaluate the adequacy of funding for sound walls because inadequate funding does not qualify as a potentially significant environmental effect under CEQA (Guidelines 15064(e)). Nor does the EIR evaluate the adequacy of the local agency sound wall policies themselves because they are not a part of the proposed Project. The Draft EIR does analyze the overall regional noise impacts of the proposed Project, and acknowledges a cumulative noise impact that is significant, and to which the project's contribution may be cumulatively considerable due to the uncertainty around the location of sensitive receptors in the future (Draft EIR p. 2.6-24 and 2.6-25).

B16—GERALD P. CAUTHEN & ASSOCIATES

B16-A: In the Draft EIR Executive Summary and Impact Summary Table, many of the identified adverse impacts will occur with or without the proposed Plan, and impacts in most issue areas will actually be less under the proposed Plan than under the No Project alternative. For instance, the proposed Project will result in fewer VMT per capita, less transportation energy consumption, fewer greenhouse gas emissions, fewer roadway miles exposed to noise at or above 66 dBA, fewer areas experiencing a 3 dBA or greater increase in noise levels, and less traffic congestion as measured by VMT at LOS F, compared to the No Project alternative.

Regarding the ability to implement identified mitigation measures, the Draft EIR describes feasible mitigation measures, which could minimize significant adverse impacts for each significant environmental effect identified in the EIR. The Draft EIR distinguishes between the measures which are proposed for MTC implementation versus measures that will be implemented by project sponsors as required by CEQA Guidelines Section 15126.4.

B16-B: Please see response to comment A7-A.

B16-C: Regarding the statement about dropping certain alternatives, please note that the referenced alternatives were carried forward for full analysis in the Draft EIR. The Draft EIR fully evaluates and compares the referenced alternatives and selects an environmentally superior alternative from among them, pursuant to CEQA. The Draft EIR also provides summary information about the extent to which the environmentally superior alternative meets the basic project objectives, as well as some important feasibility issues to be considered by decision makers in deliberations on the EIR and

proposed Project. The feasibility discussion in the Draft EIR does not itself reject or "drop" alternatives. In light of the whole record, including the aforementioned feasibility discussion, decision makers ultimately decide on a preferred project, and prepare findings, facts in support of findings, and a statement of overriding considerations as necessary to support their decision.

The feasibility discussion correctly discloses the limitations of MTC's statutory authority to implement the land use and pricing aspects of the alternatives. Alternatives analyzed in the EIR need not be actually feasible, but rather need only be "potentially feasible." (CEQA Guidelines 15126.6(a)); see also Mira Mar Mobile Community v. City of Oceanside (4th District 2004) 119 Cal. App. 4th 477, 489 [14 Cal. Rptr. 3d 308] (although the respondent city ultimately rejected as infeasible several alternatives that were evaluated in an EIR, "this conclusion does not imply these alternatives were improperly included for discussion"; "alternatives included in an EIR need only be potentially feasible").

Nonetheless, MTC recognizes the interest in understanding "what it would take, by way of legislation and actions by other jurisdictions to implement each environmentally superior alternative." Ultimately, to implement the aggressive pricing and land use strategies tested in the alternatives, MTC must obtain statutory authority from the state and/or federal governments to implement pricing strategies, including the implementation of the Regional HOT Network plus other strategies as described in the Heavy Maintenance/Climate Protection Emphasis + Pricing alternative; and MTC must continue to work with local jurisdictions (who have land use authority) to change zoning and land use policies in support of the land use strategies envisioned in the Heavy Maintenance/Climate Protection Emphasis + Land Use alternative.

Over the past year, MTC has been working closely with Caltrans, California Highway Patrol, and county congestion management agencies to establish implementation policies, including tolling and operations, and phasing of the Regional HOT Network and corridor investment programs. Legislative authority is required to develop a complete network, and in this vein, MTC is committed to continue its advocacy efforts for authorizing legislation to implement the Regional HOT Network. Specifically, MTC is engaged in the following two advocacy efforts:

- MTC is pursuing legislation in the 2009 state session to obtain the authority to develop an 800-mile regional HOT lane network. This network would come on the heels of three HOT corridors expected to be operational by 2010 – I-680 Sunol Grade, I-580 Alameda, and Route 85 in Santa Clara. The intent is to expand HOT lanes throughout the region. The tolls imposed in the HOT lanes would vary according to the level of congestion in order to ensure a free-flow of traffic for carpools, buses and toll payers.

- MTC is also pursuing legislation in the 2009 state session related to the Toll Bridge Seismic Retrofit Program in order to obtain authority to raise tolls to retrofit the Antioch and Dumbarton bridges, currently not contained in the region's seismic retrofit program. As part of this legislation, MTC intends to also

seek the authority to vary the tolls on the San Francisco-Oakland Bay Bridge according to time of day so as to shift more trips to the off-peak hours.

As the next steps following the adoption of the Transportation 2035 Plan, MTC intends to continue its public outreach and advocacy for other pricing and land use strategies that are beyond MTC's current statutory authority via implementation of SB 375 and AB 32 for needed policies and programs to reach Transportation 2035 goals.

B16-D: Please see response to comment B9-B.

B16-E: Please see response to comment B11-F.

B16-F: Please see response to comment B13-D in regards to how the EIR analysis addresses anticipated changes in the fuel efficiency of the fleet.

B16-G: The comment is concerned that there are no projects in the Draft EIR devoted to noise control or noise suppression. If by projects the comment means investments within the proposed Transportation 2035 Plan, please note that the Draft EIR does not establish the proposed Project description (i.e. what is contained in the Plan). However, if by projects the comment means mitigation measures to reduce potential noise impacts of the proposed Plan, please see Draft EIR pages 2.6-23 and 2.6-24 where five design-and operations-related mitigation measures are recommended.

Please see also response to comment B15-B which describes the identified significant cumulative noise impact.

B17—BREATHE CALIFORNIA

B17-A: Please see response to comment B9-B regarding the range of alternatives evaluated.

B17-B: Please see responses to comments A7-A and B11-B.

B17-C: Please see response to comment B11-F regarding the nature of a program EIR and the evaluation of component parts of the program. Regarding the nature and scope of alternatives evaluated (appears in paragraphs 1 and 2 of this comment), please see response to comment B9-B. Regarding the environmentally superior alternative (paragraph 3 of this comment), please see response to comment B16-C.

B17-D: Please see response to comment B13-D regarding the quantification and display of emissions impacts for the proposed Project as compared to existing conditions and the No Project alternative, and how this comparison adequately illustrates the influence of RTP investments as distinct from changes resulting from improved vehicle fuel efficiency. Please note, even in the consistent comparison of alternatives by fleet assumption, MTC does not evaluate a scenario in which the future vehicle fleet is exactly the same as the existing vehicle fleet, as suggested in paragraph 2 of this comment. This condition would be an unreasonable assumption because even without stricter fuel efficiency standards people will buy new cars and old cars will be retired. Providing the comparison between the proposed Project and the No Project condition with the same fleet assumptions across

both alternatives provides the necessary basis for determination of the relative effect of the proposed Project network in the future.

Regarding the Bay Area's attainment status for PM 2.5, please see response to comment B9-R.

B17-E: Please see responses to comments B5-B (induced growth), B9-C (induced demand), B5-F (transportation model strengths and weaknesses) and B11-F (evaluating component parts of a program).

B17-F: Please see responses to comments B9-K and B9-L.

Regarding the MTC TOD Policy, it is not part of the proposed Project therefore the Draft EIR does not evaluate it. This comment concerns neither the Transportation 2035 Plan nor the Draft EIR which provides the environmental analysis of that Plan.

B17-G: Please see response to comment B11-F regarding evaluation of components of the project and requirements of a program EIR. Comments regarding the content of the Regional HOT Network and its funding conditions concern the Transportation 2035 Plan, not the Draft EIR. However, MTC would like to clarify that the Regional HOT Network as presently proposed does convert existing mixed-flow lanes to HOT lanes in some areas as the comment suggests.

B18—SIERRA CLUB BAY AREA TRANSPORTATION COMMITTEE

B18-A: Please see response to comment B9-B.

B18-B: Please see response to comment A7-A.

B18-C: Please see response to comment B17-C regarding analyzing component projects and CEQA requirements for Program EIRs. Regarding the range of alternatives considered, please see response to comment B9-B. Regarding the feasibility of alternatives and for a description of MTC's "steps to seek the legislative authority to implement land use and pricing initiatives", please see response to comment B16-C. The statement that MTC has the authority to program transportation projects conditionally on the eventual implementation of pricing and land use policies is incorrect. It is important to underscore that MTC presently does not have statutory authority to implement pricing strategies, but MTC is advocating and currently seeking support from State legislators to secure such statutory authority to implement the Regional HOT Network. Furthermore, a regional dialogue with transportation and land use partners, stakeholders and members of the public about opportunities for conditioning transportation discretionary funding on supportive land uses must occur prior to any Commission action to this effect.

B18-D: Please see responses to comments B5-B (regarding induced growth), B9-C (regarding induced travel demand), and B5-F (regarding the strengths and limitations of the current model and potential improvements in the next one).

B18-E: Please see responses to comment B9-I regarding specificity of transportation impact significance criteria. Please see response to comment B11-F regarding the nature of a program EIR and the evaluation of component parts of the program. Regarding the nature and scope of alternatives evaluated (appears in paragraphs 1 and 2 of this comment), please see response to comment B9-B. Regarding the environmentally superior alternative (paragraph 3 of this comment), please see response to comment B16-C.

B18-F: Please see response to comment B7-B.

B18-G: Please see response to comment B7-A.

B18-H: Please see responses to comments B9-K, B9-L and B17-F.

B18-I: Please see response to comment B11-F and B17-G.

B18-J: Please see response to comment B17-D.

B18-K: Please see response to comment A1-B regarding CEQA and the evaluation of equity and environmental justice. Regarding the validity of ABAG's *Projections 2007*, MTC acknowledges that future projections, by their very nature, are speculative. However, in terms of Bay Area planning, ABAG's projections (*Projections 2007*) represent the latest set of planning assumptions and thus are the common basis upon which the planning of virtually all local and regional agencies relies. "Some kind of update of assumptions", per the commenter's suggestion, would of themselves be both speculative and reactionary, treating this year's economic turmoil as a pattern upon which to mold the next 25 years. Precedent and the administrative record show ABAG's projections to be an adequate (albeit not perfect) basis for describing future employment trends. "CEQA does not require technical perfection in an EIR, but rather adequacy, completeness, and a good faith effort at full disclosure." (CEQA Guidelines Section 15003(i))

B18-L: Please see response to comment B16-G.

B18-M: Please see Draft EIR pages 1.1-2 and 1.1-3 for a description of the scope of this EIR. The Draft EIR analyzes the aggregate effects of all projects included in the proposed Plan. The transportation model that is the basis of much of the data analyzed in the EIR contains the entire network of transportation improvements proposed in the Plan. For more information on the transportation model, please see response to comment B5-F and Section 2.1 of the Draft EIR.

B19—SHERMAN LEWIS

B19-A: Please see response to comment B9-B.

B19-B: This comment about future commitments to compliance with SB 375 concerns the substance of the Transportation 2035 Plan itself rather than the Draft EIR, which provides environmental review of that plan. The comment does not raise environmental

issues under CEQA. However, please see response to comment A1-A for more information on MTC's current efforts related to SB 375.

B19-C: Please see responses to comments A7-A and B11-B.

ORAL TESTIMONY

C1—JOINT ADVISORY WORKSHOP

C1-A: On the October 31, 2008 MTC staff met with Attorney General's staff to discuss their scoping letter in response to the Notice of Preparation of the Draft EIR. A summary of this meeting was presented to MTC's Planning Committee on November 14, 2008 and is archived here: http://apps.mtc.ca.gov/events/agendaView.akt?p=1161.

C1-B: The comment raises concerns about the aging of the Bay Area population and related transportation needs, particularly paratransit services. The Draft Transportation 2035 Plan acknowledges this issue on page 22. In terms of the plan's investments, almost two-thirds of the plan expenditures go to projects that improve transit services (see page 37 of the Draft Transportation 2035 Plan), which certainly will benefit all Bay Area residents who currently take transit or will transition to transit use as they get older. Also, see responses to comments A11-B which addresses the adequacy of environmental setting demographic information and B5-C which addresses the inclusion of paratransit.

C1-C: Please see responses to comments B9-B and A7-A.

C1-D: MTC consulted closely with the United States Fish and Wildlife Service in regards to the mitigation measures proposed for this program level document, in particular those for biological resources. The Draft EIR pages 2.9-25 through 2.9-29 and pages 2.9-33 through 2.9-37 contain very detailed mitigation measures to ensure that project level analysis, design, construction, and operation of transportation improvements abide by the best practices for protecting special status species, including, but not limited to, the Bay Checkerspot Butterfly.

C1-E: Comment noted.

C1-F: This comment about transportation planning philosophy concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

C1-G: Please see response to comment B9-B.

C1-H: The Draft EIR on the Transportation 2035 Plan necessarily defines as its project area the region over which MTC has authority for transportation planning. This region is the nine county Bay Area as defined in Chapter 1.2 of the Draft EIR. However, this EIR also evaluates potential cumulative effects and the extent to which the proposed Project contributes to those cumulative effects. Cumulative air quality impacts are described on Draft EIR page 2.2-20 through 2.2-24. MTC conducts separate planning and environmental review processes for ports; however, please also see response to comment

A1-D regarding the extent to which particulate matter and port pollution impacts are described and mitigated in this Draft EIR. Regarding the range of alternatives considered, please see response to comment B9-B.

C1-I: The comment is correct in saying that the Draft EIR evaluates the proposed Project, which is the proposed Transportation 2035 Plan. The comment is also correct that the proposed Project could have been a different plan for investments than the one proposed. However, MTC and the local transportation agencies underwent extensive analysis and public processes to refine and evaluate the set of transportation investments that made their way into the Plan. A description of MTC's process is provided on Draft EIR p. 1.2-13 and 1.2-14. Comment letters A6, A8, A9, A12, and A13 also provide brief examples of the local effort and outreach that went into the creation of the project lists that were proposed to MTC for consideration. In addition to analyzing the proposed Plan, alternative sets of investments were analyzed (see Draft EIR Chapter 3.1).

C1-J: Starting on page 3.1-6, the Draft EIR describes the range of alternatives evaluated, and then starting on page 3.1-9, the Draft EIR presents that comparative impact analysis of the alternatives. As stated on p. 3.1-11, both the Heavy Maintenance/Climate Protection Emphasis plus pricing and plus land use perform better than the proposed Project at reducing per capita VMT and producing lower levels of emissions.

C2—JANUARY 27 PUBLIC HEARING

C2-A: The comment asks why MTC prepares an EIR prior to finalizing the Transportation 2035 Plan. In California, regional transportation plans are subject to environmental review and compliance with CEQA. Accordingly, MTC has prepared a programmatic EIR for the Draft Transportation 2035 Plan. As explained on p. 1.1-1 of the Draft EIR, the purpose of the EIR is inform decision-makers, responsible and trustee agencies, and the general public of the proposed action and the range of potential environmental impacts of that action. The Commission will use this EIR in its review of the proposed final Transportation 2035 Plan prior to taking action on the Plan. The Final EIR must be certified as being "adequate" by the Commission prior to taking action on the Plan.

Reflecting the order that the issues appear in the comment, please see responses to comments B12-A (risk of accidents on freeways), B9-B (range of alternatives evaluated), B12-B (feasibility and environmentally superior alternative), B11-B (committed funds), and B12-D (level of service as an indicator).

Regarding the follow-up comment about vehicle speed and emissions, the car goes a *different distance* in each scenario described in this comment. Generally-speaking, fuel economy improves with faster speeds, and faster speeds are possible under less congested conditions. So, traveling at higher speeds in less congested conditions would involve using less fuel per mile traveled, resulting in lower pollutant emissions, including greenhouse gases, per mile traveled. To make that clear in this scenario, imagine the destination is 10 miles away for both scenarios. When the car averages 10 miles per hour in traffic and therefore only gets 10 miles to the gallon, this trip would take 1 hour to complete at a cost of 1 gallon of gasoline and the associated emissions (and frustration!).

If, however, there is less congestion and the car can move at 50 miles an hour and achieve 30 miles to the gallon in fuel efficiency, then that same 10-mile trip would take only 12 minutes to complete and use only 1/3 gallon of gasoline. Using 1/3 of the gasoline for the trip would result in 1/3 of the emissions for that trip. Thus, the comment's conclusion that more pollution results from faster-moving cars is incorrect.

C2-B: This comment about accommodating demand on the backbone corridor of the Bay Area and at major intermodal areas concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

C2-C: Regarding social and economic impacts in the Draft EIR, please see response to comment A1-B. Otherwise, this comment concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

C2-D: This comment about preferred investments concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

C2-E: This comment about funding and operating shortfalls concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

C2-F: These comments largely concern the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. The comments do not raise environmental issues under CEQA. However, the comment makes two claims about modeling for the Plan and EIR that MTC would like to address: 1) that MTC's travel forecasting model assumes decreases in auto operating costs, and 2) that the air quality modeling assumes cars will become more efficient and "therefore it's ok to have more and more of them."

Regarding point number 1), this contention is inaccurate. For purposes of the travel and air quality modeling forecasts conducted for the Transportation 2035 Plan, MTC does not project or assume a decrease in auto operating costs, but rather a 9.7 percent increase in auto operating cost per mile, between 2008 and 2035. This is an increase from 35.3 cents/mile in 2008 to 38.7 cents per mile by 2035 (in 2008 dollars). See also p. C-16 of MTC's *Draft Transportation Air Quality Conformity Analysis for the Transportation 2035 Plan and 2009 Transportation Improvement Program/Amendment #09-06* for more information. This report is available for review at:

http://www.mtc.ca.gov/planning/2035_plan/Supplementary/AQCA-2009TIPAmend_FullDraft_109.pdf

Regarding point number 2), the modeling does assume cars will become more efficient because there is existing state legislation to enforce it, because the California Air Resources Board has committed to enforcing it, and because the trend has already begun.

The Plan and Draft EIR make no judgment as to whether it is therefore permissible to have more and more cars. Rather, assumptions are chosen to best reflect likely conditions in the future. For more information about the emissions factor choices for greenhouse gas emissions modeling, please see Draft EIR page 2.5-9.

C2-G: The gas price assumption used by MTC in its travel forecasts is an honest assessment of trends based on historical and current gas prices in the Bay Area over a twenty-year time period. If the gas price forecast used in this analysis is too low (i.e., the real future gas prices end up being higher), then the significant adverse environmental impacts identified in the Draft EIR in the issue areas of transportation, air quality, and noise are most likely overestimated here. This is because travel by personal automobile is sensitive to the price of gas and would likely decrease with increasing price. MTC staff discussed this model assumption with the Air Quality Conformity Task Force on June 9, 2008, and the Conformity Task Force noted that the assumption appears reasonable in the context of when it was produced in spring of 2008, for use in preparing forecasts for the Transportation 2035 Plan. See a summary of the meeting notes from the June 18, 2008 Air Quality Conformity Task Force meeting at:

http://apps.mtc.ca.gov/meeting_packet_documents/agenda_1184/6-09-08_summarynotes_2.pdf.

In January 2009, the California Energy Commission (CEC) published a report titled *Transportation Fuel Price and Demand Forecasts: Inputs and Methods for the 2009 Integrated Energy Policy Report* which projects year 2030 gasoline prices, ranging from a low of $3.34 per gallon to a high of $4.78 per gallon, in 2008 dollars. The current gas price forecasts produced by the CEC are substantially lower than the trend-line projection used by MTC in production of the Draft EIR. For more information, see the CEC's report at:

http://www.energy.ca.gov/2009publications/CEC-600-2009-001/CEC-600-2009-001-SD.PDF

Regarding the comment about adding a fourth E for "energy", this comment concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

C2-H: Please see response to comment A1-B which explains that social and economic considerations (including cost) are not evaluated in EIRs under CEQA. Please also see response to comment B9-B regarding the range of alternatives evaluated for this EIR. The follow-up to this comment concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

C2-I: This comment about next steps for coordinating with local governments on implementation concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

C2-J: This comment about funding shortfalls and investment choices concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

C2-K: This comment about wanting to put more people on bikes and transit concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

C2-L: Please see response to comment C2-G regarding model assumptions of the future cost of driving.

C2-M: This comment about the cost of riding transit and putting more funding into transit concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

C2-N: The ability of the Bay Area highway network to accommodate future vehicle use is analyzed in Draft EIR Chapter 2.1 (Transportation). Regarding compliance with AB32 goals, the analysis in Chapter 2.5 shows that greenhouse gas emissions are expected to go down in the future due to primarily to legislative action requiring increased fuel efficiency. As described on Draft EIR page 2.5-13 and 2.5-14, the Climate Change Proposed Scoping Plan developed by the California Air Resources Board and approved December 11, 2008 pursuant to AB32 includes Pavley 1 and 2 rules as this EIR does, but the role of MPOs such as MTC within this Scoping Plan is primarily related to establishing and meeting targets through SB 375. Thus, MTC is working closely with the other members of the Joint Policy Committee (JPC) to address the new requirements that are clearly defined in SB 375, as reflected in the JPC's *Draft Policies for the Bay Area's Implementation of Senate Bill 375* published January 23, 2009.

C2-O: This comment about investing more in buses and transit operations and maintenance shortfalls concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

C2-P: Please see response to comment B16-C for more information about MTC's current actions and next steps for regional coordination around SB 375. Please also see response to comment A7-A regarding the definition of the No Project Alternative under CEQA.

C2-Q: This comment about investing in pedestrian transportation concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA. However, please also see response to comment B4-A regarding improving bike and pedestrian counts and increasing the influence of this data on regional planning efforts.

C3—JANUARY 28 PUBLIC HEARING

C3-A: This comment about investing in transit rider comfort concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

C3-B: This comment about blending BART and Caltrain services concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

C3-C: Please see responses to comments B6-A, B6-B, and B6-C.

C3-D: Please see response to comment C2-G regarding assumptions about the future cost of driving.

C3-E: Please see response to comment B4-A regarding bicycle and pedestrian counts.

C3-F: Please see responses to comments B11-B regarding committed funds and B9-B regarding the range of alternatives evaluated.

C3-G: This comment about specific investments concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

C3-H: Please see response to comment C2-A.

C3-I: This comment about future collaboration to address committed funds concerns the substance of the Transportation 2035 Plan itself, and its implementation, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA. However, in regards to the comment on the No Project Alternative, please also see response to comment A7-A.

C3-J: This comment about BART funding and capital replacement shortfalls concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

C3-K: This comment about specific investment recommendations concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

C3-L: This comment about including a bike-count program in the Plan concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA. However, please also see response to comment B4-A for more information about the relationship between empirical procedures and modeling in Plan development and EIR evaluation.

C3-M: Please see responses to comments B7-A and B7-B.

C3-N: Please see response to comment B16-C.

C3-O: This comment about holding off on a specific investment concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA. However, MTC recognizes the comment's concern for air quality in West Oakland, and the Draft EIR (page 2.2-22) provides five discrete mitigation measures to help address regional particulate emissions, including those associated with activity around the Port of Oakland.

C3-P: This question about specific plans for small bus service concerns the substance of the Transportation 2035 Plan itself, not the Draft EIR, which provides environmental review of that plan. This comment does not raise environmental issues under CEQA.

Appendix A:
Findings and Facts in Support of Findings

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INTRODUCTION

ROLE OF THE FINDINGS

The following findings are hereby adopted by the Metropolitan Transportation Commission (MTC) pursuant to the requirements of the California Environmental Quality Act, California Public Resources Sections 21000 et seq., ("CEQA"), and the Guidelines for Implementation of CEQA, Title 14, California Code of Regulations Section 15000 et seq. (the "CEQA Guidelines").

These Findings and Facts in Support of Findings relate to the approval of the Transportation 2035 Plan for the San Francisco Bay Area (the "Plan" or "project"). MTC is the Lead Agency for the project.

