

## 3.3 Agency Responses

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### Letter A1 Town of Windsor (5/6/2013)

- A1-1: The comment correctly indicates that 63 percent of housing growth projected for the Town of Windsor (Town) in the Draft Plan is projected to take place in its Priority Development Area (PDA). The distribution of housing units in the Draft Plan takes into account a variety of factors—including input from jurisdictions, level of transit service, vehicle miles traveled by household, in-commuting by low-wage workers, housing values, and projected concentrations of job growth. In some cases, the distribution assumes changes in local conditions over the next three decades, and is not constrained by existing zoning. This approach was a key element of creating a distribution of jobs and housing growth that achieved the region’s greenhouse gas emissions reduction target. See Master Response A.1 regarding local control over land use.
- A1-2: The comment incorrectly states that PDAs are required by ABAG and MTC. ABAG and MTC do not require any jurisdiction to identify and nominate areas as PDAs; instead, jurisdictions voluntarily choose to identify and nominate areas in their communities as PDAs. They are locally-selected. Local communities also select a Place Type for each PDA that approximates the community’s vision for the area in terms of community character as well as the scale and amount of growth. As noted in the comment, one funding program included in the Plan is targeted to PDAs. The One Bay Area Grant program (OBAG) adopted by the MTC directs approximately 4.9 percent of total funding in Plan Bay Area to the Congestion Management Agencies to support implementation of the Plan. In the North Bay, Congestion Management Agencies (CMAs) such as the Sonoma County Transportation Authority are required to direct 50 percent of these OBAG funds to projects in or proximate to PDAs. The process for distributing the remaining regional transportation funding in the Draft Plan is not constrained by whether or not a project is within a PDA. See <http://www.bayareavision.org/initiatives/index.html> for more information on PDAs. See also Master Response I for more information regarding the PDA process.
- A1-3: As noted in Chapter 2.5, Criterion 1, per capita passenger vehicle and light duty truck greenhouse gas (GHG) emissions are projected to go down over the life of the Plan and through 2050 (Draft EIR, pages 2.5-50 through 2.5-60). The proposed Plan meets the SB 375 GHG emissions reduction target. Total GHG emissions (as compared to per capita GHG emissions) from passenger vehicles and light duty trucks, as shown on Table 2.5-7 on page 2.5-50 of the Draft EIR, are anticipated to increase over the life of the proposed Plan due to overall regional growth, if the GHG reductions that are the result of state regulations regarding fuel efficiency and vehicle technology are not taken into account. However, as explained in Master Response D1, Criterion 2.5-1 and the SB 375 targets are on a per capita basis and only account for the impact of land use and transportation planning on GHG emissions. Criterion 2.5-2 evaluates the impact the implementation of the proposed Plan could have on total GHG emissions in 2040 compared to existing conditions. For Criterion 2.5-2, the transportation analysis includes emission reductions from fuel efficiency and

vehicle technology. As demonstrated on pages 2.5-51 through 2.5-57 of the Draft EIR, total GHG emissions are expected to decline from existing conditions to 2040 with the implementation of the proposed Plan.

- A1-4: This comment does not raise environmental issues requiring a response under CEQA. Nonetheless, it should be noted that the proposed Plan follows a fix-it-first approach in its investment strategy that directs 87 percent of all Plan revenues to operations and maintenance of existing transit and roads and bridges. Pavement conditions will improve under the Plan. (See Draft Plan Bay Area, pp. 104-105.)
- A1-5: See response A1-1. The proposed Plan is the preferred regional land use pattern and it puts the Bay Area on track to meet the mandated GHG emissions reduction targets; however local jurisdictions have land use authority and retain the ability to approve or disapprove projects within and outside of PDAs at their discretion. Please see Master Response A.1 regarding local control over land use and Master Response B.2 regarding the feasibility of the land use pattern in the proposed Plan.
- A1-6: These comments do not raise environmental issues requiring a response under CEQA. Nonetheless, it should be noted that MTC and ABAG acknowledge the loss of resources that historically came from Redevelopment agencies. See Master Response H regarding resources and advocacy by MTC and ABAG to replace redevelopment funds. The Street Saver program is separate and distinct from Plan Bay Area. See response A1-4 regarding infrastructure maintenance.
- A1-7: PDAs are locally-identified, infill development areas within existing communities. They are generally areas of at least 100 acres where there is local commitment to developing more housing along with amenities and services to meet the day-to-day needs of residents in a pedestrian-friendly environment served by transit. To be eligible to become a PDA, an area must be within an existing community, within a half mile of existing or planned fixed transit or bus service with peak headways of 20 minutes or less, be planned for more housing, and have an average existing or planned density of 20 dwelling units/acre. PDA boundaries have been voluntarily defined by the corresponding local jurisdiction. The Town may choose to nominate the entire town as a PDA if it meets all applicable requirements. See also Master Response I for more information regarding the PDA process.
- A1-8: See Master Response A.1 on local control over land use.