The Findings state MTC's conclusions regarding the significance of the potential environmental impacts of the Transportation 2035 Plan after all feasible mitigation measures have been adopted. These findings have been prepared to comply with the requirements of CEQA and the CEQA Guidelines and are based on information in the Draft and Final Environmental Impact Report (EIR) for the project and on all other relevant information contained in the administrative record for the Project.

CEQA requires agencies to identify mitigation measures that would avoid or substantially lessen a project's significant impacts or potential significant impacts if such measures are feasible. The mitigation measures identified in the Final EIR mitigate the potential significant impacts of the Plan, to the extent feasible, as described in the Final EIR. All mitigation measures identified in the Final EIR (as listed in Table ES-1 of the Draft EIR) that are within MTC's authority to impose are hereby adopted by MTC. For project-level mitigation measures that are applicable to individual projects envisioned under the Transportation 2035 Plan, project sponsors are required to conduct environmental assessment in accordance with CEQA and/or NEPA since these individual projects have not been fully designed and analyzed yet. MTC will ensure implementation of these measures by coordinating with project sponsors. Monitoring of these mitigation measures will occur, as described in the Mitigation Monitoring Program (Appendix C).

By adopting the mitigation measures listed in the EIR and establishing a Mitigation Monitoring Program to ensure implementation of these mitigation measures, MTC will ensure that the corresponding significant impacts are avoided or reduced to the maximum extent feasible. Specific development projects that have the potential for significant impacts will be subject to separate CEQA and/or NEPA review, including consideration of project-specific mitigation measures.

Project sponsors will be required to adopt feasible mitigation measures for significant impacts that are identified in subsequent project-level environmental review documents and must prepare and adopt individual mitigation monitoring programs to comply with these measures. Subsequent environmental review for specific projects identified in the Plan may tier off the programmatic analysis or incorporate information and analysis from this analysis by reference (CEQA Guidelines Sections 15150, 15152, and 15168). In order to tier off the program EIR for the Plan,

however, the project-specific EIR must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). This consistency requirement will help to ensure that project sponsors will adopt and implement the recommended mitigation measures.

The Statement of Overriding Considerations, included in Appendix B of this document, explains MTC's reasons for approving the Transportation 2035 Plan, despite the fact that the Transportation 2035 Plan will have significant impacts on the environment.

CEQA REQUIREMENTS

The EIR identifies significant effects on the environment, which may occur as a result of the projects in the Transportation 2035 Plan.

Public Resources Code Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects[.]" (Emphasis added.) The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will *avoid or substantially lessen* such significant effects." (Emphasis added.) Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof." (Pub. Resources Code, Section 21002.)

The mandate and principles announced in Public Resources Code Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, Section 21081, subd. (a); CEQA Guidelines, Section 15091, subd. (a).) Specifically, Section 15091, subdivision (a) of the CEQA Guidelines provide as follows:

(a) No public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The findings are:

1. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the EIR.

   This finding shall be referred to as "Finding (1)."

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

   This finding shall be referred to as "Finding (2)."

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers make infeasible the mitigation measures or project alternatives identified in Final EIR.

   This finding shall be referred to as "Finding (3)."

Thus, for each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of the three permissible conclusions described above.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modifications or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (CEQA Guidelines, Section 15091, subd. (a),(b).)

Public Resources Code Section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." CEQA Guidelines Section 15364 adds another factor: "legal" considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors (Goleta II)* (1990) 52 Cal.3d 553, 565 (concluding, whether project applicant owned alternative site for project was an appropriate legal and economic factor to consider)) Moreover, judicial decisions have held "desirability" is also an appropriate consideration. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 ("feasibility" also encompasses desirability to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social and technological factors and whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project); see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 (same))

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, Section 15093, 15043, subd. (b); see also Pub. Resources Code, Section 21081, subd. (b).) The California Supreme Court has stated, "[t]he wisdom of approving... any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II*, 52 Cal.3d at p. 576.)

The CEQA Guidelines do not define the difference between "avoiding" a significant environmental effect and merely "substantially lessening" such an effect. MTC must therefore glean the meaning of these terms from the other contexts in which the terms are used. Public Resources Code Section 21081, on which CEQA Guidelines Section 15091 is based, uses the term "mitigate" rather than "substantially lessen." The CEQA Guidelines therefore equate "mitigating" with "substantially lessening." Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would

substantially lessen the significant environmental effects of such projects." (Pub. Resources Code, Section 21002.)

For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level. These interpretations appear to be mandated by the holding in *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 519-521, in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question less than significant.

Although CEQA Guidelines Section 15091 requires only that approving agencies specify that a particular significant effect is "avoid[ed] or substantially lessen[ed]," these findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less than significant level, or has simply been substantially lessened but remains potentially significant. Moreover, although Section 15091, read literally, does not require findings to address environmental effects that an EIR identifies as merely "potentially significant," these findings will nevertheless fully account for all such effects identified in the Final EIR.

These findings constitute MTC's best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with the requirements of CEQA. To the extent that these findings conclude that various proposed mitigation measures outlined in the Final EIR are feasible, within its responsibility and jurisdiction, and have not been modified, superseded or withdrawn, MTC hereby binds itself to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when the MTC adopts a resolution approving the Project. As such the mitigation measures adopted by MTC satisfy the requirements of CEQA.

The Facts in Support of Findings in the following sections state MTC's reasons for making each finding and the rationale connecting the evidence to MTC's conclusions. All records and materials constituting the record of the proceedings upon which these findings are made are located at the offices of the Metropolitan Transportation Commission, 101 Eighth Street, Oakland, California, 94607.

SCOPE OF THE ENVIRONMENTAL ANALYSIS

This program EIR analyzes the potential significant adverse effects of the adoption and implementation of the Transportation 2035 Plan. This assessment, in compliance with CEQA, is designed to inform decision-makers, other responsible agencies and the general public of the environmental consequences of the proposed project. CEQA provides that a program EIR should focus on the secondary effects that can be expected to follow its adoption, but need not be as detailed as an EIR on the specific construction projects that might follow. In accordance with CEQA, the Transportation 2035 Plan EIR identifies regional effects of the implementation of projects, which could follow adoption of the Transportation 2035 Plan. The Transportation 2035 Plan represents MTC's transportation policy and action statement as to how to approach the region's transportation needs over the next 25 years. The Transportation 2035 Plan's assessment of future travel activity and use of the transportation system are based on the most recent land use

assumptions and growth projections of the Association of Bay Area Governments (ABAG) that were available at the time of the EIR preparation *(Projections 2007)*.

ORGANIZATION OF THIS APPENDIX

This Appendix identifies the findings and facts in support of findings for each potentially significant impact in the order they appear in the Draft EIR. Next, it summarizes the alternatives discussed in the EIR and makes findings with respect to their feasibility and whether the alternatives would lessen the significant environmental effects of the project. This Appendix concludes with a finding on the independent review and analysis of the EIR.

IMPACT FINDINGS AND FACTS IN SUPPORT OF FINDINGS

The following subsections list each significant or potentially significant environmental impact by issue area in the order they appear in the Draft EIR, the mitigation measures identified for each impact in the EIR, the CEQA finding or findings applied by MTC as described above, and the facts in support of each finding.

MTC has determined that the adoption of feasible mitigation measures, alternatives, and proposals incorporated into the Transportation 2035 Plan will reduce all of the following impacts to some extent, but for some not to a level that is deemed "less than significant." The Statement of Overriding Considerations set forth in Appendix B of this document contains additional information explaining the reasons for MTC's decision to approve the project despite potentially significant environmental effects that MTC cannot mitigate to less-than-significant levels, and is hereby incorporated by reference.

TRANSPORTATION

Cumulative Impact

2.1-2 Vehicle miles traveled at Level of Service F would increase for both freeways and expressways and arterial facilities when compared to existing conditions. (Draft EIR p. 2.1-19)

Mitigation Measures

2.1(a) MTC, ABAG, BCDC and BAAQMD—as represented through the Joint Policy Committee (JPC) which coordinates the regional planning efforts of the four agencies—shall work to leverage existing funds (including the $2.2 billion in funds committed in the proposed Transportation 2035 Plan for the Transportation for Livable Communities Program) and seek additional funds to provide financial incentives to local governments that volunteered to designate their communities as Priority Development Areas (PDAs) through the FOCUS program and commit to build higher density residential and mixed use development near transit.

2.1(b) MTC, in partnership with ABAG, BCDC, BAAQMD, local governments, and employers who would like to participate, will seek opportunities to conduct research on and promote value pricing of parking and other innovative parking strategies, for example:

- Employer parking "cash out" programs, which allow employees to forego a parking spot in favor of cash or a subsidized transit pass;

- Residential parking "opt-out" programs, which reduce city parking requirements in favor of developer funded cash to residents and/or transit passes, carshare membership, bicycle rentals, or alternative modes;
- Local parking self-financing programs, which price parking to fund transit passes, alternative modes, and/or provide cash directly to workers and residents;
- "Green certification" of local parking policy regulations aimed at reducing vehicle miles traveled; and
- Technical assistance programs to remove barriers that prevent local governments from implementing parking pricing programs.

2.1(c) MTC shall advocate to State and federal legislators for new incentive funding for local governments to take steps to encourage higher density and mixed use developments near transit, including strategies such as (a) revising land use plans and zoning codes to remove barriers that may prevent such development; or (b) providing incentives to developers through density bonuses or expedited development review.

Impact Conclusion

The overall cumulative impact will remain significant and unavoidable after the incorporation of feasible mitigation. The project's contribution, however, is not cumulatively considerable.

Findings

Changes or alterations have been required in, or incorporated into, the project, that avoid or substantially lessen the project's contribution to the overall significant cumulative impact (Finding (1)). The identified mitigation measures are partially within the responsibility and jurisdiction of MTC and partially within the responsibility and jurisdiction of other public agencies: those agencies can and should adopt the recommended measures (Finding (2)). Because the Plan's incremental contribution to the cumulatively significant impact is not cumulatively considerable, these changes were not required under CEQA, but were provided as a supplemental good faith effort to reduce the overall significant cumulative impact.

Facts in Support of Findings

A. Cumulative population growth and development, regardless of the proposed Project, will occur in the region and will result in a substantial contribution to the identified cumulative impact (Draft EIR, p. 2.1-10, and Chapter 2.12: Growth-inducing Impacts). Implementation of the proposed Transportation 2035 Plan itself will not result in a considerable contribution to this cumulative impact because the comparison between the proposed project and the No Project alternative future condition (Draft EIR, p.2.1-20) shows a dramatic decrease (41 percent) in vehicle miles traveled at LOS F for the proposed Project. This suggests that under the future condition without the proposed Project, roadway performance and congestion would be much worse than if the proposed Project were implemented. The Project's contribution to the cumulative effect is thus beneficial, rather than detrimental.

B. Because the Plan's contribution to the cumulative impact is not considerable, the mitigation measures provided were not required according to the EIR analysis, but rather pro-

vided as a supplementary good faith effort to further reduce the overall cumulative impact. (Draft EIR, p. 2.1-20)

C. Proposed mitigation measures, along with conformity with existing federal, State, and local regulations, are expected to reduce the overall cumulative effect, as well as the Plan's contribution to the overall cumulative effect, by providing incentives to travel by modes other than automobile, and potentially providing funding for local governments to create further incentives.

D. As the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, MTC functions as both the regional transportation planning agency—a state designation—and, for federal purposes, as the region's metropolitan planning organization (MPO). As such, it is responsible for regularly updating the Regional Transportation Plan, and for screening requests from local agencies for state and federal grants for transportation projects to determine their compatibility with the plan. The proposed mitigation measures are within MTC's authority and regional planning role, and capitalize on the coordination already underway through the Joint Policy Committee (which is comprised of board members from MTC, ABAG, Bay Area Air Quality Management District, and Bay Conservation and Development Commission).

E. In accordance with the Mitigation Monitoring Program, MTC will ensure implementation of program-level mitigation measures that help to reduce the identified cumulative environmental impact.

AIR QUALITY

Impact

2.2-1 Construction-related emissions of criteria pollutants could increase due to the construction of projects in the proposed Project. (Draft EIR p. 2.2-17)

Mitigation Measures

2.2(a) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce construction-related air quality impacts that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

Typical mitigation measures that can be considered by project sponsors include:

- Apply water or dust suppressants to exposed earth surfaces to control emissions at least twice daily;
- All trucks hauling dirt, sand, soil, or other loose materials off-site shall be covered or wetted or shall maintain at least two feet of freeboard (i.e. minimum vertical distance between the top of the load and the top of the trailer);
- All excavating and grading activities shall cease during periods of high winds;

- All construction roads that have high traffic volumes, shall be surfaced with base material or decomposed granite, or shall be paved or otherwise be stabilized;
- Public streets shall be cleaned, swept or scraped at frequent intervals or at least three times a week or once a day if visible soil material has been carried onto adjacent public roads (no mechanical "dry" sweeping shall be allowed);
- Construction equipment shall be visually inspected prior to leaving the site and loose direct dirt shall be washed off with wheel washers as necessary;
- Paving or water or non-toxic soil stabilizers shall be applied as needed to reduce off-site transport of fugitive dust from all unpaved access roads, parking and staging areas and other unpaved surfaces;
- Traffic speeds on all unpaved surfaces shall not exceed 15 mph;
- Low sulfur or other alternative fuels shall be used in construction equipment where feasible;
- Idling time of construction vehicles and equipment shall not exceed five (5) minutes;
- Construction vehicles shall be properly maintained and tuned;
- Deliveries related to construction activities that affect traffic flow shall be scheduled during off-peak hours (e.g., 10:00 A.M. and 3:00 P.M.) and coordinated to achieve consolidated truck trips. When the movement of construction materials and/or equipment impacts traffic flow, temporary traffic control shall be provided to improve traffic flow (e.g., flag person);
- To the extent possible, construction activity shall utilize electricity from power poles rather than temporary diesel power generators and/or gasoline power generators;
- Hydroseed or apply non-toxic soil stabilizers to inactive construction areas;
- Install sandbags or other erosion control measures to prevent silt run-off to public roadways;
- Install wind breaks, or plant trees/vegetative wind breaks at windward side(s) of construction areas;
- Maintain on-site truck loading zones;
- Configure on-site construction parking to minimize traffic interference and to ensure emergency vehicle access;
- Provide temporary traffic control during all phases of construction activities to improve traffic flow;
- During construction, replace ground cover in disturbed areas as quickly as possible;
- During the period of construction, install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip;
- Employ a balanced cut/fill ration on construction sites, thus reducing haul truck trip emissions;
- Construction sites/site operator shall comply with Bay Area Air Quality Management District Regulation 6, Rule 1- Particulate Matter;
- Use an emissions calculator in the planning of every construction project that uses the proposed equipment fleet and hours of use to project reactive organic gases, nitrogen oxides, par-

ticulate matter, and carbon dioxide emissions, then quantify the reductions achievable through the use of cleaner/newer equipment; and

- All off-road construction vehicles must be alternative fuel vehicles, or diesel-powered vehicles with the most recent CARB-certified tier or better engines or retrofitted/repowered to meet equivalent emissions standards.

Impact Conclusion

Because the program-level review for the Plan cannot determine the feasibility and efficacy of the mitigation measures for specific projects, the impact may remain significant and unavoidable after implementing feasible mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)). Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers make infeasible further mitigation (Finding (3)).

Facts in Support of Findings

A. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into the project environmental review documents.

B. The recommended mitigation measures would be effective in reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these recommended measures will have to be adopted and implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about the project location. This future project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents for specific projects will help ensure that project-specific mitigation measures will be implemented.

C. The nature of the program-level evaluation of impacts is such that not enough is known about the specific project-level conditions to determine if the proposed mitigation measures will in fact be feasible and effective. Social, economic, legal, and technological conditions related to the ultimate design of individual projects will be factors in the feasibility of proposed mitigation measures at the project level. In particular, because the location and duration of specific construction projects is still unknown, and yet localized construction-related air quality impacts are potentially disruptive and unpleasant for house-

holds, businesses, and even communities, this analysis cannot be sure of the ultimate effectiveness of the proposed mitigation measures.

Cumulative Impact

2.2-3 Implementation of Transportation 2035 Plan projects, combined with projected regional growth, would result in increased emissions of PM10 and PM2.5 over existing conditions. (Draft EIR, p. 2.2-21)

Mitigation Measures

2.2(b) MTC and BAAQMD, in partnership with ARB and other partners who would like to participate, shall work to leverage existing air quality and transportation funds and seek additional funds to continue to implement the BAAQMD's Lower-Emission School Bus Program (LESBP) to retrofit older diesel school buses with emission control devices and replace older school buses with lower-emission school buses, and to develop and implement other similar programs aimed at retrofits and replacements of heavy duty fleet vehicles.

2.2(c) MTC and BAAQMD, in partnership with the Port of Oakland, ARB, and other partners who would like to participate, shall work together to identify, prioritize and implement actions beyond those identified in the Statewide Goods Movement Emission Reduction Plan to reduce diesel PM and other air emissions.

2.2(d) MTC and BAAQMD, in partnership with the Port of Oakland, ARB, and other partners who would like to participate, shall work together to secure incentive funding that may be available through the Carl Moyer Memorial Air Quality Standards Attainment Program to reduce port-related emissions.

2.2(e) MTC and BAAQMD, in partnership with the Port of Oakland, ARB, and other partners who would like to participate, shall work together to secure Proposition 1B Goods Movement Emission Reduction Program funds to invest in Bay Area related programs. These funds directly support early and accelerated diesel PM reduction programs and can help ease the transition into compliance with adopted and proposed ARB regulations.

2.2(f) MTC and BAAQMD, in partnership with the Port of Oakland, ARB, and other partners who would like to participate, shall work together to develop and seek resources for the San Francisco Bay Area Green Ports Initiative, which is a program to reduce air pollution from trucks, ships and other equipment associated with Bay Area port operations.

Impact Conclusion

The overall cumulative impact will remain significant and unavoidable after MTC's incorporation of feasible mitigation. The project's contribution, however, is not cumulatively considerable.

Findings

Changes or alterations have been required in, or incorporated into, the project, that avoid or substantially lessen the project's contribution to the overall significant cumulative impact (Finding (1)). The identified mitigation measures are partially within the responsibility and jurisdiction of MTC and partially within the responsibility and jurisdiction of other public agencies: those agen-

cies can and should adopt the recommended measures (Finding (2)). Because the Plan's incremental contribution to the cumulatively significant impact is not cumulatively considerable, these changes were not required under CEQA, but were provided as supplemental good faith effort to reduce the overall significant cumulative impact.

Facts in Support of Findings

A. Cumulative population growth and development, regardless of the proposed Project, will occur in the region and will result in a substantial contribution to the identified cumulative impact. Implementation of the proposed Transportation 2035 Plan itself will not result in a considerable contribution to this cumulative impact because the comparison of the proposed Project with the No Project future alternative shows that under the proposed Project future emissions of particulate matter decrease. This suggests that the increase in particulate matter emissions from existing to future conditions is a result of expected growth in vehicle miles traveled as a result of overall regional population and employment growth, which would occur with or without the Plan.

B. Existing regulatory efforts at the State level have proven effective in reducing emissions per vehicle mile (Draft EIR, p. 2.2-21 cites stringent emissions controls for new diesel engines). The proposed mitigation measures will be effective because they are designed to enhance the effectiveness of existing regulations, and to facilitate the swifter adoption of better technologies for reducing emissions.

C. These proposed mitigation measures, along with conformity with existing federal, State, and local regulations, are expected to reduce the overall cumulative effect, as well as the Plan's contribution to the overall cumulative effect.

D. As the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, MTC functions as both the regional transportation planning agency—a state designation—and, for federal purposes, as the region's metropolitan planning organization (MPO). As such, it is responsible for regularly updating the Regional Transportation Plan and for screening requests from local agencies for state and federal grants for transportation projects to determine their compatibility with the plan. The proposed mitigation measures are within MTC's authority and regional planning role, and capitalize on the coordination already underway through the Joint Policy Committee (which is comprised of board members from MTC, ABAG, Bay Area Air Quality Management District, and Bay Conservation and Development Commission).

E. In accordance with the Mitigation Monitoring Program, MTC will ensure implementation of program-level mitigation measures that are within its responsibility and jurisdiction and will encourage project sponsors to implement the recommended mitigation measures that help to reduce the identified cumulative environmental impact.

LAND USE

Impact

2.3-1 Implementation of the proposed Transportation 2035 Plan could convert farmland, including prime agricultural land designated by the State of California, to transportation use. (Draft EIR, p. 2.3-27)

Mitigation Measures

2.3(a) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce impacts on farmlands that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

- Corridor realignment, where feasible, to avoid farmland, especially Prime Farmland;
- Conservation easements on land at least equal in quality and size as partial compensation for the direct loss of agricultural land;
- Abiding by the proper notification provisions of the Williamson Act when it appears that land enrolled in a Williamson Act contract may be required for a public use, is acquired, the original transportation improvement for the acquisition is changed, or the land acquired is not used for the improvement;
- If a Williamson Act contract is terminated, the Department of Conservation recommends a ratio greater than 1:1 of land equal in quality be set aside in a conservation easement;
- Instituting new protection of farmland in the project area or elsewhere in the County through the use of less than permanent long-term restrictions on use, such as 20-year Farmland Security Zone contracts (Government Code Section 51296 et seq.) or 10-year Williamson Act contracts (Government Code Section 51200 et seq.);
- Mitigation fees that support the commercial viability of the remaining agricultural land in the project area, County, or region through a mitigation bank that invests in agricultural infrastructure, water supplies, marketing, etc;
- Minimize severance of agricultural land by constructing underpasses and overpasses at reasonable intervals to provide property access;
- Agricultural enhancement investments such as supporting farmer education on organic and sustainable practices, assisting with organic soil amendments for improved production, and upgrading irrigation systems for water conservation;
- Berms, buffer zones, setbacks, and fencing to reduce use conflicts between transportation facilities and farming uses and to protect the functions of farmland; and
- Other conservation tools available from the California Department of Conservation's Division of Land Resource Protection.

Impact Conclusion

Because the program-level review for the Plan cannot determine the feasibility and efficacy of the mitigation measures for specific projects, the impact may remain significant and unavoidable after implementing feasible mitigation measures.

Findings

The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)). Specific economic, legal, social, technological, or other considerations make infeasible further mitigation measures that would reduce the impact to a less-than-significant level (Finding (3)).

Facts in Support of Findings

A. The potential conversion of farmland is a conservative estimate. The EIR land use analysis took a "worst case" approach (Draft EIR, page 2.3-25), meaning that it assumed that farmland would be converted to transportation uses within a substantial swath along proposed transportation projects. In doing so, the severity of the potential impacts may be overstated.

B. Due to the programmatic level of analysis in the EIR and lack of project-specific plans, it is not possible to define the exact extent of potential impact, so it is not possible to ascertain with certainty whether the identified mitigation measures for these impacts will reduce impacts to levels considered "not significant." However, it is likely that, with proper design and planning, many of the identified impacts can be avoided or minimized.

C. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into the project environmental review documents.

D. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about the project location. This future project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents for specific projects will help ensure that project-specific mitigation measures will be implemented.

E. The nature of the program-level evaluation of impacts is such that not enough is known about the specific project-level conditions to determine if the proposed mitigation measures will in fact be feasible and effective. Social, economic, legal, and technological conditions related to the ultimate design of individual projects will be factors in the feasibility of proposed mitigation measures at the project level. In particular, because the location of specific construction projects in relation to Prime and Important farmlands is still unknown, this analysis cannot be sure of the ultimate effectiveness of the proposed mitigation measures.

Impact

2.3-2 Implementation of the proposed Transportation 2035 Plan could disrupt or displace existing land uses, neighborhoods, and communities in the short term. (Draft EIR, p. 2.3-31)

Mitigation Measures

2.3(b) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce short-term (often construction-related) disruption or displacement of existing land uses, specifically residential, commercial, or urban open space impacts that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

- Berms and fencing to reduce conflicts between transportation facilities and existing uses.
- Regulate construction operations on existing facilities to minimize traffic disruptions and detours, and to maintain safe traffic operations.
- Ensure construction operations are limited to regular business hours where feasible.
- Control construction dust and noise.
- Control erosion and sediment transport in stormwater runoff from construction sites.

Additional recommended mitigation measures are listed under the short-term construction-related impact in *Chapter 2.2: Air Quality,* and are included here by reference. The extent of this impact will depend on the final design and the phasing of implementation. (Draft EIR, p. 2.3-34)

Impact Conclusion

Because the program-level review for the Plan cannot determine the feasibility and efficacy of the mitigation measures for specific projects, the impact may remain significant and unavoidable after implementing feasible mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that may reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)). Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers make infeasible further mitigation that would reduce the impact to a less than significant level (Finding (3)).

Facts in Support of Findings

A. The potential land use disturbances are conservative estimates. The EIR land use analysis took a "worst case" approach (Draft EIR, page 2.3-25), meaning that it assumed that land uses within a substantial swath along proposed transportation projects may be impacted. In doing so, the severity of the potential impacts may be overstated.

B. Due to the programmatic level of analysis in the EIR and lack of project-specific plans, it is not possible to define the exact extent of potential impact, so it is not possible to ascertain with certainty whether the identified recommended mitigation measures for these impacts will reduce impacts to levels considered "not significant." However, it is likely that, with proper design and planning, many of the identified impacts can be avoided or minimized.

C. The recommended mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into the project environmental review documents and will encourage project sponsors to implement the recommended mitigation measures that help to reduce the identified environmental impact.

D. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about the project location. This future project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented.

E. The nature of the program-level evaluation of impacts is such that not enough is known about the specific project-level conditions to determine if the proposed mitigation measures will in fact be feasible and effective. Social, economic, legal, and technological conditions related to the ultimate design of individual projects will be factors in the feasibility of proposed mitigation measures at the project level. In particular, because the location and duration of specific construction projects is still unknown, and yet localized project construction-related impacts are potentially disruptive for households, businesses, and even communities, this analysis cannot be sure of the ultimate effectiveness of the proposed mitigation measures.

Impact

2.3-3 Transportation improvements in the proposed Transportation 2035 Plan have the potential to cause long-term community disruption. (Draft EIR, p. 2.3-34)

Mitigation Measures

2.3(c) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce long-term disruption or displacement of existing communities that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

- Berms and fencing to reduce conflicts between transportation facilities and existing uses;
- Pedestrian and bike connectors across widened sections of roadway;
- Sidewalk, signal, and signage treatments to improve the pedestrian connectivity across widened sections of roadway;
- Corridor realignment, where feasible, to avoid land use disruption; and
- Buffer zones and setbacks to protect the continuity of land uses.

2.3(d) Through regional programs such as the Transportation for Livable Communities Program, Regional Bicycle Program, etc., MTC shall continue to support locally sponsored traffic calming and alternative transportation initiatives, such as paths, trails, overcrossings, bicycle plans, and the like that foster improved neighborhoods and community connections.

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)).

Facts in Support of Findings

A. As the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, MTC functions as both the regional transportation planning agency—a state designation—and, for federal purposes, as the region's metropolitan planning organization (MPO). As such, it is responsible for regularly updating the Regional Transportation Plan and for screening requests from local agencies for state and federal grants for transportation projects to determine their compatibility with the plan. Proposed mitigation measure 2.3(d) is within MTC's regional planning role and capitalizes on the coordination already underway through the Joint Policy Committee (which is comprised of board members from MTC, ABAG, Bay Area Air Quality Management District, and Bay Conservation and Development Commission). In accordance with the Mitigation Monitoring Program, MTC will ensure implementation of this program-level mi-

tigation measure that reduces the identified environmental impact. This mitigation measure will reduce the potential for long-term community disruption because it will increase the connectivity of and between neighborhoods and will ensure that this connective infrastructure is a part of the design process for larger, potentially disruptive, transportation projects.

B. Mitigation measure 2.3(c) addresses site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of this mitigation measure relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that the proposed mitigation measures are incorporated into the project environmental review documents.

C. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about the project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. With implementation of these measures, the impact will be reduced to a level that is less than significant.

Cumulative Impact

2.3-5 Concurrent implementation of the proposed Transportation 2035 Plan and forecast development would result in cumulatively considerable conversion of prime and important farmlands to urban use throughout the Bay Area. (Draft EIR, p. 2.3-37)

Mitigation Measures

MTC has no land use authority and cannot directly affect the pattern of future land uses. However, in addition to mitigation measures 2.3(a) through 2.3(d), it can strive to implement the following measure to reduce transportation impacts on Prime and Important farmland.

2.3(e) MTC, in partnership with regional agencies such as ABAG, through its ongoing representation on the Joint Policy Committee (whose efforts already include Draft Policies for the Bay Area's Implementation of Senate Bill 375, published January 23, 2009), and in cooperation with local governments and advocacy groups such as Greenbelt Alliance and TransForm (formerly TALC), shall pursue the enhanced coordination of local land use planning with transportation investments in the proposed Transportation 2035 Plan, consistent with the requirements and goals of SB 375. As a part of that effort, MTC shall continue to participate in, support, and promote the multi-agency FOCUS project, which is intended to coordinate regional growth efforts to use land more efficiently, optimize transportation and other infrastructure investments in existing communities that focus new development near existing transit, preserve open space, etc.

Impact Conclusion

The overall cumulative impact will remain significant and unavoidable after the incorporation of feasible mitigation. The project's contribution will also remain cumulatively considerable.

Findings

Changes or alterations have been required in, or incorporated into, the project that will reduce the significance of the impact (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)). Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers make further mitigation measures infeasible (Finding (3)).

Facts in Support of Findings

A. Cumulative population growth and development, regardless of the proposed Project, will occur in the region and will result in a substantial contribution to the identified cumulative impact.

B. The proposed mitigation measures, along with conformity with existing federal, State, and local regulations, could be expected to reduce the overall cumulative effect, as well as the Plan's contribution to the overall cumulative effect.

C. As the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, MTC functions as both the regional transportation planning agency—a state designation—and, for federal purposes, as the region's metropolitan planning organization (MPO). As such, it is responsible for regularly updating the Regional Transportation Plan and for screening requests from local agencies for state and federal grants for transportation projects to determine their compatibility with the plan. Proposed mitigation measure 2.3(e) is within MTC's regional planning role and capitalizes on the coordination already underway through the Joint Policy Committee (which is comprised of board members from MTC, ABAG, Bay Area Air Quality Management District, and Bay Conservation and Development Commission). In accordance with the Mitigation Monitoring Program, MTC will ensure implementation of this program-level mitigation measure that reduces the identified environmental impact.

D. Other mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into the project environmental review documents.

E. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about the project location. This future project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. In order for project-level environmental review to tier off the program EIR for the Plan, however, it

must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented.

F. The nature of the program-level evaluation of impacts is such that not enough is known about the specific project-level conditions to determine if the proposed mitigation measures will in fact be feasible and effective. Social, economic, legal, and technological conditions related to the ultimate design of individual projects and their relationship to surrounding communities will be factors in the feasibility and effectiveness of the proposed mitigation measures. An example of this uncertainty is the inconsistency in the quality, effectiveness, and enforcement of existing local greenbelts and urban growth boundaries (Draft EIR, p. 2.3-38). Enhanced regional coordination will reduce some of this uncertainty, but will not remove it entirely.

GREENHOUSE GASES AND CLIMATE CHANGE

Cumulative Impact

2.5-1 Implementation of Transportation 2035 Plan projects, combined with forecast regional growth, would contribute to GHG emissions. (Draft EIR, p. 2.5-18)

Mitigation Measures

2.5(a) MTC shall commit to working with ABAG, BCDC, and BAAQMD, through the JPC, to develop a set of "green construction" policies and best practices that encourage use of lowest emitting construction equipment and fuels (e.g., diesel-powered vehicles meeting the most current CARB-certified tier or better engines).

2.5(b) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce impacts related to greenhouse gas emissions that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

- Adopt and implement "green building" standards for any public buildings (transit stations, ferry buildings, maintenance facilities, etc) funded by MTC to achieve a LEEDTM Silver or better or equivalent certification.
- Use light colored pavement for solar reflectivity and reduced heat island effects wherever construction costs are no higher than 5 or 10 percent of the least cost alternative paving material.
- Install solar photovoltaic systems or use of renewable sources of energy for transportation buildings and maintenance facilities, wherever "feasible", as the term is defined in CEQA.
- Plant shade trees as part of specified types of construction projects or wherever construction results in loss of tree cover, because trees have carbon sequestration capacity.

- Establish or update minimum standards for construction management, including specifying minimum content for recycled products in aggregate, concrete, etc. and construction waste management.
- Establish standards or incentives for light pollution reduction related to street lighting and lighting of transportation and parking facilities to promote low-energy use for permanent as well as temporary fixtures.

See also *Chapter 2.1: Transportation* and *Chapter 2.2: Air Quality* which contain mitigation that would help to further reduce greenhouse gas emissions from transportation projects.

Impact Conclusion

The overall cumulative impact will remain significant and unavoidable after the incorporation of feasible mitigation. The project's contribution, however, is not cumulatively considerable.

Findings

Changes or alterations have been required in, or incorporated into, the project that will reduce the significance of the proposed Project's contribution to the cumulative impact (Finding (1)). Because the proposed Project's incremental contribution to the cumulatively significant impact is not cumulatively considerable, these changes were not required under CEQA, but were provided as a supplemental good faith effort to reduce the overall significant cumulative impact. Identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)).

Facts in Support of Findings

A. Cumulative population growth and development, regardless of the proposed Project, will occur in the region and will result in a substantial contribution to the identified cumulative impact. Implementation of the proposed Transportation 2035 Plan itself will not result in a considerable contribution to this cumulative impact.

B. Because the Plan's contribution to the cumulative impact is not considerable, the mitigation measures provided were not required according to the EIR analysis, but rather provided as a supplementary good faith effort to further reduce the overall cumulative impact. (Draft EIR, p. 2.5-18 describes the analysis result and p. 2.5-20 under Mitigation Measures explains why additional measures are recommended despite the analysis)

C. As the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, MTC functions as both the regional transportation planning agency—a state designation—and, for federal purposes, as the region's metropolitan planning organization (MPO). As such, it is responsible for regularly updating the Regional Transportation Plan and for screening requests from local agencies for state and federal grants for transportation projects to determine their compatibility with the plan. Proposed mitigation measure 2.5(a) is within MTC's authority and regional planning role, and capitalizes on the coordination already underway through the Joint Policy Committee (which is comprised of board members from MTC, ABAG, Bay Area Air Quality Management District, and Bay Conservation and Development Commission).

D. In accordance with the Mitigation Monitoring Program, MTC will ensure implementation of program-level mitigation measures are within its responsibility and jurisdiction

and will encourage project sponsors to implement the recommended mitigation measures that help to reduce the identified cumulative environmental impact.

E. Implementation of mitigation measure 2.5(b) relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

F. Mitigation measure 2.5(b) is appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of this proposed measure will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects. This future project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented.

G. Proposed mitigation measures, along with conformity with existing federal, State, and local regulations, are expected to reduce the overall cumulative effect, as well as the Plan's less-than-significant incremental contribution to the overall cumulative effect.

Cumulative Impact

2.5-2 Transportation 2035 Plan projects, combined with future forecast development in the region, have the potential to result in a cumulatively considerable increase in exposure to risk related to sea level rise. (Draft EIR, p. 2.5-21)

Mitigation Measures

2.5(c) MTC will work with BCDC, in partnership with the regional agencies and other partners who would like to participate, to conduct a vulnerability assessment for the region's transportation infrastructure and identify the appropriate adaptation strategies to protect those transportation resources that are likely to impacted and are a priority for the region to protect. This assessment should build off of but not duplicate current BCDC efforts and research underway. The results of this assessment and synthesis of related research should be used to inform the evolution of FOCUS Priority Development Areas and Priority Conservation Areas, in particular by identifying places where targeted development may conflict with sea level rise risk and targeted conservation may be more appropriate.

2.5(d) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce impacts related to sea level rise that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

- Engineering designs for new transportation projects shall demonstrate that they have factored in sea level rise and potential increases in storm surge inundation, and are budgeting for and already incorporate mitigation measures to adapt to projected sea level rise and storm surge. These mitigation measures should consider the effects on Bay and coastal zone resources and avoid or reduce future risk to the infrastructure and the region.
- For those transportation projects that do not involve new infrastructure but increase capacity of existing infrastructure, project sponsors shall demonstrate that they have investigated the vulnerability of their existing facilities to sea level rise and storm surge inundation and have budgeted for mitigation measures to adapt to projected sea level rise and storm surge. These mitigation measures should consider the effects on Bay and coastal zone resources and avoid or reduce future risk to the infrastructure and the region.

Impact Conclusion

The overall cumulative impact will remain significant and unavoidable after the incorporation of feasible mitigation. The project's contribution, however, is not cumulatively considerable after the incorporation of feasible mitigation.

Findings

Changes or alterations have been required in, or incorporated into, the project that will reduce the significance of the Plan's incremental contribution to the cumulative impact (Finding (1)). Because the Plan's incremental contribution to the cumulatively significant impact is not cumulatively considerable, these changes were not required under CEQA, but were provided as a supplemental good faith effort to reduce the overall significant cumulative impact. Identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)).

Facts in Support of Findings

A. Cumulative population growth and development, regardless of the proposed Project, will occur in the region and will result in a substantial contribution to the identified cumulative impact.

B. Proposed mitigation measures, along with conformity with existing federal, State, and local regulations, are expected to reduce the overall cumulative effect, as well as the Plan's contribution to the overall cumulative effect.

C. As the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, MTC functions as both the regional transportation planning agency—a state designation—and, for federal purposes, as the region's metropolitan planning organization (MPO). As such, it is responsible for regularly updating the Regional Transportation Plan and for screening requests from local agencies for state and federal grants for transportation projects to determine their compatibility with the plan. Proposed mitigation measure 2.5(c) is within MTC's authority and regional planning role, and capitalizes on the coordination already underway through the Joint Policy Committee (which is comprised of board members from MTC, ABAG, Bay Area Air Quality Management District, and Bay Conservation and Development Commission).

D. In accordance with the Mitigation Monitoring Program, MTC will ensure implementation of program-level mitigation measures that are within its responsibility and jurisdiction and will encourage project sponsors to implement the recommended mitigation measures that help to reduce the identified cumulative environmental impact.

E. Implementation of mitigation measure 2.5(d) relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

F. Mitigation measure 2.5(d) is appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of this proposed measure will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented.

G. Implementation of the proposed Transportation 2035 Plan, and mitigation measures, will not result in a considerable contribution to this cumulative impact.

NOISE

Impact

2.6-2 Transportation 2035 Plan projects could result in noise levels that approach or exceed the FHWA Noise Abatement Criteria or could cause noise levels to increase by 3 dBA or more when compared to existing conditions. (Draft EIR, p. 2.6-20)

Mitigation Measures

As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce noise impacts that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

2.6(a) Adjustments to proposed roadway or transit alignments to reduce noise levels in noise sensitive areas. For example, below-grade roadway alignments can effectively reduce noise levels in nearby areas.

2.6(b) Techniques such as landscaped berms, dense plantings, reduced-noise paving materials, and traffic calming measures in the design of their transportation improvements.

2.6(c) Contributing to the insulation of buildings or construction of noise barriers around sensitive receptor properties adjacent to the transportation improvement.

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)).

Facts in Support of Findings

A. Per US HUD Department of Housing and Urban Development, *The Noise Guidebook,* updated August 20, 2004, berms or other solid, continuous barriers that block the line of sight between the receptor and the source will attenuate noise levels by at least 3 dBA.

B. Below-grade alignments effectively create a berm between the receptor and the source.

C. Traffic calming will reduce vehicle speeds which will reduce noise levels commensurate with the equations of the traffic noise prediction model of the FHWA.

D. Reduced noise paving materials reduce noise levels by 4 dBA per Sacramento County Department of Environmental Review and Assessment, Report of the status of Rubberized Asphalt on traffic noise reduction in Sacrament County December 1999.

E. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

F. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. This future project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. With implementation of these measures, the impact will be reduced to a level that is less than significant.

Impact

2.6-3 Implementation of the proposed Transportation 2035 Plan could result in increased noise and groundborne vibration related to transit operations. (Draft EIR, p. 2.6-23)

Mitigation Measures

As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce noise impacts that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

Mitigation measures 2.6(a) through 2.6(c) above are considered appropriate for bus transit noise impacts. In addition to those mitigation measures, the following additional measures are provided to reduce Impact 2.6-3 as it pertains to rail transit:

2.6(d) Design approaches to reduce noise and vibration impacts of rail transit, such as vibration isolation of track segments, use of continuously welded track to minimize wheel noise, resilient wheels, vehicle skirts, wheel truing, rail grinding, undercar absorption, or vehicle horn loudness and pitch adjustments.

2.6(e) Operational changes to reduce noise impacts of rail transit, such as assisting local jurisdictions in pursuing Quiet Zones.

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)).

Facts in Support of Findings

A. Per US HUD Department of Housing and Urban Development, *The Noise Guidebook,* updated August 20, 2004, berms or other solid, continuous barriers that block the line of sight between the receptor and the source will attenuate noise levels by at least 3 dBA.

B. Below-grade alignments effectively create a berm between the receptor and the source.

C. Traffic calming will reduce vehicle speeds which will reduce noise levels commensurate with the equations of the traffic noise prediction model of the FHWA.

D. Reduced noise paving materials reduce noise levels by 4 dBA per Sacramento County Department of Environmental Review and Assessment, Report of the status of Rubberized Asphalt on traffic noise reduction in Sacrament County December 1999.

E. Design approaches described in mitigation measure 2.6(d) can reduce vibration by up to 15 vDB. The extent of vibration attenuation depends upon a number of factors (Federal Transit Administration, *Transit Noise and Vibration Impact Assessment,* May 2006).

F. Mitigation measure 2.6(e) is a common sense benefit targeted at reducing the annoyance of horn noise in residential areas.

G. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

H. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. With implementation of these measures, the impact will be reduced to a level that is less than significant.

Cumulative Impact

2.6-4 The proposed Transportation 2035 Plan, combined with traffic related to projected regional population and employment growth, could result in a cumulatively considerable increase in overall noise levels along some travel corridors. (Draft EIR, p. 2.6-24)

Mitigation Measures

As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce noise impacts that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

2.6(a) Adjustments to proposed roadway or transit alignments to reduce noise levels in noise sensitive areas. For example, below-grade roadway alignments can effectively reduce noise levels in nearby areas.

2.6(b) Techniques such as landscaped berms, dense plantings, reduced-noise paving materials, and traffic calming measures in the design of their transportation improvements.

2.6(c) Contributing to the insulation of buildings or construction of noise barriers around sensitive receptor properties adjacent to the transportation improvement.

2.6(d) Design approaches to reduce noise and vibration impacts of rail transit, such as vibration isolation of track segments, use of continuously welded track to minimize wheel noise, resilient wheels, vehicle skirts, wheel truing, rail grinding, undercar absorption, or vehicle horn loudness and pitch adjustments.

2.6(e) Operational changes to reduce noise impacts of rail transit, such as assisting local jurisdictions in pursuing Quiet Zones.

Impact Conclusion

The overall cumulative impact will remain significant and unavoidable after the incorporation of feasible mitigation. The project's contribution will also remain cumulatively considerable after the incorporation of feasible mitigation.

Findings

Changes or alterations have been required in, or incorporated into, the project that will reduce the significance of the impact (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)). Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers make further mitigation measures infeasible (Finding (3)).

Facts in Support of Findings

A. Cumulative population growth and development, regardless of the proposed Project, will occur in the region and will result in a substantial contribution to the identified cumulative impact.

B. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

C. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. This future project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented.

D. Proposed mitigation measures, along with conformity with existing federal, State, and local regulations, are expected to reduce the overall cumulative effect, as well as the Plan's contribution to the overall cumulative effect.

E. However, the nature of the program-level evaluation of impacts is such that not enough is known about the specific project-level conditions to determine if the proposed mitigation measures will in fact be feasible and effective. Social, economic, legal, and technological conditions related to the ultimate design of individual projects will be factors in the feasibility of proposed mitigation measures at the project level. In particular, noise impacts are highly localized and related to the unique interaction between physical environmental conditions at the project location, other undetermined noise sources in the vicinity, and the specific locations and characteristics of sensitive receptors. Thus, while the mitigations proposed are reasonably suited to maximally reduce noise attributable to the proposed Plan projects, it is still possible that these outside factors could create a situation in which noise mitigation is either infeasible or ineffective.

GEOLOGY AND SEISMICITY

Impact

2.7-1 Seismic activity resulting in surface rupture, ground shaking, liquefaction, landslides or tsunamis could damage existing and proposed transportation infrastructure and pose public safety risks. (Draft EIR, p. 2.7-16)

Mitigation Measures

2.7(a) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce significant seismic impacts, as determined by a State licensed geotechnical professional, that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

- Consider seismicity of the site, soil response at the site, and dynamic characteristics of the structure in the seismic design of the project, in compliance with the California Building Code and Caltrans' standards for construction, or other more stringent standards, as applicable.
- Facilitate geotechnical analyses as necessary within construction areas to ascertain soil types and local faulting prior to preparation of project designs.
- For projects located within Alquist-Priolo Earthquake Fault Zones, prepare recommendations for the mitigation and reduction of hazards in accordance with California Geological Survey Guidelines for Evaluation the Hazard of Earthquake Fault Rupture.
- Avoid or stabilize landslide areas and potentially unstable slopes wherever feasible.
- For projects located within liquefaction or earthquake-induced landslide Seismic Hazard Zones, prepare recommendations for the mitigation and reduction of hazards in accordance

with California Geological Survey Guidelines for Evaluating and Mitigating Seismic Hazards Special Publication 117.

- For projects adjacent to the Bay and/or Pacific Ocean, evaluate tsunami inundation risks and implement, where necessary and feasible, precautionary measures, such as specifying final roadbed elevations greater than the expected height of a tsunami with a given return frequency.

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)).

Facts in Support of Findings

A. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

B. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. With implementation of these measures, the impact will be reduced to a level that is less than significant.

C. The mitigation measures are particularly reliable because they are already enforced by existing agencies and regulatory standards (e.g. California Building Code and Caltrans' standards for construction) which are integral parts of the project development, review, and permitting processes. The mitigation measures help to ensure that these existing standards and regulations are met.

Impact

2.7-2 Highway and rail construction could require significant earthwork and road cuts, which could increase short-term and long-term soil erosion potential. (Draft EIR, p. 2.7-26)

Mitigation Measures

2.7(b) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures that shall be considered by project sponsors and decision-makers may include, but are not limited to, Best Management Practices to reduce soil erosion by water and wind. These could include temporary cover of exposed, engineered slopes, or silt fencing. Where required, based on affected area (greater than one acre), agencies shall adhere to the requirements of the NPDES General Construction Permit and associated SWPPP.

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)).

Facts in Support of Findings

A. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

B. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. With implementation of these measures, the impact will be reduced to a level that is less than significant.

C. The mitigation measures are particularly reliable because they are already enforced by existing agencies and regulatory standards (e.g. requirements of the NPDES General Construction Permit and associated SWPPP) which are integral parts of the project development, review, and permitting processes. The mitigation measures help to ensure that these existing standards and regulations are met.

Impact

2.7-3 Highway and rail construction could require significant earthwork and road cuts, which could destabilize existing slopes causing landslides or slope failure. (Draft EIR, p. 2.7-27)

Mitigation Measures

2.7(c) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures that shall be considered by project sponsors and decision-makers may include, but are not limited to, ensuring that project designs provide adequate slope drainage and appropriate landscaping to minimize the occurrence of slope instability and erosion. Road cuts shall be designed to maximize the potential for revegetation. Project sponsors shall ensure that local grading ordinances and building code requirements are strictly adhered to where appropriate.

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies should adopt the measures (Finding (2)).

Facts in Support of Findings

A. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

B. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. With implementation of these measures, the impact will be reduced to a level that is less than significant.

C. The mitigation measures are particularly reliable because they are already enforced by existing agencies and regulatory standards (e.g. local grading ordinances and building code requirements) which are integral parts of the project development, review, and permitting processes. The mitigation measures help to ensure that these existing standards and regulations are met.