**Letter A2 Alameda County Community Development Agency (5/14/2013)**

- A2-1: The commenter's supportive comments are appreciated. Please see Master Response B.2 regarding PDA feasibility
- A2-1.5: MTC and ABAG identified the alternatives as part of a reasonable range of alternatives in an effort to reduce or avoid one or more of the proposed Project's potentially significant and unavoidable impacts as required by CEQA. The comment is correct to note that all alternatives are similar with respect to the amount of growth and GHG reductions; however, there are other important differences that provide a meaningful comparison, including but

not limited to the geographic location of development and concentrating density in urban centers as opposed to more greenfield development.

A2-2: Support for Alternative 2 (the proposed Plan) and concerns about other alternatives are noted. Decision-makers will weigh the advantages and disadvantages of each alternative in determining which option to adopt.

**Letter A3 Alameda County Transportation Commission (5/15/2013)**

A3-1: This comment questions the funding priorities within MTC's Freeway Performance Initiative (FPI). To clarify and respond to this comment, MTC's Freeway Performance Initiative continues the region's efforts to identify cost-effective, systematic operational strategies to mitigate congestion along freeway corridors, including parallel arterials and transit systems. FPI includes a number of program elements, such as freeway ramp metering and other Traffic Operations System (TOS) elements as well as the Program for Arterial Signal Synchronization (PASS). However, as noted by the commenter, the Draft Plan does not state that FPI will place heavier focus on arterial signal timing. Section 2 of this Final EIR modifies the Draft EIR text about FPI.

A3-2: The comment is correct to specify that details on implementation will involve needed technical guidance and also require adequate funding.

A3-3: The comments on the alternatives are acknowledged. The alternatives screening process, explained on pg. 3.1-2 of the Draft EIR, identified a reasonable range of alternatives to provide meaningful evaluation in the EIR. The timeframe for the alternatives analysis is the same as the timeframe for the project (2010 to 2040). The near-term GHG reduction targets were one component of the evaluation process; other dimensions also had to be considered and, in their entirety, the alternatives are reasonable for CEQA purposes. See Master Response D.1 for additional information on SB 375 targets and how they are addressed in this EIR.

A3-4: Your comment on the No Project alternative is noted and correctly points out that the No-Project Alternative fails to meet ARB's GHG reduction targets for the Bay Area.

A3-5: Your support for the proposed Plan is acknowledged.

**Letter A4 Town of Los Altos Hills (5/15/2013)**

A4-1: To respond to this comment, ABAG staff reviewed the National Establishment Times Series (NETS) database employment figures for 2010 for the City of Los Altos Hills (City). Based upon this review, the 2010 employment total for the City in the Draft Plan has been corrected, as explained in Section 2 of this Final EIR, resulting in a change in from 3,580 to 2,060. As a result, the 2040 employment total for the City decreased from 4,440 to 2,540. This minor revision does not change any of the conclusions in the EIR.

**Letter A5 Central Valley Flood Protection Board (5/6/2013)**

- A5-1: The comment discusses the issue of increased vegetation within waterways that can interfere with flood capacity and requests that the Draft EIR include mitigation. As stated on page 2.8-39 of the Draft EIR, “land development and transportation projects will both be subject to implementation of local, State, and federal floodplain regulations” which would include any requirements that fall under the Central Valley Flood Protection Board to control any revegetation plans that might be associated with proposed improvements. In addition, as stated in Section 2.9, Biological Resources of the Draft EIR, on page 2.9-68, any development that encroaches on or impacts jurisdictional waters would be subject to Army Corps of Engineers, Environmental Protection Agency, United States, Fish and Wildlife Service, Regional Water Quality Control Board, and California Department of Fish and Wildlife guidelines, which first seeks to avoid these resources as much as possible or otherwise implement mitigation in accordance with the aforementioned agencies. Mitigation Measure 2.9(d) also states that when avoidance is not possible that proposed disturbances would be required to adhere to local regulations and policies such as those required by Central Valley Flood Protection Board. Mitigation Measure 2.8(b) requires proposed improvements to “...conduct or require project specific hydrology studies for projects proposed to be constructed within floodplains to demonstrate compliance with Executive Order 11988, the National Flood Insurance Program, National Flood Insurance Act, Caltrans Highway Design Manual, Cobey-Alquist Floodplain Management Act, as well as any further Federal Emergency Management Agency (FEMA) or State requirements that are adopted at the local level. These studies shall identify project design features or mitigation measures that reduce impacts to either floodplains or flood flows.” As such, local requirements such as those from Central Valley Flood Protection Board would be required for all applicable proposed improvements. These existing mitigation measures address the issues raised in the comment. No new mitigation will be added. Project specific mitigation is not appropriate at this time. See Master Response A.3 regarding the level of specificity in the EIR.
- A5-2: The comment recommends that hydraulic impacts that adversely affect flood flows or result in sediment accumulation should be addressed by mitigation. As stated on page 2.8-35 of the Draft EIR, proposed improvements would be required to implement Mitigation Measure 2.8(b) which requires hydraulic evaluations of proposed improvements to any proposed design features which would minimize impacts from flood flows and include adherence to federal, state, and local requirements such as those that fall under the Central Valley Flood Protection Board. In addition, as stated on page 2.8-23 of the Draft EIR, all proposed improvements would be required to adhere to Mitigation Measure 2.8(b) which requires drainage control features to minimize offsite transport of sediments through implementation of LID strategies which reduce offsite flows and retain sediments onsite. Implementation of these two mitigation measures would result in less than significant impacts related to flood flows and sedimentation accumulation. These existing mitigation measures address the issues raised in the comment. No new mitigation will be added. Project-specific mitigation is not appropriate in this EIR as explained in Master Response A.3 regarding the level of specificity in the EIR.