Impact

2.7-4 Projects built on highly compressible or expansive soils could become damaged and weakened over time. (Draft EIR, p. 2.7-28)

Mitigation Measures

2.7(d) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures that shall be considered by project sponsors and decision-makers may include, but are not limited to, ensuring that geotechnical investigations be conducted by qualified professionals (registered civil and geotechnical engineers, registered engineering geologists) to identify the potential for differential settlement and expansive soils and to recommend corrective measures, such as structural reinforcement and replacing soil with engineered fill. Recommended measures shall be incorporated into project designs.

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies should adopt the measures (Finding (2)).

Facts in Support of Findings

A. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

B. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate

to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. With implementation of these measures, the impact will be reduced to a level that is less than significant.

Cumulative Impact

2.7-5 The proposed Transportation 2035 Plan, combined with regional population growth, would result in an increased risk of exposure of people and property to geologic hazards. (Draft EIR, p. 2.7-28)

Mitigation Measures

2.7(a) through **2.7(d)** above.

Impact Conclusion

The overall cumulative impact will remain significant and unavoidable after the incorporation of feasible mitigation. The project's contribution, however, is not cumulatively considerable after the incorporation of feasible mitigation.

Findings

Changes or alterations have been required in, or incorporated into, the project that will reduce the significance of the proposed Project's incremental contribution to the cumulative impact (Finding (1)). Because the proposed Project's incremental contribution to the cumulatively significant impact is not cumulatively considerable, these changes were not required under CEQA, but were provided as a supplemental good faith effort to reduce the overall significant cumulative impact. Identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)).

Facts in Support of Findings

A. Cumulative population growth and development, regardless of the proposed Project, will occur in the region and will result in a substantial contribution to the identified cumulative impact.

B. Proposed mitigation measures, along with conformity with existing federal, State, and local regulations, are expected to reduce the overall cumulative effect, as well as the Plan's contribution to the overall cumulative effect.

C. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

D. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented.

E. The mitigation measures are particularly reliable because they are already enforced by existing agencies and regulatory standards which are integral parts of the project development, review, and permitting processes. The mitigation measures help to ensure that these existing standards and regulations are met.

F. Implementation of the proposed Transportation 2035 Plan, with mitigation measures, will not result in a considerable contribution to this cumulative impact.

WATER RESOURCES

Impact

2.8-1 Construction of Transportation 2035 Plan projects could adversely affect water quality and drainage patterns in the short-term due to erosion and sedimentation. (Draft EIR, p. 2.8-13)

Mitigation Measures

2.8(a) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce impacts on water resources that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

Project sponsors shall prepare and implement, as necessary, a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the SWRCB's General Construction Permit. The SWPPP shall be consistent with the Manual of Standards for Erosion and Sedimentation Control by the Association of Bay Area Governments, the California Stormwater Quality Association (CASQA), Stormwater Best Management Practice Handbook for Construction, policies and recommendations of the local urban runoff program (city and/or county), and the recommendations of the RWQCB. Implementation of the SWPPP shall be enforced by inspecting agencies during the construction period via appropriate options such as citations, fines, and stop-work orders. Typical components of a SWPPP would include the following:

- Excavation and grading activities shall be scheduled for the dry season only (April 15 to October 15), to the extent feasible. This will reduce the chance of severe erosion from intense rainfall and surface runoff, as well as the potential for soil saturation in swale areas.

- If excavation occurs during the rainy season, storm runoff from the construction area shall be regulated through a stormwater management/erosion control plan that may include temporary on-site silt traps and/or basins with multiple discharge points to natural drainages and energy dissipaters. Stockpiles of loose material shall be covered and runoff diverted away from exposed soil material. If work is stopped due to rain, a positive grading away from slopes shall be provided to carry the surface runoff to areas where flow can be controlled, such as the temporary silt basins. Sediment basin/traps shall be located and operated to minimize the amount of offsite sediment transport. Any trapped sediment shall be removed from the basin or trap and placed at a suitable location on-site, away from concentrated flows, or removed to an approved disposal site.
- Temporary erosion control measures shall be provided until perennial revegetation or landscaping is established and can minimize discharge of sediment into nearby waterways. For construction within 500 feet of a water body, fiber rolls and/or gravel bags shall be placed upstream adjacent to the water body.
- After completion of grading, erosion protection shall be provided on all cut-and-fill slopes. Revegetation shall be facilitated by mulching, hydroseeding, or other methods and shall be initiated as soon as possible after completion of grading and prior to the onset of the rainy season (by October 15).
- Permanent revegetation/landscaping shall emphasize drought-tolerant perennial ground coverings, shrubs, and trees to improve the probability of slope and soil stabilization without adverse impacts to slope stability due to irrigation infiltration and long-term root development.
- BMPs selected and implemented for the project shall be in place and operational prior to the onset of major earthwork on the site. The construction phase facilities shall be maintained regularly and cleared of accumulated sediment as necessary.
- Hazardous materials such as fuels and solvents used on the construction sites shall be stored in covered containers and protected from rainfall, runoff, and vandalism. A stockpile of spill cleanup materials shall be readily available at all construction sites. Employees shall be trained in spill prevention and cleanup, and individuals should be designated as responsible for prevention and cleanup activities.

SWPPP(s) for projects immediately adjacent to or within drainages also will have to incorporate the following additional erosion control minimum criteria:

- Construction equipment shall not be operated in flowing water, except as may be necessary to construct crossings or barriers.
- Stream diversion structures shall be designed to preclude accumulation of sediment. If this is not feasible, an operation plan shall be developed to prevent adverse downstream effects from sediment discharges.
- Where working areas are adjacent to or encroach on live streams, barriers shall be constructed that are adequate to prevent the discharge of turbid water in excess of specified limits. The discharged water shall not exceed 110 percent of the ambient stream turbidity of the receiving water, if the receiving water is a flowing stream with turbidity greater than 50 nephelometric turbidity unit (NTU), or 5 NTU above ambient turbidity for ambient turbidities

that are less than or equal to 40 NTU. If the water is discharged to a dry streambed, the discharged water shall not exceed 50 NTU.

- Material from construction work shall not be deposited where it could be eroded and carried to the stream by surface runoff or high stream flows.
- Riparian vegetation shall be removed only when absolutely necessary.

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies should adopt the measures (Finding (2)).

Facts in Support of Findings

A. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

B. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. With implementation of these measures, the impact will be reduced to a level that is less than significant.

C. The mitigation measures are particularly reliable because they are already enforced by existing agencies and regulatory standards (e.g. the Storm Water Pollution Prevention Plan (SWPPP) in accordance with the SWRCB's General Construction Permit, which must be consistent with the Manual of Standards for Erosion and Sedimentation Control by the Association of Bay Area Governments, the California Stormwater Quality Association (CASQA), Stormwater Best Management Practice Handbook for Construction, policies and recommendations of the local urban runoff program (city and/or county), and the recommendations of the RWQCB) which are integral parts of the project development, review, and permitting processes. The mitigation measures help to ensure that these existing standards and regulations are met.

Impact

2.8-2 Transportation 2035 Plan projects could adversely affect water resources in the long term by reducing permeable surfaces, which could result in additional runoff and erosion, degrade water quality in receiving waters, decrease groundwater recharge, or alter drainage patterns. (Draft EIR, p. 2.8-16)

Mitigation Measures

2.8(b) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce impacts on water resources that shall be considered by project sponsors and decision-makers may include, but are not limited to, requiring projects to comply with design guidelines established in the Bay Area Stormwater Management Agencies Association's (BASMAA) Using Start at the Source to Comply with Design Development Standards and the California Storm Water Best Management Practice Handbook for New Development and Redevelopment to minimize both increases in the volume and rate of stormwater runoff, and the amount of pollutants entering the storm drain system. Typical mitigation measures shall include the following:

Surface Water

- Drainage of roadway and parking lot runoff shall, wherever possible, be designed to run through grass median strips, contoured to provide adequate storage capacity and to provide overland flow, detention, and infiltration before it reaches culverts. Detention basins and ponds, aside from controlling runoff rates, can also remove particulate pollutants through settling. Facilities such as oil and sediment separators or absorbent filter systems shall therefore be designed and installed within the storm drainage system to provide filtration of stormwater prior to discharge and reduce water quality impacts whenever feasible. For example, runoff shall be filtered through mechanical or natural filtration systems such as premanufactured oil water separators or through natural processes such as bioswales and settlement ponds to remove oil and grease prior to discharge.
- Long-term sediment control shall include an erosion control and revegetation program designed to allow reestablishment of native vegetation on slopes in undeveloped areas.
- In areas where habitat for fish and other wildlife would be threatened by transportation facility discharge, alternate discharge options shall be sought to protect sensitive fish and wildlife populations. Maintenance activities over the life of the project shall include heavy-duty sweepers, with disposal of collected debris in sanitary landfills to effectively reduce annual pollutant loads where appropriate. Catch basins and storm drains shall be cleaned and maintained on a regular basis.
- Landscaped areas shall use Integrated Pest Management techniques (methods that minimize the use of potentially hazardous chemicals for landscape pest control and vineyard operations). The handling, storage, and application of potentially hazardous chemicals shall take place in accordance with all applicable laws and regulations.

Groundwater

- Detention basins, infiltration strips, and other features to facilitate groundwater recharge shall be incorporated into the design of new freeway and roadway facilities whenever feasible.

Flooding

- Projects shall be designed so that they do not increase downstream flooding risks by increasing peak runoff volumes. Including detention ponds in designs for roadway medians, parking areas, or other facilities, or increasing the size of local flood control facilities serving the project areas could achieve this measure. Existing pervious surface shall be preserved to the maximum extent feasible to minimize increases in stormwater runoff volumes and rates.
- Projects shall be designed to allow lateral transmission of stormwater flows across transportation corridors with no increased risk of upstream flooding. Culverts and bridges shall be designed to adequately carry drainage waters through project sites. The bottom of overpass structures should be elevated at least 1 foot above the 100-year flood elevation at all stream and drainage channel crossings.
- All roadbeds for new highway and rail transit facilities shall be elevated at least 1 foot above the 100-year base flood elevation.

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies should adopt the measures (Finding (2)).

Facts in Support of Findings

A. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

B. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help

ensure that project-specific mitigation measures will be implemented. With implementation of these measures, the impact will be reduced to a level that is less than significant.

C. The mitigation measures are particularly reliable because they are already encouraged by existing agencies and standards (e.g. design guidelines established in the Bay Area Stormwater Management Agencies Association's (BASMAA) *Using Start at the Source to Comply with Design Development Standards and the California Storm Water Best Management Practice Handbook for New Development and Redevelopment)* which are integral parts of the project development, review, and permitting processes. The mitigation measures help to ensure that these existing standards and regulations are met.

Cumulative Impact

2.8-3 Transportation 2035 Plan projects, combined with projected regional development, could contribute to degradation of regional water quality, reduction of groundwater recharge, or result in increased flooding hazards. (Draft EIR, p. 2.8-18)

Mitigation Measures

Despite feasible mitigation, the overall cumulative impact related to water quality and flood risk in the Bay Area is assumed to remain significant and unavoidable. However, the proposed Project's contribution to the overall significant cumulative impact is not cumulatively considerable with the implementation of the mitigation measures 2.8(a) and 2.8(b) provided above. (Draft EIR, p. 2.8-18)

Impact Conclusion

The overall cumulative impact will remain significant and unavoidable after the incorporation of feasible mitigation. The project's contribution, however, is not cumulatively considerable after the incorporation of feasible mitigation.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the contribution of the proposed Project to not cumulatively considerable (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies should adopt the measures (Finding (2)).

Facts in Support of Findings

A. Cumulative population growth and development, regardless of the proposed Project, will occur in the region and will result in a substantial contribution to the identified cumulative impact.

B. Proposed mitigation measures, along with conformity with existing federal, State, and local regulations, are expected to reduce the overall cumulative effect, as well as the Plan's contribution to the overall cumulative effect.

C. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for

complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

D. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented.

E. The mitigation measures are particularly reliable because many are already enforced by existing agencies and regulatory standards which are integral parts of the project development, review, and permitting processes. The mitigation measures help to ensure that these existing standards and regulations are met.

F. Implementation of the proposed Transportation 2035 Plan, with mitigation measures, will not result in a considerable contribution to this cumulative impact.

BIOLOGICAL RESOURCES

Impact

2.9-1 Transportation 2035 Plan projects could adversely affect wetlands and aquatic resources. (Draft EIR, p. 2.9-24)

Mitigation Measures

2.9(a) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce impacts on wetlands and aquatic resources that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

- In keeping with the "no net loss" policy, project designs shall be configured, whenever possible, to avoid sensitive wetlands and avoid disturbances to wetland and riparian corridors in order to preserve both the habitat and the overall ecological functions of these areas. Projects shall minimize ground disturbances and construction footprints near such areas to the extent practicable.
- Where avoidance of wetlands is not feasible, project sponsors will minimize fill and the use of in-water construction methods, and only do so with express permit approval from the appropriate resources agencies and in accordance with applicable existing regulations such as Coastal Zone regulations of wetland fill. Project sponsors shall arrange for off-site replacement of removed wetlands in accordance with the applicable existing regulation and subject to approval by the Corps, and possibly by the USFWS, RWQCB, and CDFG.

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)).

Facts in Support of Findings

A. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

B. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location in relation to wetlands. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. With implementation of these measures, the impact will be reduced to a level that is less than significant.

C. The mitigation measures are particularly reliable because they are already enforced by existing agencies and regulatory standards (e.g. "no net loss", enforced by the Corps, USFWS, RWQCB, and CDFG) which are integral parts of the project development, review, and permitting processes. Furthermore, federal and state laws (Clean Water Act, Porter-Cologne Act) do not allow fill of wetlands or other waters without a permit. The mitigation measures help to ensure that these existing standards and regulations are met.

Impact

2.9-2 Transportation 2035 Plan projects could cause substantial disturbance of biologically unique or sensitive communities. (Draft EIR, p. 2.9-25)

Mitigation Measures

2.9(b) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status

reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce impacts on biologically unique or sensitive communities that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

- In accordance with CDFG guidelines, project sponsors shall make an effort to minimize impacts on sensitive plant communities, especially riparian habitats, when designing and permitting projects. Where applicable, projects shall conform to the provisions of special area management or restoration plans such as the Suisun Marsh Protection Plan, which outlines specific measures to protect sensitive vegetation communities.

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)).

Facts in Support of Findings

A. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

B. The mitigation measure is appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of this proposed measure will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. With implementation of this measure, the impact will be reduced to a level that is less than significant.

C. The mitigation measure is particularly reliable because it is already enforced by existing agencies and regulatory standards (e.g. special area management or restoration plans such as the Suisun Marsh Protection Plan) which are integral parts of the project development, review, and permitting processes. The mitigation measures help to ensure that these existing standards and regulations are met.

Impact

2.9-3 Transportation 2035 Plan projects could have deleterious impacts on special-status plant and/or wildlife species identified as endangered, candidate, and/or special status. (Draft EIR, p. 2.9-27)

Mitigation Measures

2.9(c) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce impacts on special-status plant or animal species that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

- In support of CEQA, NEPA, CDFG and USFWS permitting processes for individual Transportation 2035 Plan transportation projects, biological and wetland surveys shall be conducted as part of the environmental review process to determine the presence and extent of sensitive habitats and/or species in the project vicinity. Surveys shall follow established methods and shall be undertaken at times when the subject species is most likely to be identified. In cases where impacts to State- or federal-listed plant or wildlife species are imminent, formal protocol-level surveys may be required on a species-by-species basis to determine the local distribution of these species. Consultation with the USFWS and/or CDFG shall be conducted early in the planning process at an informal level for transportation projects that could adversely affect federal or State candidate, threatened, or endangered species to determine the need for further consultation or permitting actions.
- When drafting mitigations, adaptive management strategies shall be used, when feasible, to capitalize on the progressive understanding of ecological systems and management practices, apply lessons learned from current and future projects and research studies, accommodate for uncertainties or unknowns, and improve progress toward desired ecological outcomes.
- Project designs shall be reconfigured, whenever possible, to avoid sensitive wetland or biological resources and avoid disturbances to wetland and riparian corridors. Projects shall minimize ground disturbances and construction footprints near sensitive areas to the extent practicable.
- To the extent practicable, project activities in the vicinity of sensitive resources shall be completed during the period that best avoids disturbance to plant and wildlife species present (e.g., May 15 to October 15 near salmonid habitat and vernal pools).
- Individual projects shall minimize the use of in-water construction methods in areas that support sensitive aquatic species, especially when listed species could be present.
- In the event that equipment needs to operate in any watercourse with flowing or standing water, a qualified biological resource monitor shall be present at all times to alert construction crews to the possible presence of California red-legged frog, nesting birds, salmonids, or other aquatic species at risk during construction operations.

- If project activities involve pile driving or vibratory hammering in or near water, interim hydroacoustic threshold criteria for fish should be adopted as set forth by the Interagency Fisheries Hydroacoustic Working Group, as well as other avoidance methods to reduce the adverse affects of construction to sensitive fish, peciverous birds, and marine mammal species.
- Construction periods shall not occur during the breeding season near riparian habitat, freshwater marshlands, and salt marsh habitats that support nesting bird species protected under the Endangered Species Act and Migratory Bird Treaty Act (e.g., yellow warbler, tricolored blackbird, California clapper rail, etc.).
- A qualified biologist shall locate and fence off sensitive resources before construction activities begin and, where required, shall inspect areas to ensure that barrier fencing, stakes, and setback buffers are maintained during construction.
- For work sites located adjacent to special-status plant or wildlife populations, a biological resource education program shall be provided for construction crews and contractors (primarily crew and construction foremen) before construction activities begin.
- Biological monitoring shall be particularly targeted for areas near identified habitat for federal- and state-listed species, and a "no take" approach shall be taken whenever feasible during construction near special-status plant and wildlife species.
- Efforts shall be made to minimize the negative effects of light and noise on listed and sensitive wildlife.

Impact Conclusion

Because the program-level review for the Plan cannot determine the feasibility and efficacy of the mitigation measures for specific projects, the impact may remain significant and unavoidable after implementing feasible mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that may reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)). Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers make infeasible further mitigation (Finding (3)).

Facts in Support of Findings

A. The EIR analysis took a conservative approach by assuming that, unless known to be absent, special status species exist in all areas that provide at least moderate quality habitat (Draft EIR, page 2.9-27). Potential impacts were determined by evaluating whether proposed transportation improvements would occur within the potential range of a special status species of concern, whether projects would directly encroach upon an area of ecological significance, or whether the projects could involve the filling of wetlands. As stated on EIR page 2.9-22, "in many cases, the project alignments, locations, or other design details are not known because the projects are in the early stages of planning or development. As a result, this impact analysis relies largely on the potential for biological impacts based on proximity to sensitive resources, an analysis method that inherently tends to in-

flate the potential for adverse effects. Thus, while such impacts may be identified in this EIR, upon project implementation it is anticipated that actual impacts will be incrementally smaller. Laws and regulations protecting special-status species, areas of ecological significance, and wetland resources are effective incentives for project proponents to design alternatives that either avoid or substantially reduce impacts on these resources."

B. Due to the programmatic level of analysis in the EIR and lack of project-specific plans, it is not possible to define the exact extent of potential impact, so it is not possible to ascertain with certainty whether the identified mitigation measures for these impacts will reduce impacts to levels considered "not significant." However, it is likely that, with proper design and planning, many of the identified impacts can be avoided or minimized.

C. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

D. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. This future project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented.

E. The nature of the program-level evaluation of impacts is such that not enough is known about the specific project-level conditions to determine if the proposed mitigation measures will in fact be feasible and effective. Social, economic, legal, and technological conditions related to the ultimate design of individual projects will be factors in the feasibility of proposed mitigation measures at the project level. In particular, because the location of specific construction projects is still unknown, and the specific local seasonal locations of special status species is also unknown, and yet localized construction-related impacts are potentially destructive to special status species, this analysis cannot be sure of the ultimate effectiveness of the proposed mitigation measures.

Impact

2.9-4 Transportation 2035 Plan projects could have deleterious impacts on proposed or designated critical habitats. (Draft EIR, p. 2.9-29)

Mitigation Measures

Mitigation measures 2.9(a) through 2.9(c), above, are expected to reduce impacts on steelhead critical habitat to less-than-significant. Specific projects that may be located within other critical

habitat areas will be subject to established protocols for surveys and protective measures. As described in these mitigation measures, project designs shall be reconfigured to avoid or minimize adverse affects to the primary constituent elements of designated critical habitats to the extent practicable, and consultation with the USFWS shall be conducted early in the process at an informal level to determine the need for further mitigation, consultation, or permitting action. No further program-level mitigation measures are required.

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)).

Facts in Support of Findings

A. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

B. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. With implementation of these measures, the impact will be reduced to a level that is less than significant.

C. The mitigation measures are particularly reliable because many are already enforced by existing agencies and regulatory standards which are integral parts of the project development, review, and permitting processes. The mitigation measures help to ensure that these existing standards and regulations are met.

Impact

2.9-5 Construction activities could adversely affect nonlisted nesting raptor species considered special-status by CDFG under CDFG Code 3503.5. (Draft EIR, p. 2.9-30)

Mitigation Measures

2.9(d) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce impacts on nonlisted nesting raptor species that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

- To avoid and minimize impacts to nesting raptors, preconstruction surveys shall be performed prior to initiating construction activities during the breeding season (February 1 through August 31). If it is determined that young have fledged and are self-sufficient, no further mitigation would be required.
- To avoid and minimize potential impacts to nesting raptors, a no-disturbance buffer zone shall be established around active nests during the breeding season.
- The size of individual buffers could be adjusted based on an evaluation of the site by a qualified raptor biologist in cooperation with the USFWS and CDFG.

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)).

Facts in Support of Findings

A. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

B. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. The use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. With implementation of these measures, the impact will be reduced to a level that is less than significant.

Impact

2.9-6 Construction activities could adversely affect non-listed nesting birds species, considered special-status by the USFWS under the federal Migratory Bird Treaty Act, and by CDFG under the CDFG Code 3503 and 3513. (Draft EIR, p. 2.9-31)

Mitigation Measures

2.9(e) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. At the time of project certification, project sponsors shall agree to comply with mitigation measures to avoid impacts to nesting bird species protected under the federal Migratory Bird Treaty Act, as follows:

- Concurrent with surveys described in Mitigation Measure 2.9(d), surveys shall be performed for migratory birds listed in the federal List of Migratory Birds (50 Code of Federal Regulations, Chapter 1, Part 10 Section 10.13). More than 500 native and migratory bird species are protected by this statute. If protected breeding birds are detected during surveys, a buffer zone, depending upon the species identified, shall be established around active nesting sites in coordination with CDFG and the USFWS.

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)).

Facts in Support of Findings

A. By establishing appropriate buffers during the breeding season, based on expert agency input, species will be protected from development impacts that could affect breeding.

B. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

C. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identi-

fied during the environmental evaluation of individual projects, particularly as they relate to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. With implementation of these measures, the impact will be reduced to a level that is less than significant.

Impact

2.9-7 Implementation of the Transportation 2035 Plan could conflict with adopted resource protection or conservation plans. (Draft EIR p. 2.9-31)

Mitigation Measures

As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce conflicts with adopted resource protection or conservation plans shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

2.9(f) Project sponsors whose projects are located within the coastal zone shall carefully review the applicable local coastal program for potential conflicts, and involve the California Coastal Commission as early as possible in the project-level EIR process.

2.9(g) Relevant Conservation Measures, including species surveys and road design requirements, shall also apply, wherever feasible, to *non-covered* MTC transportation projects that fall within the ECCC HCP boundaries, as well as Plan projects outside the ECCC HCP boundaries, because. issues related to wildlife road mortality, habitat fragmentation, wildlife corridor connectivity, and pre-and post-project wildlife monitoring are applicable to all transportation projects, not just those located within the HCP coverage area. For rural infrastructure projects, this includes but is not limited to the following Conservation Measure:

Conservation Measure 1.14: Design Requirements for Covered Roads outside the UDA

Siting Requirements

- Planned roads will be located in the least environmentally sensitive location feasible and will avoid, to the greatest extent feasible, impacts on covered species and sensitive natural communities such as wetlands. Alignments will follow existing roads, easements, rights-of-way, and disturbed areas as appropriate to minimize additional habitat fragmentation. The footprint of disturbance will be minimized to the maximum extent practicable.
- Equipment storage, fueling, and staging areas will be sited on disturbed areas or on ruderal or non-sensitive nonnative grassland land cover types, when these sites are available, to minimize risk of direct discharge into riparian areas or other sensitive land cover types.

- Project surveys, including land cover mapping, will be conducted during the conceptual planning stage of each project (i.e., well in advance of project design) so that the results can inform the siting and design process. Project surveys should be conducted in as wide a study corridor as possible to enable project siting to minimize environmental impacts.
- All planning survey requirements of this Plan will be followed within the construction corridor (i.e., the limit of project construction plus equipment staging areas and access roads) and the entire road right-of-way. Expanding the survey area beyond the project footprint will help identify covered species and their habitats so that impacts on covered species that occur adjacent to the construction zone can be minimized.
- For certain road projects, identified in Table 6-6 of the HCP, data collection will be required on wildlife movement through the road study corridor for at least one year prior to project design. Wildlife movement will be studied at the site to determine which species move across it, when they move, and, most importantly, which landscape features are most often used. These data will be used to select the most appropriate design requirements for the species and conditions unique to the site (see below).
- Transportation project proponents will consult early with the HCP/NCCP Implementing Entity, CDFG, and USFWS on individual projects to ensure that conceptual designs (siting) and project designs (construction and staging areas) meet the terms of the HCP.

Design Requirements for Wildlife Movement and Impact Minimization

- Design requirements will be updated or changed by designs shown by the best available science to be more effective at facilitating safe wildlife movement across roads. The effectiveness of road crossings for wildlife is an active area of research, so frequent advances in design are expected throughout the permit term. Further, improvements will be design to be durable, simple, and require the least amount of routine maintenance possible to ensure long-term functionality.
- Wildlife crossing needs will be assessed for each road project as a whole (for those projects subject to this provision, not by road segment, and for each wildlife species likely to need to cross the facility. Data will be collected on wildlife movements at the proposed project site for at least 1 year. These data will inform the design of wildlife movement structures suitable for the site and the species that use the area.
- Road undercrossings will be constructed at frequent intervals to allow wildlife movement. A combination of large structures (bridges, large culverts, or large tunnels) spaced at greater intervals and small structures (small culverts or tunnels) spaced at frequent intervals will be used to accommodate a wide variety of wildlife species. However, placement of undercrossings in areas where wildlife are most likely to use them is more important than maintaining a certain frequency or spacing. Wildlife crossings that serve multiple species should be used whenever possible. Crossing facilities should be installed at known travel routes, natural pinch points, or other topographically appropriate locations to maximize the chance of use. Suitable areas may include stream crossings or natural drainages. Undercrossings should be placed at grade whenever possible to maximize their use by wildlife.
- Bridges, viaducts, or causeways will be used for certain projects to provide the most natural passageways for wildlife (i.e., to allow natural vegetation and physical features to occur in the undercrossing). If possible, bridges will span the bed and bank of streams and avoid or minimize bridge piers or footings within the stream, within bridge safety limits. If possible, the

span of bridges that cross streams should also include some upland habitat beneath their spans to provide dry areas for wildlife species that do not use creeks or for use during storms. Native plantings, natural debris, or rocks should be installed under bridges to provide wildlife cover and encourage the use of crossings.

- Large wildlife crossings (for medium to large mammals) will be placed approximately once every mile along new or substantially expanded roads that cross wildlife movement routes. Small wildlife crossings will be placed approximately every 1,000 feet along new or substantially expanded roads. This is the same interval of undercrossings suitable for California tiger salamander installed along Vasco Road in the inventory area (65 undercrossings in 13 miles). Within these parameters, undercrossings should be placed where wildlife are most likely to use them, rather than evenly spaced. The required interval can be used as an average if it can be demonstrated that strict adherence to the requirement will not benefit wildlife movement.
- Tunnels or culverts must be the minimum length, height, and width necessary to provide safe passage under the road. Culvert designs will be based on the best available data at the time. Current thinking recommends that culverts designed for medium-size mammals such as San Joaquin kit fox, coyote, raccoon, be 5–8 feet in diameter (although culverts larger than 8 feet in diameter may be needed for longer crossings). Culverts designed for small mammals are recommended at 18–48 inches in diameter; smaller structures may be preferred by smaller wildlife species. Culverts should, when feasible, provide a natural substrate on which wildlife can travel (e.g., open bottom). It is also recommended that wildlife undercrossings using tunnels or culverts use grating on the inactive part of the roadbed (e.g., road shoulders) to allow filtration of ambient light and moisture but minimize noise intrusion. Artificial lighting inside tunnels or culverts is not recommended; these devices have not been shown to be effective and may deter nocturnal wildlife.
- Fencing will be used along the roadway to direct wildlife to undercrossings and minimize their access to the road (see Table 6-6 for applicability). Fencing designs will be customized for the wildlife expected to use the undercrossing and will be based on the best available data at the time. Fencing must be continuous along the road and must be attached to the undercrossing to facilitate its use. Fencing must also extend well beyond the target undercrossing to reduce the chance of wildlife moving around the fence. For example, four fencing designs have been installed along Vasco Road and monitored for their effectiveness in reducing mortality of California tiger salamanders. Fencing must be monitored regularly by the applicant and repairs made promptly to ensure effectiveness. Wildlife undercrossings must be at the same or similar elevation as the fencing (e.g., along elevated roadways) to increase chances of their use. Vegetation must be managed along small mammal and amphibian fencing to reduce the opportunity for these species to climb the fence. Fencing designed for small mammal or amphibian exclusion must be installed at least 8 inches deep into the soil to prevent small mammal burrows providing access under the fence. Where roads cross the wildlife exclusion fences, gates should be used whenever possible with material at the base of the gate to minimize the gap between the gate and the roadbed. If gates are not feasible, an in-roadway barrier (e.g., wildlife grates or similar devices) or device that channels species away must be installed to deter wildlife from moving around fences into the road.
- When compatible with vehicle safety, road medians should allow wildlife to cross under or over the median in the event they become trapped on the roadway.

Construction Requirements

The following measures are specifically required for rural road and transportation projects. Other conservation measures described in the ECCC HCP for covered activities also apply.

- No erodible materials will be deposited into watercourses. Brush, loose soils, or other debris material will not be stockpiled within stream channels or on adjacent banks.
- All no-take species will be avoided.
- Construction activities will comply with the Migratory Bird Treaty Act and will consider seasonal requirements for birds and migratory non-resident species, including covered species.
- Temporary stream diversions, if required, will use sand bags or other approved methods that minimize in-stream impacts and effects on wildlife.
- Silt fencing or other sediment trapping method will be installed downgradient from construction activities to minimize the transport of sediment off site.
- Barriers will be constructed to keep wildlife out of construction sites, as appropriate.
- Onsite monitoring will be conducted throughout the construction period to ensure that disturbance limits, BMPs, and Plan restrictions are being implemented properly.
- Active construction areas will be watered regularly to minimize the impact of dust on adjacent vegetation and wildlife habitats, if warranted.
- The following construction measure will be applied differently to each rural road project, as specified in Table 6-6 of the ECCC HCP.
- Install sturdy lock-boxes for cameras at each large wildlife undercrossing to facilitate wildlife monitoring by the Implementing Entity. Boxes shall be designed for monitoring equipment to be used, include a removable door, and be prewired for electricity (solar, battery, or alternating current). This will provide for the least intrusive, most secure, most flexible, and most cost-effective way to monitor wildlife usage, while minimizing human impacts. Boxes will be mounted on adjustable pedestals to vary the height of the box to facilitate monitoring of target species of varying size.

Post-construction Requirements

- Roadside vegetation within the right-of-way and adjacent to HCP/NCCP Preserves or other open space areas will be controlled to prevent the spread of invasive exotic plants such as yellow star-thistle into nearby or adjacent preserves.
- Vegetation and debris must be managed in and near culverts and under and near bridges to ensure that entryways remain open and visible to wildlife and the passage through the culvert or under the bridge remains clear.
- Cut-and-fill slopes will be revegetated with native, non-invasive nonnative, or non-reproductive (i.e., sterile hybrids) plants suitable for the altered soil conditions.
- All structures constructed for wildlife movement (tunnels, culverts, underpasses, fences) must be monitored at regular intervals and repairs made promptly to ensure that the structure is in proper condition.

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies should adopt the measures (Finding (2)).

Facts in Support of Findings

A. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

B. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. With implementation of these measures, the impact will be reduced to a level that is less than significant.

C. The mitigation measures are particularly reliable because they are already enforced by existing planning documents consistency with which is an integral part of the project development, review, and permitting processes. The mitigation measures help to ensure that these existing standards are met.

Cumulative Impact

2.9-8 Transportation 2035 Plan projects, combined with forecast urban development, could contribute to the removal or fragmentation of habitat area. (Draft EIR, p. 2.9-37)

The extent of this cumulative impact cannot be determined with any precision at this time. To represent a reasonable worst case scenario, the impact was identified as potentially significant.

Mitigation Measures

As the cumulative impacts of the transportation improvements in the proposed Transportation 2035 Plan are the same as the direct impacts listed above (Impact 2.9-3), the mitigation measures for this impact would also be the same (see Mitigation 2.9(c)). Generally, these mitigation measures would be expected to reduce this potentially significant cumulative impact on biological re-

sources to a less-than-significant level if incorporated by project sponsors. However, similar to the proposed project direct impacts on sensitive species (Impact 2.9-3), potential cumulative impacts on special status wildlife species through the removal or fragmentation of their habitat areas would be significant and unavoidable. (Draft EIR, p. 2.9-38)

Impact Conclusion

The overall cumulative impact will remain significant and unavoidable after the incorporation of feasible mitigation. The project's contribution also remains cumulatively considerable after the incorporation of feasible mitigation.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the project's contribution to the cumulative impact (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)). Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers make infeasible further mitigation measures to reduce the project's contribution to a less than cumulatively considerable level (Finding (3)).

Facts in Support of Findings

A. Cumulative population growth and development, regardless of the proposed Project, will occur in the region and will result in a substantial contribution to the identified cumulative impact.

B. The EIR analysis took a conservative approach by assuming that, unless known to be absent, special status species exist in all areas that provide at least moderate quality habitat (Draft EIR, page 2.9-27). Potential impacts were determined by evaluating whether proposed transportation improvements would occur within the potential range of a special status species of concern, whether projects would directly encroach upon an area of ecological significance, or whether the projects could involve the filling of wetlands. As stated on EIR page 2.9-22, "in many cases, the project alignments, locations, or other design details are not known because the projects are in the early stages of planning or development. As a result, this impact analysis relies largely on the potential for biological impacts based on proximity to sensitive resources, an analysis method that inherently tends to inflate the potential for adverse effects. Thus, while such impacts may be identified in this EIR, upon project implementation it is anticipated that actual impacts will be incrementally smaller. Laws and regulations protecting special-status species, areas of ecological significance, and wetland resources are effective incentives for project proponents to design alternatives that either avoid or substantially reduce impacts on these resources."

C. Proposed mitigation measures, along with conformity with existing federal, State, and local regulations, are expected to reduce the overall cumulative effect, as well as the Plan's contribution to the overall cumulative effect.

D. However, due to the programmatic level of analysis in the EIR and lack of project-specific plans, it is not possible to define the exact extent of potential impact, so it is not possible to ascertain with certainty whether the identified mitigation measures for these impacts will reduce impacts to levels considered "not significant." However, it is likely that, with

proper design and planning, much of the identified potential impact can be avoided or minimized.

E. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

F. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. This future project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented.

G. The mitigation measures are particularly reliable because many are already enforced by existing agencies and regulatory standards which are integral parts of the project development, review, and permitting processes. The mitigation measures help to ensure that these existing standards and regulations are met.

H. The nature of the program-level evaluation of impacts is such that not enough is known about the specific project-level conditions to determine if the proposed mitigation measures will in fact be feasible and effective. Social, economic, legal, and technological conditions related to the ultimate design of individual projects will be factors in the feasibility of proposed mitigation measures at the project level. In particular, because the precise location of specific construction projects is still largely unknown, the feasibility and effectiveness of alternative alignments to specific projects is also largely unknown, and yet localized construction-related impacts could cause regionally substantial fragmentation of habitat area, particularly as it serves special status species, this analysis therefore cannot be sure of the ultimate effectiveness of the proposed mitigation measures.

VISUAL RESOURCES

Impact

2.10-1 Transportation 2035 Plan projects could affect visual resources during their construction. (Draft EIR, p. 2.10-9)

Mitigation Measures

2.10(a) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status

reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce significant visual impacts that shall be considered by project sponsors and decision-makers may include programs for reducing the visibility of construction staging areas, for fencing and screening these areas with low contrast materials consistent with the surrounding environment, and for revegetating graded slopes and exposed earth surfaces at the earliest opportunity.

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies should adopt the measures (Finding (2)).

Facts in Support of Findings

A. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

B. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. With implementation of these measures, the impact will be reduced to a level that is less than significant.

Impact

2.10-2 Construction of certain Transportation 2035 Plan projects could adversely affect visual resources by adding or expanding transportation facilities in rural or open space areas, blocking public views, or changing the visual character and quality of designated or eligible State Scenic Highways. (Draft EIR, p. 2.10-9)

Mitigation Measures

2.10(b) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall

consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce significant visual impacts that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

- Design projects to minimize contrasts in scale and massing between the project and surrounding natural forms and development.
- Site or design projects to minimize their intrusion into important viewsheds;
- Use see-through safety barrier designs (e.g. railings rather than walls) when possible;
- Develop interchanges and transit lines at the grade of the surrounding land to limit view blockage wherever possible;
- Contour the edges of major cut and fill slopes to provide a more natural looking finished profile and use natural shapes, textures, colors, and scale to minimize contrasts between the project and surrounding areas;
- Design landscaping along highway corridors to add significant natural elements and visual interest to soften the hard edged, linear travel experience that would otherwise occur;
- Complete design studies for projects in designated or eligible State Scenic Highway corridors. Consider the "complete" highway system and develop mitigation measures to minimize impacts on the quality of the views or visual experience that originally qualified the highway for Scenic designation.

Impact Conclusion

The impact may remain significant and unavoidable after implementing feasible mitigation measures.

Findings

The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies should adopt the measures (Finding (2)). Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers make infeasible further mitigation to reduce the impact to less than significant (Finding (3)).

Facts in Support of Findings

A. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

B. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these

proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. This future project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented.

C. The nature of the program-level evaluation of impacts is such that not enough is known about the specific project-level conditions to determine if the proposed mitigation measures will in fact be feasible and effective. Social, economic, legal, and technological conditions related to the ultimate design of individual projects will be factors in the feasibility of proposed mitigation measures at the project level. In particular, with visual impacts of transportation projects, a lot depends on the setting, as well as the culture and values of the communities adjacent to the transportation corridor where a project is constructed.

Impact

2.10-3 The construction of soundwalls along freeways and arterials could significantly alter views. (Draft EIR, p. 2.10-12)

Mitigation Measures

2.10(c) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce significant visual impacts associated with soundwalls that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

- Develop new or expanded roadways below the grade of surrounding areas to minimize the need for tall soundwalls.
- Use transparent panels to preserve views where soundwalls would block views from residences.
- Use landscaped earth berm or a combination wall and berm to minimize the apparent soundwall height.
- Construct soundwalls of materials whose color and texture complements the surrounding landscape and development.
- Design soundwalls to increase visual interest, reduce apparent height, and be visually compatible with the surrounding area.
- Landscape the soundwalls with plants that screen the soundwall, preferably with either native vegetation or landscaping that complements the dominant landscaping of surrounding areas.

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)).

Facts in Support of Findings

A. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

B. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. With implementation of these measures, the impact will be reduced to a level that is less than significant.

C. The nature of the program-level evaluation of impacts is such that not enough is known about the specific project-level conditions to determine if the proposed mitigation measures will in fact be feasible. Social, economic, legal, and technological conditions related to the ultimate design of individual projects will be factors in the feasibility of proposed mitigation measures at the project level. In particular, with visual impacts of transportation projects related to soundwalls, a lot depends on the land use needs, values, and previous experiences of the communities adjacent to the transportation corridor where a project is constructed.

Cumulative Impact

2.10-4 Concurrent implementation of the proposed Transportation 2035 Plan and regional and local land use plans would result in a cumulatively considerable change in the visual character of many areas in the region. (Draft EIR, p. 2.10-13)

Mitigation Measures

2.10(a) through **2.10(c),** listed above.

Impact Conclusion

The overall cumulative impact will remain significant and unavoidable after the incorporation of feasible mitigation. The project's contribution, however, is not cumulatively considerable after the incorporation of feasible mitigation.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the project's contribution to less than cumulatively considerable (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies should adopt the measures (Finding (2)). Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers make infeasible further mitigation to reduce the cumulative impact to less than significant (Finding (3)).

Facts in Support of Findings

A. Cumulative population growth and development, regardless of the proposed Project, will occur in the region and will result in a substantial contribution to the identified cumulative impact.

B. The extent of this cumulative impact cannot be determined with any precision at this time. To represent a reasonable worst case scenario, the impact was identified as potentially significant.

C. Proposed mitigation measures, along with conformity with existing federal, State, and local regulations, are expected to reduce the overall cumulative effect, as well as the Plan's contribution to the overall cumulative effect.

D. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

E. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. This future project-level environmental review will determine whether impacts can be mitigated to a less-than-significant level. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented.

F. The nature of the program-level evaluation of impacts is such that not enough is known about the specific project-level conditions to determine if the proposed mitigation meas-

ures will in fact be feasible and effective. Social, economic, legal, and technological conditions related to the ultimate design of individual projects will be factors in the feasibility of proposed mitigation measures at the project level. In particular, with cumulative visual impacts of transportation projects, a lot depends on the setting for various projects, and the land use needs, values, and previous experiences of the communities adjacent to the transportation corridors where projects are constructed.

CULTURAL RESOURCES

Impact

2.11-1 Transportation 2035 Plan projects that involve ground-disturbing activities and/or the introduction or alteration of visual elements have the potential to disturb, destroy, or significantly affect archaeological, paleontological, and/or geological resources and/or human remains. (Draft EIR, p. 2.11-11)

Mitigation Measures

2.11(a) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mitigation measures to reduce impacts on archaeological, paleontological, and/or geological resources and/or human remains that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

- Face-to-face consultation with Native American tribes and individuals with cultural affiliations where the project is proposed to determine the potential for, or existence of, cultural resources, including cemeteries and sacred places, prior to project design and implementation stages.
- Preparation of a research design and testing plan in advance of implementation of the construction project, in order to efficiently facilitate the avoidance of cultural sites throughout the development process.
- Written assessment by a qualified tribal representative of sites or corridors with no identified cultural resources but which still have a moderate to high potential for containing tribal cultural resources.
- Upon "late discovery" of prehistoric archaeological resources during construction, project sponsors shall consult with the Native American tribe as well as with the "Most-Likely-Descendant" as designated by the Native American Heritage Commission pursuant to PRC 5097.
- Preservation in place; this is the preferred manner of mitigating impacts to archeological sites because it maintains the relationship between artifacts and the archeological context, and it may also avoid conflict with religious or cultural values of groups associated with the site. This may be achieved through incorporation within parks, green-space, or other open space by re-designing project using open space or undeveloped lands. This may also be achieved by following procedures for capping the site underneath a paved area. When avoiding and preserving in place are infeasible, a data recovery plan may be prepared according to CEQA Sec-

tion 15126.4. A data recovery plan consists of: the documentation and removal of the archeological deposit from a project site in a manner consistent with professional (and regulatory) standards; the subsequent inventorying, cataloguing, analysis, identification, dating, and interpretation of the artifacts; and the production of a report of findings.

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies should adopt the measures (Finding (2)).

Facts in Support of Findings

A. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

B. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. With implementation of these measures, the impact will be reduced to a level that is less than significant.

Impact

2.11-2 Transportation 2035 Plan projects have the potential to disturb or destroy historical resources. (Draft EIR, p. 2.11-13)

Mitigation Measures

2.11(b) As project sponsors prepare the environmental review document for their individual project pursuant to CEQA/NEPA and prior to environmental certification, project sponsors shall consider adopting appropriate measures that would minimize or eliminate cumulatively considerable environmental impacts pursuant to CEQA/NEPA. MTC shall be provided with status reports of compliance with mitigation measures pursuant to MTC Resolution 1481, Revised. Mi-

tigation measures to reduce impacts on historical that shall be considered by project sponsors and decision-makers may include, but are not limited to, those described below.

- Assessment by a qualified professional of structures greater than 40 years in age within the area of potential effect to determine their eligibility for recognition under State, federal, or local historic preservation criteria.
- The treatment of identified historic resources in accordance with either the Secretary of the Interior's *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.*

Impact Conclusion

This impact is potentially significant, but can be reduced to a level that is less than significant with implementation of the proposed mitigation measures.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the impact to a level that is less than significant (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)).

Facts in Support of Findings

A. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

B. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. With implementation of these measures, the impact will be reduced to a level that is less than significant.

Cumulative Impact

2.11-3 Transportation 2035 Plan projects, combined with projected future population growth and development, may result in a cumulative disturbance of cultural resources. (Draft EIR p. 2.11-14)

Mitigation Measures

Mitigation measures **2.11(a)** and **2.11(b),** above.

Impact Conclusion

The overall cumulative impact will remain significant and unavoidable after the incorporation of feasible mitigation. The project's contribution, however, is not cumulatively considerable after the incorporation of feasible mitigation.

Findings

Changes or alterations have been required in, or incorporated into, the project that reduce the project's contribution to less than cumulatively considerable (Finding (1)). The identified mitigation measures are within the responsibility and jurisdiction of other public agencies, and not MTC, and those agencies can and should adopt the measures (Finding (2)).

Facts in Support of Findings

A. Cumulative population growth and development, regardless of the proposed Project, will occur in the region and will result in a substantial contribution to the identified cumulative impact.

B. Proposed mitigation measures, along with conformity with existing federal, State, and local regulations, are expected to reduce the overall cumulative effect, as well as the Plan's contribution to the overall cumulative effect.

C. The mitigation measures address site-specific factors that must be considered for each individual transportation project, rather than within the overall Transportation 2035 Plan. Therefore, implementation of the identified mitigation measures relies on the efforts of other agencies, namely the project sponsor(s) (lead agency) who will be responsible for complying with CEQA and NEPA, if applicable, for individual projects. MTC will use the Mitigation Monitoring Program to help to ensure that proposed mitigation measures are incorporated into project environmental review documents.

D. The mitigation measures are appropriate for reducing the impacts identified at the program level. Specific mitigation measures that meet or exceed the requirements of these proposed measures will have to be implemented by project sponsors for impacts identified during the environmental evaluation of individual projects, particularly as they relate to details about project location. In order for project-level environmental review to tier off the program EIR for the Plan, however, it must incorporate the mitigation measures set forth therein (CEQA Guidelines Section 15168, subd. (c)(3)). Thus, the use of this EIR by project sponsors in preparing environmental documents of specific projects will help ensure that project-specific mitigation measures will be implemented. Implementation of the proposed Transportation 2035 Plan, and mitigation measures, will not result in a considerable contribution to this cumulative impact.

FINDINGS REGARDING ALTERNATIVES

INTRODUCTION

CEQA requires an EIR to consider a reasonable range of alternatives to a proposed project or to the location of the proposed project which would "feasibly attain most the basic objectives of the project" (CEQA Guidelines, Section 15126.6(a)). Section 15126.6, subdivision (f) of the CEQA Guidelines limits the alternatives that must be considered in the EIR to those "that would avoid or substantially lessen any of the significant effects of the project."

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a Project as proposed will still cause one or more significant adverse environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the Project as mitigated, must first determine whether, with respect to such impacts, there remain any Project alternatives that are both environmentally superior and feasible within the meaning of CEQA.

Based on the analysis in the EIR, the project as proposed is expected to result in significant and unavoidable impacts. The alternatives to the project were designed to avoid or reduce these significant and unavoidable impacts and to further reduce impacts that are found to be less than significant following mitigation. MTC has reviewed the significant impacts associated with a reasonable range of alternatives as compared with the project as originally proposed, and in evaluating the alternatives has also considered each alternative's feasibility, taking into account economic, environmental, social, legal, and other factors.

This Section describes the project objectives and attributes of the alternatives and provides the Commission's reasons for rejecting the alternatives. (See also Appendix B of this document: Statement of Overriding Considerations in Appendix B.)

GOALS AND OBJECTIVES OF THE PROJECT

MTC hereby finds that the following goals and objectives were established by MTC for the Transportation 2035 Plan:

Approved Performance Objectives

	Goal	*Performance Objectives*
Economy	Maintenance & Safety	*Maintenance* • Maintain local road pavement condition index (PCI) of 75 or greater for local streets and roads • State highway distressed pavement condition lane-miles not to exceed 10% of total system • Achieve an average age for all transit asset types that is no more than 50% of their useful life • Increase the average number of miles between service calls for transit service in the region to 8,000 miles *Collisions/Fatalities* • Reduce fatalities from motor-vehicle collisions by 15 percent from today by 2035 • Reduce bicycle and pedestrian fatalities attributed to motor vehicle collisions by 25 percent each from 2000 by 2035 • Reduce bicycle and pedestrian injuries attributed to motor vehicle collisions by 25 percent each from 2000 by 2035
	Reliability; Efficient Freight Travel; Security & Emergency Management	• Reduce per-capita delay by 20 percent from today by 2035
Environment	Clean Air; Climate Protection	• Reduce daily per-capita vehicle miles traveled (VMT) by 10 percent from today by 2035 • Reduce emissions of finer particulates ($PM_{2.5}$) by 10 percent from today by 2035 • Reduce emissions of coarse particulates (PM_{10}) by 45 percent from today by 2035 • Reduce carbon dioxide (CO_2) emissions to 40 percent below 1990 levels by 2035
Equity	Equitable Access; Livable Communities	• Decrease by 10 percent the combined share of low-income and lower-middle income residents' household income consumed by transportation and housing

The components of the Transportation 2035 Plan are designed to fully achieve the project objectives. The Plan is divided into the financially constrained element and the financially-unconstrained element. With this comprehensive set of projects, the Plan meets the project objectives better than any of the other alternatives.

ALTERNATIVES SUMMARIZED

The Transportation 2035 Plan EIR considers four alternatives to the proposed Transportation 2035 Plan in addition to the CEQA-required analysis of a No Project alternative. A full descrip-

tion of the alternatives and alternative selection process is in Chapter 3.1 of the DEIR. The alternatives are as follows:

Alternative 1: No Project

The No Project alternative addresses the effect of not implementing the Transportation 2035 Plan. This alternative includes a set of transportation projects and programs that are in advanced planning stages and slated to go forward since they have full funding commitments. (Therefore, the No Project alternative is not equivalent to existing conditions.) These projects are: (1) identified in the federally required Fiscal Year 2009 Transportation Improvement Program, a four-year funding program of Bay Area projects and programs, (2) not yet in the TIP but are fully funded sales tax projects authorized by voters in seven Bay Area counties, including San Francisco, Santa Clara, San Mateo, Alameda, Contra Costa, Sonoma and Marin, or (3) not yet in the TIP but fully funded through other committed funds as defined by statute or Commission policy. This alternative does not include transportation projects and programs funded by the $32 billion in uncommitted discretionary funds.

Alternative 2: Heavy Maintenance/Climate Protection Emphasis

This alternative is financially constrained to the $220 billion projected revenue available to the region over the next 25-years. Unlike the proposed Project, this Heavy Maintenance/Climate Protection alternative places its investment emphasis almost entirely on system maintenance and efficiency projects that support the plan goals.

This alternative maximizes the use of available discretionary funds for investments that (1) reduce shortfalls for transit and local roadway maintenance; (2) improve walkability, bicycling, transit access, and carpooling and ridesharing; (3) help local jurisdictions to plan and build housing near transit; and (4) implement public education and outreach programs to raise awareness and facilitate behavior changes that help the region to meet its climate protection goal. The set of projects and programs in this alternative is designed to reduce vehicle miles traveled and/or greenhouse gas emissions.

This alternative retains the plan expenditures for the $194 billion in committed funds because these funds are committed to specific uses by statute or Commission policy, but redirects uncommitted discretionary revenues. Because this alternative focuses on system maintenance and efficiency, it excludes all expansion, including the Regional HOT Network and the transit and roadway expansion projects that in the proposed Project are funded in part by the $32 billion discretionary funds. As a result of the exclusion of the Regional HOT Network, the $6.1 billion in net revenue that the Regional HOT Network would generate is not available to fund corridor improvements (such as transit operating and capital needs, freeway operations, interchanges, roadway maintenance and local access improvements). This leaves $26 billion in uncommitted discretionary funds that are redirected to other maintenance and climate protection priorities.

Alternative 3: Heavy Maintenance/Climate Protection Emphasis + Pricing

This alternative reflects the same project definition as Alternative 2 (Heavy Maintenance/Climate Protection Emphasis) plus it includes applying user-based pricing strategies in order to determine how pricing might influence the performance of infrastructure investments. The pricing strategies are intended to induce changes in travel behavior by increasing the cost of driving. They in-

clude: (a) carbon tax or tax on vehicle miles driven, (b) congestion fee for using congested freeways during peak periods, and (c) increased parking charges.

To represent the carbon tax or VMT tax, gas prices are assumed to increase by 21 percent from $7.47 per gallon to $9.07 in 2035 (all in 2008 current dollars). Overall, the total auto operating cost per mile would also increase by 21 percent, from 39 cents per mile to 47 cents per mile. For the congestion fee, a charge of 25-cents per mile on congested freeways is added to freeway segments where the volume-to-capacity ratio exceeds 0.90 (very congested facilities). For the parking charge, parking costs are increased by $1.00 per hour to both peak and off-peak trips. This impacts both work and non-work trips, and has a higher impact on short trips than long trips. So, these increased parking costs will end up showing more non-motorized (bicycling and walking) trips in the pricing tests. The aggregate effect of these pricing strategies is a substantial increase in auto operating cost. This alternative aims to encourage more people to bike, walk and take transit, drive less, and produce less transportation-related greenhouse gas emissions by making it very expensive to drive.

MTC tested these pricing strategies as part of the vision scenario analysis in fall 2007 in response to expressed interest by the State legislators to pursue a carbon tax, VMT tax or congestion pricing and public interest to increase parking charges. These pricing strategies were tested under this alternative for CEQA evaluation purposes. At this time, MTC has no legislative authority to implement the pricing strategies described in this alternative.

Alternative 4: Heavy Maintenance/Climate Protection Emphasis + Land Use

This alternative reflects the same project definition as Alternative 2 (Heavy Maintenance/Climate Protection Emphasis) plus it includes an alternative land use forecast in order to determine how a different kind of regional growth might influence the performance of infrastructure investments. This alternative land use forecast is a policy forecast, as opposed to a purely market-driven outcome. ABAG staff produced this alternative land use forecast with the objective of balancing jobs and housing and targeting growth in existing communities and near transit. Compared to Projections 2007, this forecast reflects considerable shifts in regional growth away from the fringes and toward existing employment and housing centers, areas projected to have either household or employment growth, and areas with existing and/or planned transit. It also assumes fewer in-commuters from neighboring regions by accommodating 37,000 more households within the Bay Area. This alternative assumes no pricing strategy.

This alternative is expected to maximize transit use and reduce auto trips and vehicle miles traveled because the land use strategy places projected population growth near existing and planned transit services and employment centers. However, much of the land surrounding existing and planned transit stations may not be currently zoned for higher density residential and commercial uses. To encourage transit-oriented development, local land use policy will need to be modified to allow for higher densities than currently allowed and to revise parking regulations to support transit-oriented development.

This alternative assumes that the regional planning agencies of ABAG, the Bay Area Air Quality Management District (BAAQMD), the Bay Conservation and Development Commission (BCDC) and MTC will collaborate to promote and achieve more focused urban growth than estimated in *Projections 2007*, in part through existing and planned programs and improvements contemplated by this alternative. Specific policy approaches have not been selected, however,

some possible examples of regional policy approaches and implementation mechanisms to achieve the alternative land use forecast include increasing public awareness of the impacts of travel and location decisions, continuing to coordinate with local governments on land use decisions and parking policies and standards that impact transportation investments and vice versa, providing financial incentives to support Priority Development Areas (PDAs), and expanding the MTC Transit-Oriented Development Policy to include minimum employment densities and regional transit centers. The regional agencies must also work with local jurisdictions to modify the land use elements of their general plans, which is a key driver to implementing this land use strategy.

ENVIRONMENTAL IMPACTS OF ALTERNATIVES

MTC examined a reasonable range of alternatives to the Transportation 2035 Plan. This analysis is fully documented in the Draft EIR on the Transportation 2035 Plan. Based on this examination, MTC has determined that (1) there are tradeoffs in impacts associated with the various alternatives, (2) alternatives can have better environmental outcomes than the proposed Project relative to significance criteria and yet still have significant and unavoidable effects under those same criteria, (3) the alternatives may result in varying degrees of achieving the Transportation 2035 Plan goals, and (4) there are significant feasibility issues related to implementation of the Heavy Maintenance/Climate Protection Emphasis + Pricing Strategies alternative (the environmentally superior alternative).

Environmentally Superior Alternative

According to the analysis in the Draft EIR, the Heavy Maintenance/Climate Protection Emphasis + Pricing alternative and the Heavy Maintenance/Climate Protection + Land Use alternative perform better than the proposed Project overall, while the No Project and the Heavy Maintenance/Climate Protection Emphasis alternative perform comparably or slightly worse than the proposed Project (See Draft EIR, p. 3.1-38; see also *id.* at Table 3.1-16).

The Draft EIR concluded that both the No Project and Heavy Maintenance/Climate Protection Emphasis alternatives may result in more congestion than the proposed Project in those areas where necessary new capacity (auto or transit) is not provided. These two alternatives would also result in fewer jobs accessible by auto and transit. This effect would in turn result in these alternatives performing deficiently (in comparison to the proposed Project and the other alternatives) with respect to reducing vehicle miles traveled (VMT). The 1 percent increase in vehicle use under these alternatives would also result in greater air quality impacts. The No Project and Heavy Maintenance/Climate Protection Emphasis alternatives would also result in greater consumption of transportation energy and would not result in any improvement over the proposed Project with respect to climate change impacts. Finally, these two alternatives would produce greater Geology and Seismicity impacts, to the extent that seismic upgrades would not be carried out. The No Project and Heavy Maintenance/Climate Protection Emphasis alternatives would also result in greatest noise impacts.

In some impact categories, such as Land Use, Visual Resources and Cultural Resources, the No Project alternative performed better than the proposed Project and all three Heavy Maintenance/Climate Protection Emphasis alternatives.

Though both the Heavy Maintenance/Climate Protection Emphasis alternative + Land Use alternative and Heavy Maintenance/Climate Protection + Pricing alternative perform very well, this

CEQA analysis concludes that **the Heavy Maintenance/Climate Protection Emphasis + Pricing alternative is the environmentally superior alternative,** primarily because:

- It demonstrated less impact in several categories than the proposed Project and the other alternatives, including Energy and Climate Change;
- It has more potential flexibility to apply and adjust pricing controls to current needs;
- It can in theory be applied "immediately" and begin realizing environmental benefits sooner than land use change; and
- It has a stronger potential market influence on new "green" technologies than land use changes.

Impacts Relative to the Project's Significant Impacts

While the Heavy Maintenance/Climate Protection Emphasis + Pricing Strategies Alternative was found to be environmentally superior to the proposed Project and the other alternatives evaluated, it and all of the other alternatives also have potentially significant impacts in one or more issue areas that cannot be mitigated. In particular, if held to the same level of scrutiny to which the proposed Project was held, all four alternatives are likely to result in eight of the nine same significant and unavoidable impacts found when evaluating the proposed Project. This is because a significant and unavoidable impact may still occur even if one alternative is incrementally better than another. A summary of the alternatives' environmental performance relative to the proposed Project's significant and unavoidable impacts is provided below:

- **Vehicle Miles Traveled at Level of Service F.** When comparing vehicle miles traveled at Level of Service F for all facility types, all four alternatives perform substantively worse than the proposed Project (anywhere from 14 to 69 percent more vehicle miles traveled at LOS F in 2035). These results suggest that all four alternatives would also have a significant and unavoidable impact on vehicle miles traveled at LOS F;
- **Construction-related Emissions of Criteria Pollutants.** When comparing construction-related emissions of criteria pollutants, it is estimated that each of the alternatives would result in fewer construction–related emissions because there are fewer projects to construct; however, there are no region-level estimates for construction-related emissions and the significant and unavoidable conclusion for the proposed Project is based less on the efficacy of mitigation measures than on the uncertainty of the specific local context at the time that projects go into construction. This same uncertainty would apply to all of the alternatives, suggesting that they too, could have significant unavoidable impacts related to construction emissions under certain local circumstances;
- **PM10 and PM2.5 Emissions.** When comparing PM10 and PM2.5 emissions, the Heavy Maintenance/Climate Protection Emphasis + Land Use Strategies Alternative and the Heavy Maintenance/Climate Protection Emphasis + Pricing Strategies Alternative result in slightly (less than 3 percent) less particulate matter emissions than the proposed Project while the No Project alternative and the Heavy Maintenance/Climate Protection Emphasis alternative result in slightly more particulate matter emissions than the proposed Project. However, all alternatives result in substantially more particulate matter emissions than under existing conditions. These results suggest that all four alternatives would also have a significant and unavoidable impact on particulate matter emissions;

- **Conversion of Prime and Important Farmland to Transportation Use.** When comparing the individually and cumulatively considerable conversion of farmland, including prime agricultural land designated by the State of California, to transportation use, each of the alternatives is estimated to convert substantially less Prime and Important farmland to transportation use relative to the proposed Project. However, as described in the Draft EIR, the methodology is conservative and designed to overestimate the potential for impact. Furthermore, of the Bay Area's 2.3 million acres of agricultural lands, the potential impact of the proposed Project (about 1,400 acres) represents 6 one-hundredths of a percent of all agricultural lands in the Bay Area, while the potential impact of each alternative (between 260 and 300 acres) represents one one-hundredth of a percent of all agricultural lands in the Bay Area. The finding of a significant unavoidable impact is less a factor of scale of change than an acknowledgement that agricultural lands in the Bay Area are under intense development pressure. In that respect, all four alternatives could be expected to have a cumulatively considerable contribution to this significant cumulative impact;
- **Short-term Community Disruption.** When comparing disruption of existing land uses, neighborhoods, and communities in the short-term, each of the alternatives involves substantially less new construction activity than the proposed Project, and thus would be expected to result in less displacement of land use activities and disruption of travel corridors, mobility, and quality of life conditions (e.g. noise and air quality) for nearby communities. However, as described in the Draft EIR, the methodology is conservative and designed to overestimate the potential for impact. Furthermore, the significant unavoidable conclusion for the proposed Project is based not on the efficacy of mitigation measures themselves, but on the uncertainty of the specific local context at the time that projects go into construction. This same uncertainty would apply to all of the alternatives, suggesting that they too, could cause significant short-term community disruption under certain circumstances;
- **Noise Levels along Some Travel Corridors.** When comparing cumulatively considerable increase in noise levels along some travel corridors, all alternatives result in more noise impact than the proposed Project. These results suggest that all four alternatives also have a cumulatively considerable contribution to this significant cumulative impact;
- **Adverse Effects on Special-Status Species.** When comparing adverse effects on special-status plant and/or wildlife species identified as endangered, candidate, and/or special status by the CDFG or USFWS, each of the alternatives would likely result in less potential direct, construction-related impacts on special status species due to the fact that more new construction would occur at more locations under the proposed Project than under the other alternatives. However, as described in the Draft EIR, the methodology is conservative and designed to overestimate the potential for impact. In many cases, the project alignments, locations, or other design details are not known because the projects are in the early stages of planning or development. As a result, this impact analysis relies largely on the potential for biological impacts based on proximity to sensitive resources, an analysis method that inherently tends to inflate the potential for adverse effects. Due to the programmatic level of analysis in the EIR and lack of project-specific plans, it is not possible to define the exact extent of potential impact, so it is not possible to ascertain with certainty whether the identified mitigation measures for these impacts will reduce impacts to levels considered "not significant." Due to this uncertainty, this impact is considered potentially significant and unavoidable for all alternatives;
- **Conversion of Undeveloped Land Contributing to the Removal or Fragmentation of Habitat Area.** When comparing cumulatively considerable conversion of undeveloped land to

urban uses, contributing to the removal or fragmentation of habitat area, each of the alternatives would likely result in less potential contribution to construction-related impacts on wetlands, special status species, and designated or proposed critical habitat due to the fact that more new construction would occur at more locations under the proposed Project than under the other alternatives. While the Heavy Maintenance/Climate Protection Emphasis + Land Use Strategies alternative is expected to be the most effective at preventing fragmentation of habitat area, due to the programmatic level of analysis in the EIR and lack of project-specific plans, it is not possible to define the exact extent of potential impact, so it is not possible to ascertain with certainty whether the identified mitigation measures for these impacts will reduce impacts to levels considered "not significant." Due to this uncertainty, the contribution of the alternatives to the significant cumulative impact is considered cumulatively considerable;

- **Degradation of Visual Resources.** When comparing individual and cumulative degradation of visual resources by adding or expanding development in rural or open space areas, blocking views from adjoining areas, blocking or intruding into important vistas, and changing the scale, character, and quality of designated or eligible Scenic Highways, each of the alternatives involves substantially less new construction activity than the proposed Project, and thus would be expected to result in fewer visual resource impacts than the proposed Project. In this issue area it is possible that the contribution of the alternatives to the significant cumulative impact may not be cumulatively considerable, primarily due to the exclusion of new commitments construction from the networks of the alternatives.

MTC's conclusion from this detailed comparison is that, while selecting the environmentally superior alternative may provide some better environmental results than the proposed Project, a complete EIR analysis of the alternative would likely reveal many if not most of the same significant and unavoidable impacts, primarily due to the role of cumulative regional population growth and development which applies to every alternative considered, and secondarily due to the uncertainty built into a regional-scale programmatic analysis of environmental effects. All of the alternatives studied would result in some significant and unavoidable impacts.

Meeting Project Objectives

An alternative may be "infeasible" if it fails to sufficiently promote the lead agency's underlying goals and objectives with respect to the Project. In terms of objectives, the Heavy Maintenance/Climate Protection Emphasis + Pricing alternative and the Heavy Maintenance/Climate Protection + Land Use are both likely to meet most of the basic project objectives of the proposed Project:

- **Maintenance & Safety** (both of these alternatives provide more spending on maintenance, operations, and shortfalls than the proposed Project);
- **Reliability & Equitable Access** (In the Transportation issue area, both of these alternatives demonstrated more accessibility to jobs by car and transit than the proposed Project);
- **Livable Communities** (both of these alternatives provide more funding than the proposed Project for the Transportation for Livable Communities Program, the Regional Bicycle Network, Transportation Climate Action Campaign, and the Lifeline Transportation Program);
- **Clean Air** (both Land Use and Pricing alternative variations perform better than the proposed Project in the Air Quality analysis); and

- **Climate Protection** (Pricing performed best and Land Use performed second-best in the Greenhouse Gas Emissions comparison).

It is less clear how well the Heavy Maintenance/Climate Protection Emphasis + Pricing alternative and Heavy Maintenance/Climate Protection + Land Use alternative would achieve the two remaining performance objectives, Efficient Freight Travel and Security & Emergency Management, particularly without the full program of improvements in the proposed Project. Nonetheless, given that both the Pricing and the Land Use alternatives perform better than the proposed Project in the transportation analysis, it is reasonable to assume that they could result in equal or more efficient freight travel and perhaps better transportation security and emergency management.

FINDINGS OF ALTERNATIVES ANALYSIS

Public Resources Code Section 21081, subdivision (a)(3) provides that when approving a project for which an EIR has been prepared, a public agency may find that "specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report."

Alternatives analyzed in the EIR need not be actually feasible, but rather need only be "potentially feasible." (CEQA Guidelines 15126.6(a)); see also *Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4th 477, 489 (although the respondent city ultimately rejected as infeasible several alternatives that were evaluated in an EIR, "this conclusion does not imply these alternatives were improperly included for discussion"; "alternatives included in an EIR need only be potentially feasible").

MTC herby makes findings (2) and (3) in regard to the No Project alternative, Heavy Maintenance/Climate Protection Emphasis alternative, Heavy Maintenance/Climate Protection Emphasis + Pricing alternative, and Heavy Maintenance/Climate Protection + Land Use alternative. The following facts are provided in support of these findings:

A. The No Project alternative does not include any projects that would be funded through the $32 billion in uncommitted discretionary funds. Thus, this alternative would not provide additional transportation infrastructure beyond that which is already committed. As such, this alternative would not accommodate, as well as the proposed Project, the projected growth in the Bay Area's population and employment and the concomitant increased demand for transportation infrastructure (see DEIR, Ch. 2: Transportation). Federal and state laws require MTC to develop regional transportation plans that account for future population growth and increased infrastructure demands. Moreover, Bay Area residents and businesses rely on a functional and effective transportation system. The increased gridlock and costly delay associated with inadequate transportation infrastructure would impede economic growth and vitality. The No Project alternative is therefore legally, socially, and economically infeasible.

B. The Heavy Maintenance/Climate Protection Emphasis alternative emphasizes maintenance of existing roadways and transit systems and does not direct any of the $32 billion in uncommitted discretionary funds to roadway expansion projects. As such, this alternative would also not accommodate, as well as the proposed Project, the projected growth in the Bay Area's population and employment and the concomitant increased demand for

transportation infrastructure. Federal and state laws require MTC to develop regional transportation plans that account for future population growth and increased infrastructure demands. Moreover, Bay Area residents and businesses rely on a functional and effective transportation system. The increased gridlock and costly delay associated with inadequate transportation infrastructure would impede economic growth and vitality. The Heavy Maintenance/Climate Protection Emphasis alternative is therefore legally, socially, and economically infeasible.

C. The Heavy Maintenance/Climate Protection Emphasis + Land Use alternative would perform better than both the No Project and Heavy Maintenance/Climate Protection Emphasis alternatives and would therefore more fully satisfy legal requirements, social demands, and economic needs for adequate transportation infrastructure. However, the heightened performance of this alternative is predicated on hypothetical land use assumptions that cannot be realized without substantial governmental intervention, through regulation or new incentives to create public funding for housing and infrastructure improvements and increased levels of public services and facilities which would be needed by the proposed intensification of residential development in the urban core.

D. While local governments currently have authority over local land use decisions, the regional agencies (MTC, ABAG, BCDC, and BAAQMD) have made significant progress towards integrating transportation and land use through regional initiatives such as the Transportation for Livable Communities Program that supports community revitalization and compact development, MTC's Transit-Oriented Development Policy that conditions Resolution 3434 Regional Transit Expansion Program discretionary funding on supportive land uses, and ABAG's demographic projections series (latest being Projections 2007) that lays out a realistic assessment of regional growth but recognizes emerging trends in markets, demographics, and local policies that promote more compact infill development and transit-oriented development. However, more aggressive land use strategies such as those tested in this alternative would be infeasible absent new regulations and authority. Furthermore, while some local governments are already taking steps to plan for transit-oriented development and other infill opportunities, unresolved conflicts with local General Plans, "community character" concerns, and local economic development objectives would tend to substantially hinder realization of these land use assumptions. It is therefore currently legally infeasible for MTC to impose the land use changes discussed in this alternative. Furthermore, without reasonable assurance the program would perform as modeled absent statutory authority for implementation, this alternative is also socially and economically infeasible for the purposes of this regional transportation plan update.

E. The Heavy Maintenance/Climate Protection Emphasis + Pricing alternative would also perform better than both the No Project and Heavy Maintenance/Climate Protection Emphasis alternatives and would therefore more fully satisfy legal requirements, social demands, and economic needs for adequate transportation infrastructure. However, the heightened performance of this alternative also presumes that regional agencies have certain authority to impose new pricing strategies, most of which are subject to legislative or voter approval. For those strategies that require legislative or voter approval, any economic downturn reduces public support for "taxing" schemes that intentionally raise the price of driving, particularly in the short term before households can locate closer to urban centers and transit.

F. Though the Regional HOT Network will require new legislative authority to implement in the Bay Area, the magnitude of the legislative changes required for the aggressive pric-

ing strategies proposed under this alternative are greater and possibly more contentious than changes required for the HOT Network. Indeed, some pricing strategies such as parking cash-out are expressly limited in application by state law. While MTC actively advocates in Sacramento and Washington, DC, for expansion of statutory authority to implement pricing strategies such as the HOT Lane Network, the difference between MTC's existing authority and that required to implement the modeled pricing strategies is so large it is unreasonable to assume that the alternative could be implemented effectively. For example, for MTC to impose the carbon tax or VMT tax described in the Draft EIR, one of the following would be required: 1) the legislature would need to enact the tax either by a majority or a two-thirds (2/3) vote (depending on whether the tax is a special or general tax), 2) MTC would have to adopt the tax and this decision would have to be ratified by the voters through a two-thirds (2/3) majority vote (Cal. Const., art. XIII(a), Section 4), or 3) the voters would need to approve the tax by voting in favor of a proposition (the equivalent of Proposition 42 passed in 2002 or Proposition 1B passed in 2006). As to the other pricing strategies contemplated in this alternative, MTC does not have the authority of ability to directly impose a congestion fee for use of congested freeways, and only local governments can impose increases to parking prices. It is therefore currently legally infeasible for MTC to impose the pricing strategies discussed in this alternative. Without reasonable assurance the program would perform as modeled, it is infeasible to adopt this alternative for the purposes of this regional transportation plan update.

G. Feasibility under CEQA may also encompass desirability to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors. (*City of Del Mar v City of San Diego* (1982) 133 Cal.App.3d 410, 417.) The Heavy Maintenance/Climate Protection Emphasis alternative, Heavy Maintenance/Climate Protection Emphasis + Land Use alternative, and the Heavy Maintenance/Climate Protection Emphasis + Pricing alternative all exclude some new projects and programs such that they could be in conflict with countywide transportation plans as proposed by the CMAs. The State's regional transportation plan guidelines state that the RTP should "identify and incorporate other State and local transportation plans and programs." MTC's regional planning process is designed to incorporate the public participation and outreach processes that were undertaken at the local level to develop the transportation improvement packages proposed by CMAs for inclusion in the Transportation 2035 Plan. This is because transportation plans and projects evolve over time, often through complex multi-agency consultation, public outreach and review processes. The regional planning process does not require agencies, at every instance, to return to "square one" to continually reconsider the appropriate form and impact of their long-range planning efforts. Though the regional transportation plan must be updated every four years, transportation improvements take many years to plan, review, design, fund, and implement. Comment letters in Section 3 of the Final EIR from the Alameda County Congestion Management Agency, Santa Clara Valley Transportation Authority, and City/County Association of Governments of San Mateo County, respectively, underscore that their programs are not a collection of miscellaneous investments, but rather a program of projects that are interrelated and have been vetted within each community. For this additional reason, these alternatives would be undesirable, and legally and socially infeasible.

RECORD OF PROCEEDINGS

In accordance with Public Resources Code Section 21167.6, subdivision (e), the record of proceedings for the MTC's findings, alternatives analysis, and ultimate decision on the Plan includes the documents identified below.

- The NOP for the preparation of the Draft EIR;
- Public notices issued by MTC in conjunction with the Plan;
- All comments submitted by agencies or members of the public during the comment period on the NOP;
- MTC's *Draft Environmental Impact Report for the Transportation 2035 Plan,* December 2008 (includes all appendices);
- The Association of Bay Area Government's *Projections 2007* (ABAG's biennial forecast of population, housing, jobs, and income for the nine-county San Francisco Bay Region);
- MTC's *Transportation 2035 Plan Performance Assessment Report,* December 2008;
- MTC's *Bay Area High Occupancy Toll (HOT) Network Study, December 2008 Update,* and background feasibility studies and assessments;
- MTC's *Travel Forecasts Data Summary,* December 2008;
- MTC's *Transportation Air Quality Conformity Analysis for the Transportation 2035 Plan and 2009 Transportation Improvement Program/Amendment #09-06,* April 2009;
- MTC's *Final Environmental Impact Report for the Transportation 2035 Plan,* April 2009 (includes all appendices such as these Findings, the Statement of Overriding Considerations, and Mitigation Monitoring Program);
- Land Use and Planning Consistency Information;
- Noise Data;
- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by MTC in connection with the Plan;
- Any documentary or other evidence submitted to the MTC at such information sessions, public meetings, and public hearings;
- Any and all resolutions adopted by MTC regarding the Plan, and all staff reports, analyses, and summaries related to the adoption of those resolutions;
- Matters of common knowledge to MTC, including, but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these findings, in addition to those cited above; and
- Any other materials required for the record of proceedings by Public Resources Code Section 21167.6, subdivision (e).

The documents constituting the record of proceedings are available for review by responsible agencies and interested members of the public by appointment during normal business hours at the offices of the Metropolitan Transportation Commission, 101 Eighth Street, Oakland, CA 94607. The custodian of these documents is MTC's Public Information Officer.

INDEPENDENT REVIEW AND ANALYSIS

Under CEQA Public Resources Code Section 21082.1, subdivision (c), the lead agency must: (1) independently review and analyze the EIR; (2) circulate draft documents that reflect its independent judgment; and (3) as part of the certification of an EIR, find that the report or declaration reflects the independent judgment of the lead agency.

The Commission hereby finds that it has independently reviewed and analyzed the EIR, and all other materials in the Record of Proceedings; circulated a Draft EIR and a Final EIR that reflect its independent judgment; and finds that the Draft and Final EIR reflect MTC's independent judgment.

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Appendix B:
Statement of Overriding Considerations

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CEQA requires the Metropolitan Transportation Commission (MTC or Commission) to balance the benefits of the Transportation 2035 Plan against its significant unavoidable environmental effects in determining whether to approve the project. Since the EIR identifies significant impacts of the Transportation 2035 Plan that cannot feasibly be mitigated to below a level of significance, MTC must state in writing its specific reasons for approving the project in a "statement of overriding considerations" pursuant to Sections 15043 and 15093 of the CEQA Guidelines. This Statement of Overriding Considerations sets forth the specific reasons supporting MTC's action in approving the Transportation 2035 Plan, based on this EIR and other information in the administrative record.

In making the statement of overriding considerations, "CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable'." (CEQA Guidelines, Section 15093, subd. (a).)

In approving the proposed Transportation 2035 Plan, MTC makes the following Statement of Overriding Considerations pursuant to Public Resources Code Section 21081 and State CEQA Guidelines Section 15093 in support of its findings on the Final EIR:

> The Commission has considered the information contained in the Final EIR and has fully reviewed and considered all of the public testimony, documentation, exhibits, reports, and presentations included in the record of these proceedings. The Commission specifically finds and determines that this Statement of Overriding Considerations is based upon and supported by substantial evidence in the record.
>
> The Commission has carefully weighed the benefits of the proposed Transportation 2035 Plan against any adverse impacts identified in the Final EIR that could not be feasibly mitigated to a level of insignificance (listed in the following section). While the Commission has required all feasible mitigation measures, such impacts remain significant for purposes of adopting this Statement of Overriding Considerations.
>
> This Statement of Overriding Considerations applies specifically to those impacts found to be significant and unavoidable as set forth in the Final EIR and the record of these proceedings. In addition, this Statement of Overriding Considerations applies to those impacts that have been substantially lessened but not necessarily lessened to a level of insignificance.
>
> Based upon the goals and objectives identified in the proposed Plan and the Final EIR, following extensive public participation and testimony, and notwithstanding the impacts

that are identified in the Final EIR as being significant and potentially significant and which arguably may not be avoided, lessened, or mitigated to a level of insignificance, the Commission, acting pursuant to Public Resources Code Section 21081 and Section 15093 of the State CEQA Guidelines, hereby determines that specific economic, legal, social, environmental, technological, and other benefits and overriding considerations of the proposed Plan sufficiently outweigh any remaining unavoidable, adverse environmental impacts of the proposed Plan and that the proposed Plan should be approved.

The following sections briefly summarize the results of the environmental analysis on the proposed Project (described in more detail in the Draft EIR and Final EIR Appendix A: Findings and Facts in Support of Findings), and then describe the general project benefits considered by decision makers in determining to adopt the proposed Transportation 2035 Plan despite its potentially significant adverse environmental effects.

SIGNFICANT AND UNAVOIDABLE ENVIRONMENTAL EFFECTS

This EIR examined the environmental impacts of the Transportation 2035 Plan in the areas of Transportation, Air Quality, Land Use and Housing, Energy, Greenhouse Gases and Climate Change, Noise, Geology and Seismicity, Biological Resources, Water Resources, Visual Resources, Cultural Resources, and Growth Inducement. Despite identifying mitigation for each potentially significant impact, significant unavoidable impacts were identified in the issue areas of Transportation, Air Quality, Land Use and Housing, Noise, Biological Resources, and Visual Resources. In determining the significance of the environmental effects, two considerations are important to emphasize here:

- **Conservative Approach to Analysis and Conclusions.** In issue areas where uncertainty surrounds impacts at the program level, the EIR analysis used a conservative approach to both assessment and conclusions. For instance, in the land use analyses, conservative impact areas were assumed around the centerlines of projects, because the actual alignment of many projects is still unknown (Draft EIR, p. 2.3-27). Land use impacts were identified by acreage for all land uses that potentially overlap proposed construction/expansion/widening projects. The biological resources assessment was also conservative because it assumed that, unless known to be absent, special status species exist in all areas that provide at least moderate quality habitat (Draft EIR, page 2.9-27). Potential impacts were determined by evaluating whether proposed transportation improvements would occur within the potential range of a special status species of concern, whether projects would directly encroach upon an area of ecological significance, or whether the projects could involve the filling of wetlands. As stated on EIR page 2.9-22, "in many cases, the project alignments, locations, or other design details are not known because the projects are in the early stages of planning or development. As a result, this impact analysis relies largely on the potential for biological impacts based on proximity to sensitive resources, an analysis method that inherently tends to inflate the potential for adverse effects. Thus, while such impacts may be identified in this EIR, upon project implementation it is anticipated that actual impacts will be incrementally smaller. Laws and regulations protecting special-status species, areas of ecological significance, and wetland resources are effective incentives for project proponents to design alternatives that either avoid or substantially reduce impacts on these resources." Due to the programmatic level of analysis in the EIR and lack of project-specific plans, it is not possible to define the

exact extent of potential impact, so it is not possible to ascertain with certainty whether the identified mitigation measures for these impacts will reduce impacts to levels considered "not significant." However, it is likely that, with proper design and planning, many of the identified impacts can be avoided or minimized.

- **Short Term and Localized Impacts.** Numerous impacts of the Transportation 2035 Plan would be short-term effects related to construction of new transportation facilities. The differences in short-term impacts, once mitigated, between the Transportation 2035 Plan and alternatives are not substantial. This is true particularly for water resources, biological resources, visual resources, and cultural resources, where project-level mitigation opportunities are extensive and sophisticated. Short-term impacts, for the most part, can be mitigated to levels that are not significant. However, in some instances the EIR analysis found enough uncertainty around short-term and cumulative localized effects at the program level that the impact was identified as significant and unavoidable as a conservative estimate of the potential effect (see first bullet point above). This uncertainty around short-term and cumulative localized effects also applies to the alternatives.

Ultimately, MTC identified significant environmental impacts that may not be mitigable as shown in Draft EIR Table S-1. These potentially significant and unavoidable impacts include:

- Increased vehicle miles traveled at Level of Service F for freeways, expressways, and arterial facilities;
- Increased construction-related emissions of criteria pollutants;
- Increased PM_{10} and $PM_{2.5}$ emissions;
- Individually and cumulatively considerable conversion of farmland, including prime agricultural land designated by the State of California, to transportation use;
- Disruption or displacement of existing land uses, neighborhoods, and communities in the short-term;
- Cumulatively considerable increase in noise levels along some travel corridors;
- Adverse effects on special-status plant and/or wildlife species identified as endangered, candidate, and/or special status by the CDFG or USFWS;
- Cumulatively considerable conversion of undeveloped land to urban uses, contributing to the removal or fragmentation of habitat area;
- Individual and cumulative degradation of visual resources by adding or expanding development in rural or open space areas, blocking views from adjoining areas, blocking or intruding into important vistas, and changing the scale, character, and quality of designated or eligible Scenic Highways.

As described in the Findings (Appendix A of this document), many of these impacts will be substantially reduced through implementation of mitigation measures identified in the EIR. In other cases, the EIR states that impacts may be reduced to levels that are not significant, but the impact is still classified as "significant" because the effectiveness and feasibility of mitigation measures cannot be determined at this time due to the preliminary nature of the individual project locations and designs.

In many instances, the EIR has identified a mitigation that is within the responsibility and jurisdiction of another agency to implement. MTC believes there is substantial evidence that impacts identified as less than significant with mitigation will in fact be mitigated by the incorporation of mitigation by other agencies. To the extent that there is some remaining potential that impacts will not be mitigated to a less-than-significant level, MTC hereby finds that those impacts are acceptable, in that the benefits of the Plan outweigh the remaining potential.

The following sections describe MTC's reasoning for approving the proposed Plan, despite these potentially significant unavoidable impacts.

PROPOSED TRANSPORTATION PLAN BENEFITS

CEQA does not require lead agencies to analyze "beneficial impacts" in an EIR. Rather, EIRs focus on potential "significant effects on the environment" defined to be "adverse." (Public Resources Code Section 21068) Nevertheless, decision makers may be aided by information about project benefits. These benefits can be cited, if necessary, in a statement of overriding considerations (CEQA Guidelines Section 15093). MTC's decision to adopt the Transportation 2035 Plan rather than any of the alternatives is based on considering the balance of these benefits of the proposed Project against its identified unavoidable environmental impacts:

- The transportation goals, strategies, and improvements proposed in the Transportation 2035 Plan were derived from an extensive regional agency and public outreach effort lead by MTC, and they reflect broad agency and public support, as documented in the Transportation 2035 Plan and supplemental public outreach reports.

  The purpose and contents of Regional Transportation Plans (RTPs) are specified in Federal and State statute – the Federal metropolitan transportation planning rule is set forth in Title 23 CFR Part 450 and 49 CFR Part 613 and the State transportation planning rule is codified in California Government Code Section 65080(c). The federal metropolitan transportation planning rules calls for the metropolitan transportation planning process to provide for consideration and implementation of projects, strategies, and services that will address planning factors pertaining to economic vitality, transportation safety, transportation security, accessibility of mobility of people and freight, environmental protection, transportation system integration and connectivity, efficient system management and operation, and preservation of the existing transportation system. Furthermore, according to the California Transportation Commission's *2007 Regional Transportation Plan Guidelines* which was prepared pursuant to Government Code Section 65080(c), the purpose of RTPs is to "encourage and promote the safe and efficient management, operation and development of a regional intermodal transportation system that will serve the mobility needs of goods and people."

  As required by federal and state metropolitan planning regulations, the Transportation 2035 Plan transportation goals, objectives, and strategies therefore are not only derived from federal planning factors but also established to support the movement of goods and people through the development of a safe, efficient, well-integrated regional transportation system.

- The Transportation 2035 Plan is consistent with the California Transportation Plan and other plans developed by cities, counties, districts, Native American Tribal Governments, and State and Federal agencies in responding to Statewide and interregional transportation issues and needs. Specifically, the Transportation 2035 Plan is consistent with adopted countywide transportation plans and priorities, as well as voter approved county transportation sales tax expenditure plans and bridge toll programs. These plans and priorities, in turn, reflect the input and concerns of county congestion management agencies, transit operators, local governments, and members of the public.
- The program of projects in the Transportation 2035 Plan meets the policy goals and objectives established by MTC for a long-range regional transportation plan better than the alternatives.
- The Commission established a three-prong policy framework for the Transportation 2035 Plan: (a) the Three Es of economy, environment and equity serve as the umbrella policy structure, (b) the eight plan goals of maintenance & safety, reliability, efficient freight travel, security & emergency management, clean air, climate protection, equitable access, and livable communities reinforce each of the Three Es, and (c) the performance objectives of reducing congestion, vehicle miles traveled, carbon dioxide and particulate matter pollution, improving transportation-housing affordability, and improving maintenance, safety and security of the transportation system serve as benchmarks to measure the region's progress in meeting the Three Es and goals. As reflected in the Transportation 2035 Plan, the Commission defined a comprehensive mix of transportation policies, strategies and investments that strike a balance at meeting the plan's Three Es, goals and performance objectives.
- The alternatives chosen for evaluation in the Draft EIR do reflect the careful consideration of potential for achieving these basic project goals and objectives. MTC designed alternatives that balanced the goal of greenhouse gas reduction with the other plan goals described above, and came up with alternatives predicated on increased investment in operations and maintenance which would reduce other potentially significant adverse effects as well without jeopardizing the safety and functionality of the system. However, on the whole, the Transportation 2035 Plan does a superior job in striking a good balance at meeting the plan's goals and objectives, as outlined below, although is not environmentally superior to the alternatives in all respects, as discussed in Appendix A: Findings and Facts in Support of Findings.
- The Transportation 2035 Plan would improve mobility in 2035 as compared with existing conditions and the No Project alternative by increasing accessibility to jobs by both automobile and transit mode for all time intervals of 15, 30, and 45 minutes.
- The Transportation 2035 Plan would improve mobility in 2035 as compared with the No Project alternative by significantly decreasing VMT at LOS F for all road facility types.
- The Transportation 2035 Plan would not interfere with the attainment and maintenance of federal and state air quality standards, as follows:
    - Reactive organic gases, nitrogen oxides, and carbon monoxide would decrease substantially compared to today's emissions (ranging from 72 percent to 80 percent less) due largely to the continued long term effects of California's stringent

automobile engine emission controls. The Transportation 2035 Plan would reduce emissions of all types of pollutants in 2035 by 0.7 percent to 1.3 percent compared to the No Project conditions.

  - Compared to existing conditions, particulate matter would increase by 28 percent for PM10 and by 19 percent for PM2.5, which is an improvement on the performance of the last RTP. These emissions are due to the projected cumulative regional growth in vehicle miles of travel; however the Transportation 2035 Plan would decrease emissions of particulate matter by 0.7 percent for PM10 and by 1.2 percent for PM2.5 compared to the No Project condition.

- The Transportation 2035 Plan results in lower rates of transportation-related energy consumption than existing conditions, as a result of the enforcement of stricter fuel efficiency standards as well as decreased congestion due to Plan projects resulting in more efficient vehicle movement.
- The Transportation 2035 Plan would result in better future environmental outcomes than all alternatives in terms of long term noise exposure.
- The Transportation 2035 Plan would result in better future environmental outcomes than the No Project condition in the areas of greenhouse gases and climate change and seismic risk exposure.
- The Transportation 2035 Plan, by including the Regional HOT Network, augments its own budget by providing reasonably foreseeable access to an additional $6.1 billion in net revenue that can be directed to other important corridor mobility and operational investments.
- The Transportation 2035 Plan includes effective roadway performance-enhancing programs (such as the Freeway Performance Initiative) to reduce congestion, and critical new intra-and inter-regional transit connections (such as Resolution 3434 Regional Transit Expansion Program, Transportation for Livable Communities Program, and even locally-implemented initiatives such as Safe Routes to Schools and Transit Programs) that will improve the overall attractiveness and functionality of the transit network.
- The Transportation 2035 Plan would support mobility between the Bay Area and neighboring regions by improving highway and transit through key interregional gateways, and thus contribute to the economic well being and quality of life for these areas as well as the Bay Area.

OVERRIDING CONSIDERATIONS CONCLUSIONS

MTC finds that the proposed Transportation 2035 Plan has been carefully reviewed and that the mitigation measures identified in the Final EIR have been included in the Mitigation Monitoring Plan adopted by the Commission. Nonetheless, the proposed Plan may have certain environmental effects, which cannot be avoided or substantially lessened. As to these significant environmental effects that are not avoided or substantially lessened to a point less than significant, the MTC finds that specific fiscal, economic, social, technological, or other considerations make additional mitigation of those impacts infeasible, in that all feasible mitigation measures have been incorporated into the proposed Plan.

The Commission has carefully considered all of the environmental impacts that have not been mitigated to an insignificant level, as listed above. The Commission has also carefully considered the fiscal, economic, social, and environmental benefits of the proposed Plan, as listed above, and compared these with the benefits and impacts of the alternatives, which were evaluated in the EIR. The Commission has balanced the fiscal, economic, social, and environmental benefits of the proposed Plan against its unavoidable and unmitigated adverse environmental impacts and, based upon substantial evidence in the record, has determined that the benefits of the proposed Plan outweigh, and therefore override, the remaining adverse environmental effects. Such benefits provide the substantive and legal basis for this Statement of Overriding Considerations.

Based on the foregoing and pursuant to Public Resources Code section 21081 and State CEQA Guidelines section 15093, the Commission further determines that the unavoidable adverse environmental effects of the proposed Plan are acceptable, and that there are overriding considerations which support the Commission's approval of the proposed Plan, as stated in the above sections.

MTC believes that it is prudent to select this Plan over the alternatives because it provides dramatic improvements over the continuation of the existing Transportation 2030 Plan and makes the most of MTC's current authority, regional planning efforts, and cooperative relationship with local CMAs. In making this determination, MTC incorporates by reference the Findings and Facts in Support of Findings set forth in Appendix A, as well as all of the supporting evidence cited therein, within the Draft and Final EIR, and in the administrative record.

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Appendix C:
Mitigation Monitoring Program

Appendix C: Mitigation Monitoring Program

This Mitigation Monitoring Program has been prepared for the EIR for the Transportation 2035 Plan in accordance with the State's mitigation monitoring statute, Public Resource Code Section 21081.6, and sections 15091 (d) and 15097 of the California Environmental Quality Act (CEQA). These provisions require public agencies to establish mitigation monitoring or reporting programs for projects where they have identified significant adverse impacts and mitigation measures to reduce or avoid these significant impacts. The public agency must adopt the monitoring and reporting program when approving a project. The intent of these provisions is to ensure that mitigation measures are fully implemented.

PURPOSE OF MITIGATION MONITORING PROGRAM

To ensure that mitigation measures established for significant environmental impacts identified through the CEQA process are fully implemented, the Public Resources Code was amended in 1988 (codified as Section 21081.6) to require a reporting or monitoring program "designed to ensure compliance during project implementation." Every time a Lead Agency—such as the MTC—approves a mitigated negative declaration or an EIR that identifies significant impacts and measures to mitigate them, it must also prepare a mitigation-monitoring program. CEQA Guidelines Section 15097 was added in 1999 to further clarify agency requirements for mitigation monitoring or reporting.

The Transportation 2035 Plan EIR identified significant environmental impacts and measures that would mitigate those impacts. This document outlines a program for the implementation and monitoring of those mitigation measures. The purpose of this program is to document that the mitigation measures will be implemented and that environmental impacts are reduced to the level identified in the Plan EIR. One of the basic premises of the Mitigation Monitoring Program is that agencies responsible for carrying out individual projects identified in the Transportation 2035 Plan are also responsible for mitigating their impacts.

Because the Transportation 2035 Plan contains projects that would be developed by agencies other than MTC and located within numerous jurisdictions within the region, MTC finds that the implementation of some mitigation measures listed in Appendix A of this document are not within its jurisdiction. These measures can and should be implemented and monitored by agencies responsible for implementing and overseeing the implementation of the individual projects contained in the Transportation 2035 Plan. These agencies include both project sponsors—local jurisdictions, transit agencies, county congestion management agencies, county transportation authorities, and Caltrans—as well as agencies responsible for the conservation of natural resources. These latter agencies include the Bay Area Air Quality Management District, the San Francisco Bay Conservation and Development Commission, the Regional Water Quality Control Board, the U.S. and California Environmental Protection Agencies, the Department of Fish and Game, and the U.S. Army Corps of Engineers. Ultimately, MTC will ensure compliance

with the identified mitigation measures by requiring individual projects to undergo CEQA and NEPA (if applicable) review prior to project approval by MTC.

This Mitigation Monitoring Program includes a discussion of agency roles and responsibilities for mitigation measure implementation and monitoring, general monitoring procedures, and timing of mitigation measure implementation. To ensure compliance with CEQA, this document summarizes the actions to be taken to implement the mitigation measures prescribed for the Plan EIR. These measures are to be implemented to reduce adverse environmental impacts of individual projects on the resource areas of Transportation, Air Quality, Land Use, Greenhouse Gases and Climate Change, Noise, Geology, Water Resources, Biological Resources, Visual Resources, and Cultural Resources.

MTC'S ROLE

Although MTC is the lead agency for developing the Transportation 2035 Plan, MTC will likely not be the lead agency or project sponsor for individual projects identified in the Plan. Most mitigation measures listed in the Plan EIR are project-level, rather than program-level measures, and must be implemented through the course of specific project design and engineering, permitting, and construction by the project sponsor. Therefore, the MTC's primary role is as a responsible agency to oversee future project-level CEQA analyses to ensure incorporation of measures identified in the Plan EIR. MTC's role thus includes:

- **Requiring** sponsors of the transportation projects to comply with CEQA and NEPA, if applicable, prior to project approval by MTC;
- **Evaluating** proposed projects to identify changes and best practices that would reduce identified environmental impacts;
- **Recommending** to sponsors, as appropriate, mitigation measures identified in this EIR and other site-specific measures that are developed during the course of individual project environmental analysis to ensure that potential impacts outlined in this EIR are adequately addressed and mitigated;
- **Requesting** details as necessary in the project-level monitoring and reporting programs to ensure follow-up and continued compliance throughout construction and operational phases;
- **Reviewing** mitigation monitoring status reports (pursuant to MTC Resolution 1481, Revised) and following up if reports show mitigation efforts are performing below reasonable expectations;
- **Updating** the Regional Transportation Plan at least every four years and the Transportation Improvement Program (TIP) every four years, including preparing a transportation air quality conformity finding pursuant to the Federal Clean Air Act; and
- **Working** with regional agencies and other bodies to implement other actions that would minimize the environmental impacts of the Transportation 2035 Plan.

MTC Measures and Monitoring

Regarding the last bullet point, the measures from the Draft EIR for which MTC takes primary responsibility are listed below. In most cases, these measures will be implemented over an

extended time period. MTC will monitor progress on these mitigation measures and report to interested persons and other responsible agencies through, at minimum, the actions and minutes of the Joint Policy Committee meetings, which occur bi-monthly or more often as necessary.

2.1(a) MTC, ABAG, BCDC and BAAQMD—as represented through the Joint Policy Committee (JPC) which coordinates the regional planning efforts of the four agencies—shall work to leverage existing funds (including the $2.2 billion in funds committed in the proposed Transportation 2035 Plan for the Transportation for Livable Communities Program) and seek additional funds to provide financial incentives to local governments that volunteered to designate their communities as Priority Development Areas (PDAs) through the FOCUS program and commit to build higher density residential and mixed use development near transit.

2.1(b) MTC, in partnership with ABAG, BCDC, BAAQMD, local governments, and employers who would like to participate, will seek opportunities to conduct research on and promote value pricing of parking and other innovative parking strategies, for example:

- Employer parking "cash out" programs, which allow employees to forego a parking spot in favor of cash or a subsidized transit pass;
- Residential parking "opt-out" programs, which reduce city parking requirements in favor of developer funded cash to residents and/or transit passes, carshare membership, bicycle rentals, or alternative modes;
- Local parking self-financing programs, which price parking to fund transit passes, alternative modes, and/or provide cash directly to workers and residents;
- "Green certification" of local parking policy regulations aimed at reducing vehicle miles traveled; and
- Technical assistance programs to remove barriers that prevent local governments from implementing parking pricing programs.

2.1(c) MTC shall advocate to State and federal legislators for new incentive funding for local governments to take steps to encourage higher density and mixed use developments near transit, including strategies such as (a) revising land use plans and zoning codes to remove barriers that may prevent such development; or (b) providing incentives to developers through density bonuses or expedited development review.

2.2(b) MTC and BAAQMD, in partnership with ARB and other partners who would like to participate, shall work to leverage existing air quality and transportation funds and seek additional funds to continue to implement the BAAQMD's Lower-Emission School Bus Program (LESBP) to retrofit older diesel school buses with emission control devices and replace older school buses with clean school buses, and to develop and implement other similar programs aimed at retrofits and replacements of heavy duty fleet vehicles.

2.2(c) MTC and BAAQMD, in partnership with the Port of Oakland, ARB, and other partners who would like to participate, shall work together to identify, prioritize and

implement actions beyond those identified in the Statewide Goods Movement Emission Reduction Plan to reduce diesel PM and other air emissions.

2.2(d) MTC and BAAQMD, in partnership with the Port of Oakland, ARB, and other partners who would like to participate, shall work together to secure incentive funding that may be available through the Carl Moyer Memorial Air Quality Standards Attainment Program to reduce port-related emissions.

2.2(e) MTC and BAAQMD, in partnership with the Port of Oakland, ARB, and other partners who would like to participate, shall work together to secure Proposition 1B Goods Movement Emission Reduction Program funds to invest in Bay Area related programs. These funds directly support early and accelerated diesel PM reduction programs and can help ease the transition into compliance with adopted and proposed ARB regulations.

2.2(f) MTC and BAAQMD, in partnership with the Port of Oakland, ARB, and other partners who would like to participate, shall work together to develop and seek resources for the San Francisco Bay Area Green Ports Initiative, which is a program to reduce air pollution from trucks, ships and other equipment associated with Bay Area port operations.

2.3(d) Through regional programs such as the Transportation for Livable Communities Program, Regional Bicycle Program, etc., MTC shall continue to support locally sponsored traffic calming and alternative transportation initiatives, such as paths, trails, overcrossings, bicycle plans, and the like that foster improved neighborhoods and community connections.

2.3(e) MTC shall continue to participate in and promote the efforts of the multi-agency FOCUS project, which is intended to coordinate regional growth efforts to use land more efficiently, optimize transportation and other infrastructure investments in existing communities that focus new development near existing transit, preserve open space, etc. In this way, MTC, in partnership with regional agencies such as ABAG, and advocacy groups such as Greenbelt Alliance and TransForm (formerly TALC), can pursue the enhanced coordination of local land use planning with transportation investments in the proposed Transportation 2035 Plan.

2.5(a) MTC shall commit to working with ABAG, BCDC, and BAAQMD, through the JPC, to develop a set of "green construction" policies and best practices that encourage use of lowest emitting construction equipment and fuels (e.g., diesel-powered vehicles meeting the most current ARB-certified tier or better engines).

2.5(c) MTC will work with BCDC, in partnership with the regional agencies and other partners who would like to participate, to conduct a vulnerability assessment for the region's transportation infrastructure and identify the appropriate adaptation strategies to protect those transportation resources that are likely to be impacted and are a priority for the region to protect. This assessment should build off of but not duplicate current BCDC efforts and research underway.

In Support of a Regional Mitigation Strategy

In its role as a regional transportation planning agency, and in cooperation with its partner regional agencies ABAG, BAAQMD, and BCDC, MTC is identifying opportunities for region-wide coordination to achieve environmental protection goals, through the Joint Policy Committee's efforts to coordinate implementation of Assembly Bill 32 and Senate Bill 375 and through ongoing interagency consultation with federal/state resource agencies, Tribal governments, and other stakeholders. Key opportunities to enhance coordinated mitigation efforts may include increased integration of conservation mapping data to inform easement decisions and project location choices (a process that has already begun in the Plan EIR in the preparation of the regional farmland and sea level rise maps, among others) and enhanced travel and socioeconomic demographic forecast models. Mitigation measures 2.3(e) and 2.5(c) (listed above) support this effort. MTC will continue to support and advance the goals of the JPC and the region's ability to meet SB 375 requirements by pursuing opportunities for regional coordination.

PROJECT SPONSORS AND PROJECT-LEVEL REVIEW

Project sponsors are the agencies responsible for environmental review, design, right-of-way procurement, and construction of individual projects included in the Transportation 2035 Plan.

The analysis contained in the EIR on the Transportation 2035 Plan is at a "program level" which evaluates the general range of impacts and mitigation measures that may be defined for the entire program of projects (CEQA Guidelines Section 15168). However, many of the projects proposed in the Transportation 2035 Plan have not yet completed CEQA review because they have not yet been programmed or sufficiently defined to have a meaningful CEQA review at the project level. The project sponsors are thus responsible for conducting project-level environmental review consistent with CEQA and NEPA, if applicable, for Transportation 2035 Plan projects they implement. Specifically, project sponsors are responsible for the following:

- **Conducting** project-level CEQA and NEPA (as applicable) analysis where a transportation project has the potential to cause or contribute to a significant impact on the environment (at minimum addressing the potentially significant impacts already identified at the program level through this EIR);
- **Reviewing** this EIR and considering applicable impact findings and mitigation measures herein when completing the project-level analysis and proposing mitigation measures;
- **Notifying** MTC and other responsible, trustee, or interested public agencies in a timely manner of the CEQA and/or NEPA process underway and how said agencies may consult on that process;
- **Responding** to written comments on impacts and mitigation measures from public agencies (including MTC) and interested groups/individuals;
- **Adopting** adequate mitigation measures and a mitigation monitoring and reporting program for those transportation projects with significant impacts;

- **Delivering** to MTC the response to comments on the EIR and final recommendations for certification of the EIR or mitigated negative declaration and the mitigation monitoring and reporting program, for review and comment prior to project EIR certification; and
- **Reporting** to MTC on compliance with mitigation measures pursuant to MTC Resolution 1481, Revised, and should mitigations perform below reasonable expectations, reporting to MTC about these low-performing mitigations and modifying them accordingly.

OTHER RESPONSIBLE AND TRUSTEE AGENCIES

The other regional planning agencies (ABAG, BAAQMD, and BCDC) shall support MTC's implementation of program-level mitigation measures listed above, through their roles as described specifically in the mitigation measures themselves, as well as through on-going consultation and coordination efforts.

Agencies charged with the protection and conservation of natural resources shall help to ensure the mitigation of significant impacts through providing comments on project CEQA and NEPA documents, and through permit issuance standards and conditions.

TIMING

Most of the mitigation measures are related to specific site design and construction practices and will therefore be required during the design phase, pre-construction phase, and/or construction phase of individual projects. Project-specific mitigation monitoring programs may necessitate onsite environmental monitors during construction activities. Individual projects will progress through development stages at different times throughout the planning period. Nonetheless, project sponsors or their agents will be responsible for successfully implementing and enforcing the mitigation measures, and MTC will help to ensure compliance by receiving and reviewing status reports pursuant to MTC Resolution 1481, Revised.

One of the key components of a monitoring program is to determine whether or not mitigation measures are effective in reducing impacts to levels that are less than significant. Standards for successful mitigation are implicit in many mitigation measures that include such requirements as avoiding a specific impact entirely. Project sponsors will be required to compare residual impacts (after mitigation measures are implemented) to either a) the Transportation 2035 Plan EIR significance criteria or b) subsequent site-specific project EIR significance criteria or specific mitigation performance standards in order to determine mitigation measure effectiveness. MTC may conduct a comprehensive review of measures that are not effectively mitigating impacts at any time it deems appropriate.

Appendix D:
MTC Resolution Certifying the EIR on the Transportation 2035 Plan

Date: April 22, 2009
W.I.: 1121
Referred by: Planning Committee

ABSTRACT

Resolution No. 3892

This resolution certifies the Final Environmental Impact Report for the Transportation 2035 Plan.

Date: April 22, 2009
W.I.: 1121
Referred by: Planning Committee

Re: Final Environmental Impact Report for the Transportation 2035 Plan

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 3892

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Sections 66500 et seq.; and

WHEREAS, MTC staff and its consultants have prepared a program-level Environmental Impact Report (EIR) for the Transportation 2035 Plan, pursuant to provisions of the California Environmental Quality Act (CEQA); and

WHEREAS, on December 19, 2008 MTC released for public review and comment the Draft EIR for the Transportation 2035 Plan, and, following a 45-day public review period ending February 2, 2009, responded to all comments received and incorporated technical corrections and revisions in response to comments where appropriate into the Final EIR; and

WHEREAS, CEQA requires that MTC provide a written response to each public agency that commented on the Draft EIR ten days before the certification of the Final EIR, and MTC compiled with this requirement by transmitting the written responses to each public agency on March 2, 2009; and

WHEREAS, MTC staff and its consultants have prepared Findings and Facts in Support of Findings, Statement of Overriding Considerations, and Mitigation Monitoring Program and incorporated them as appendices to the Final EIR; and

WHEREAS, MTC has reviewed and considered the information contained in the Final EIR, including Findings and Facts in Support of Findings, Statement of Overriding Considerations, and Mitigation Monitoring Program; now, therefore, be it

RESOLVED, that MTC has reviewed the Final Environmental Impact Report for the Transportation 2035 Plan, included herein as Attachment A and made a part hereof by reference, and certifies the following in accordance with CEQA Guidelines Section 15090:

(A) The Final EIR has been completed in compliance with CEQA;

(B) The Commission reviewed and considered the information contained in the Final EIR, prior to considering the proposed Transportation 2035 Plan; and

(C) The Final EIR reflects the independent judgment and analysis of the Commission.

METROPOLITAN TRANSPORTATION COMMISSION

Scott Haggerty, Chair

The above resolution was entered into by the
Metropolitan Transportation Commission
at a regular meeting of the Commission held in
Oakland, California, on April 22, 2009.

Date: April 22, 2009
W.I.: 1121
Referred by: Planning Committee

Attachment A
Resolution No. 3892
Page 1 of 1

Draft and Final Environmental Impact Report for the Transportation 2035 Plan

A copy of the Draft and Final Environmental Impact Report for the Transportation 2035 Plan documents are on file in the offices of the Metropolitan Transportation Commission located at the Joseph P. Bort MetroCenter, 101 Eighth Street, Oakland, California 94607.

Appendix E:
MTC Resolution 1481, Revised

Date:	February 27, 1985
14.1:	902-80-01
WA.:	9478R
Referred By:	WPPRC
Revised:	07/23/08-C

ABSTRACT

Resolution No. 1481, Revised

This resolution approves and adopts the Environmental Guidelines of the Metropolitan Transportation Commission. This resolution supersedes MTC Resolution No. 76 and 750.

This resolution was revised on July 23, 2008 to amend the guidelines pursuant to state statute. See Deputy Director's memorandum on this subject dated July 3, 2008.

Date: February 27, 1985
W.I.: 902-80-01
W.A.: 9478R
Referred By: WPPRC

Re: Adoption of the Environmental Guidelines of the Metropolitan Transportation Commission.

METROPOLITAN TRANSPORTATION COMMISSION

RESOLUTION NO. 1481

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code § 66500 et seq.; and

WHEREAS, the California Environmental Quality Act (CEQA)(Public Resources Code § 21000 et seq.) provides that all public agencies shall adopt criteria and procedures for the evaluation of projects and the preparation of environmental impact reports; and

WHEREAS, the Commission adopted "MTC Environmental Objectives Criteria and Environmental Review Procedures" on June 13, 1973 (MTC Resolution No. 76); and

WHEREAS, the Commission approved and adopted on January 23, 1980 (MTC Resolution No. 750) the document entitled "Environmental Procedures of the Metropolitan Transportation Commission," dated December 6, 1979; and

WHEREAS, the Commission approved and adopted on March 25, 1981 (MTC Resolution No. 750, Revised) the revised "Environmental Procedures of the Metropolitan Transportation Commission," dated January 23, 1980; and

WHEREAS, new guidelines have been drafted in conformance with amendments to the State CEQA Guidelines (14 Cal. Admin. Code § 15000 et seq.) adopted in August 1983 by the California Secretary for Resources; now, therefore, be it

Resolution No. 1481
page two

RESOLVED, that the Metropolitan Transportation Commission approves and adopts the "Environmental Guidelines of the Metropolitan Transportation Commission," attached hereto and marked Attachment A, and said Environmental Guidelines shall supercede the "Environmental Procedures of the Metropolitan Transportation Commission" and the "MTC Environmental Objectives Criteria and Environmental Review Procedures."

METROPOLITAN TRANSPORTATION COMMISSION

Robert I. Schroder, Chairman

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Martinez, California, on February 27, 1985.

Date: February 27, 1985
W.I.: 902-80-01
W.A.: 9478R
Referred By: WPPRC
Revised: July 23, 2008 – PC

Attachment A
Resolution No. 1481, Revised
Page 1 of 2

Environmental Guidelines of the Metropolitan Transportation Commission
Revised July, 2008

Pursuant to 14 Cal. Admin. Code § 15022(d), the Metropolitan Transportation Commission adopts the State CEQA Guidelines (14 Cal. Admin. Code § 15000 et. seq.), by this reference as set forth in full with the following additions:

MTC has determined that the following specific activities are within the categorical exemptions established by the state CEQA Guidelines, as authorized by 14 Cal. Admin. Code Section 15300.4:

> "Section 15300.4. Application by Public Agencies. Each public agency shall, in the course of establishing its own procedures, list those specific activities, which fall within each of the exempt classes, subject to the qualification that these lists must be consistent with both the letter and the intent expressed in the classes. Public agencies may omit from their implementating procedures classes and examples that do not apply to their activities, but they may not require EIRs for projects described in the classes and examples in this article except under the provisions of Section 15300.2."

The Class 1 categorical exemption reads as follows:

> "Section 15301. Class 1 consists of the operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:
>
> '(c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities except where the activity will involve removal of a scenic resource including a stand of trees, a rock outcropping, or an historical building."

MTC finds this exemption includes but is not limited to the following:

> Reconstruction or modification of an existing bridge structure on essentially the same alignment or location (e.g., widening less than a single travel lane, adding shoulders or safety lanes, walkways, bikeways, or pipelines) except bridges on or eligible for inclusion on the National Register or bridges providing access to barrier islands.

Reconstruction or modification of an existing one lane bridge structure, presently serviced by a two lane road and used for two lane traffic, to a two lane bridge on essentially the same alignment or location, except bridges on or eligible for inclusion on the National Register or bridges providing access to barrier islands.

Construction of bicycle and pedestrian lanes, paths, and facilities.

Modernization of an existing highway by resurfacing, restoration, rehabilitation, widening, adding shoulders, adding auxiliary lanes for localized purposes (e.g., weaving, turning, climbing), and correcting substandard curves and intersections. This classification is not applicable when the proposed project requires acquisition of more than minor amounts of right—of—way or substantial changes in access control

Highway safety or traffic operations improvement projects including the correction or improvement of high hazard locations, elimination of roadside obstacles, highway signing, pavement markings, traffic control devices, railroad warning devices, and lighting. This classification is not applicable when the proposed action requires acquisition of more than minor amounts of right—of-way or substantial changes in access control.

Project administration and operating assistance to transit authorities to continue existing service or increase service to meet demand.

Pursuant to Division 13 (Environmental Quality), Chapter 2.6, Section 21081.7 of the California Public Resources Code was added in 1989:

21081.7. Transportation information resulting from the reporting or monitoring program required to be adopted by a public agency pursuant to Section 21081.6 shall be submitted to the transportation planning agency in the region where the project is located and to the Department of Transportation for a project of statewide, regional, or areawide significance according to criteria developed pursuant to Section 21083. The transportation planning agency and the Department of Transportation shall adopt guidelines for the submittal of those reporting or monitoring programs.

In compliance with this code section, MTC adopts the following guidelines for submittal of those reporting or monitoring programs:

If a project sponsor has mitigation measures under way pursuant to Cal. PRC Section 21083.6, it must file status reports, pursuant to Cal. PRC Section 21083.7, with MTC's Planning Director. Status reports will be forwarded by the MTC Planning Director to MTC's Planning Committee for information.

Superseded 7/23/08 by C
date C or Cte

Date: February 27, 1985
W.I.: 902-80-01
W.A.: 9478R
Referred By: WPPRC

Attachment A
Resolution No. 1481
Page 1 of 2

Environmental Guidelines of the Metropolitan Transportation Commission
Revised February 1985

Pursuant to 14 Cal. Admin. Code § 15022(d), the Metropolitan Transportation Commission adopts the State CEQA Guidelines (14 Cal. Admin. Code § 15000 et seq.), by this reference as set forth in full with the following additions:

MTC has determined that the following specific activities are within the categorical exemptions established by the state CEQA Guidelines, as authorized by 14 Cal. Admin. Code Section 15300.4:

> "Section 15300.4. Application by Public Agencies. Each public agency shall, in the course of establishing its own procedures, list those specific activities which fall within each of the exempt classes, subject to the qualification that these lists must be consistent with both the letter and the intent expressed in the classes. Public agencies may omit from their implementating procedures classes and examples that do not apply to their activities, but they may not require EIRs for projects described in the classes and examples in this article except under the provisions of Section 15300.2."

The Class 1 categorical exemption reads as follows:

> "Section 15301. Class 1 consists of the operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:
>
> ...
>
> "(c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities except where the activity will involve removal of a scenic resource including a stand of trees, a rock outcropping, or an historical building."

MTC finds this exemption includes but is not limited to the following:

- Reconstruction or modification of an existing bridge structure on essentially the same alignment or location (e.g., widening less than a single travel lane, adding shoulders or safety lanes, walkways, bikeways, or pipelines) except bridges on or eligible for inclusion on the National Register or bridges providing access to barrier islands. Reconstruction or modification of an existing one lane bridge structure, presently serviced by a two lane road and used for two lane traffic, to a two lane bridge on essentially the same alignment or location, except bridges on or eligible for inclusion on the National Register or bridges providing access to barrier islands.

- Construction of bicycle and pedestrian lanes, paths, and facilities.

- Modernization of an existing highway by resurfacing, restoration, rehabilitation, widening, adding shoulders, adding auxiliary lanes for localized purposes (e.g., weaving, turning, climbing), and correcting substandard curves and intersections. This classification is not applicable when the proposed project requires acquisition of more than minor amounts of right-of-way or substantial changes in access control.

- Highway safety or traffic operations improvement projects including the correction or improvement of high hazard locations, elimination of roadside obstacles, highway signing, pavement markings, traffic control devices, railroad warning devices, and lighting. This classification is not applicable when the proposed action requires acquisition of more than minor amounts of right-of-way or substantial changes in access control.

- Project administration and operating assistance to transit authorities to continue existing service or increase service to meet demand.

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Memorandum

TO: Planning Committee DATE: July 3, 2008

FR: Deputy Executive Director, Policy W. I.

RE: Environmental Impact Report (EIR) Mitigation Monitoring Reporting; MTC Resolution No. 1481, Revised

Background

California Environmental Quality Act (CEQA)(CA Public Resources Code Section 21000 et seq) requires that all public agencies adopt criteria and procedures for the evaluation of projects and the preparation of environmental impact reports. The Commission adopted "Environmental Guidelines of the Metropolitan Transportation Commission" as part of MTC Resolution 1481 in February 1985 to comply with CEQA statute.

CEQA guidelines were subsequently amended pursuant to CA Public Resources Code Section 21081.6, which required public agencies to develop monitoring and reporting for changes to a project in order to mitigate or avoid significant effects on the environment. CEQA guidelines were further amended to require local agencies to submit transportation-related environmental monitoring and reporting plans to Caltrans and the appropriate regional transportation planning agency, who are required to adopt guidelines for the submittal of the plans pursuant to CA Public Resources Code Section 21081.7. If a project sponsor has mitigation measures under way pursuant to Cal. PRC Section 21083.6, it must file status reports, pursuant to Cal. PRC Section 21083.7, with MTC's Planning Director. Status reports will be forwarded by the MTC Planning Director to MTC's Planning Committee for information.

Staff Recommendation

Staff recommends that the Planning Committee refer MTC Resolution 1481, Revised to the Commission for approval to amend its guidelines pursuant to CA Public Resources Code Section 21081.7.

Therese McMillan

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