**Letter A6 City of Berkeley (5/15/2013)**

- A6-1: Environmental review will take place each time the Plan is revised, but is not necessarily required each time Plan components or assumptions change. Thus, when PDAs are modified, additional environmental review of the Plan may not be required.
- A6-2: The environmentally superior alternative is only marginally superior to the proposed Plan and suffers from several additional impacts that MTC and ABAG will take into consideration prior to determining which alternative to approve. (See Draft EIR 3.1-146 to 3.1-148.) The Draft EIR's discussion of mitigation measures is appropriately tailored to the proposed Plan. If MTC and ABAG decide to adopt one of the alternatives analyzed in the EIR, the agencies would be required to ensure that the mitigation measures mitigate the impacts of the chosen alternative to the extent feasible prior to project approval. Implementing agencies will determine the appropriate contours of these measures at the local or site-specific project level. See Master Responses A.1, A.2, and A.3 regarding local control of land use decisions, CEQA streamlining under SB 375, and the level of specificity in the EIR. It is assumed that all alternatives (except for the No Project Alternative) would contain the same mitigation measures as the proposed Plan. MTC and ABAG have not yet selected which approach to adopt; the Draft EIR simply points out that the agency-preferred option – Alternative 2, also called the proposed Plan – is not the environmentally superior alternative, which is Alternative 5.
- A6-3: Project sponsors will be responsible for mitigating impacts for local development projects, and these will be reviewed by the location jurisdictions with approval authority. The mitigation measures outlined in the Draft EIR can be used at the local level to mitigate any similar types of impacts for local projects when warranted. See Master Responses A.1, A.2, and A.3 regarding local control of land use decisions, CEQA streamlining under SB 375, and the level of specificity in the EIR.
- A6-4: Many of the mitigation measures list a set of possible actions to be considered by the project sponsor and note that if more stringent policies are required at a local level that these would supplant the measures listed; for an example see Mitigation Measure 2.12(a) which allows “Complying with existing local regulations and policies that exceed or reasonably replace any of the above measures that reduce demand for potable water.” In addition, please see Master Responses A.1, A.2, and A.3 for more information regarding local land use control and additional environmental analysis, which among other points note that local authorities may find no significant impact for a project – one reason could be stringent local conditions of approval – and then “the lead agency is not required to adopt the mitigation measures set forth in this EIR and/or other relevant plan level EIRs to take advantage of the CEQA streamlining benefits.” In addition, the Draft EIR notes on page 1.1-13 that, “Projects that use the SB 375 CEQA streamlining benefits will still need to obtain discretionary permits or other approvals from the lead agency and the local jurisdiction, in accordance with local codes and procedures, including any agreements related to zoning, design review, use permits, and other local code requirements.” As a result of these CEQA procedures, your request for language that allows a measure to be excluded if a local jurisdiction has a functionally equivalent measure that is substantially similar in effect to be substituted is not necessary. If a listed measure or an equivalent measure has already been incorporated into the project, there will be no need to require it as mitigation. Moreover, if a locally adopted

mitigation measure mitigates an impact in a manner distinct from what is suggested in this EIR, that locally adopted measure can supplant the measure from this EIR.

A6-5: See the response A6-4 and Master Responses A.1, A.2, and A.3 regarding local control of land use decisions, CEQA streamlining under SB 375, and the level of specificity in the EIR.

A6-6: Local governments will be responsible for identifying whether mitigation measures in the Draft EIR are feasible and appropriate to their local context. See Master Responses A.1, A.2, and A.3 for more information regarding local control of land use decisions, CEQA streamlining under SB 375, and the level of specificity in the EIR.

A6-7: The local pollutant analysis identified areas that are expected to house new sensitive receptors where nearby sources of local pollutants could pose a health risk. When a land use project is proposed, the lead agency should evaluate the project's increase in emissions on the local existing land uses and require mitigation if any impacts are considered potentially significant. When new sensitive land uses are proposed and are undergoing environmental review, the lead agency may also evaluate the potential health impacts on future residents from nearby existing sources; however the commenter is correct to point out that such an analysis is not required. (*Ballona Wetlands Land Trust v. City of Los Angeles* (2011) 201 Cal.App.4th 455.) The local pollutant analysis in the Draft EIR has identified areas that would not need to perform a more detailed local pollutant analysis, and areas where potentially significant health impacts should be further evaluated. For most types of local sources of air pollution, standard mitigation measures have been identified that in most cases reduce potential impacts to a less than significant level.

A6-8: A revision to Draft EIR pages ES-23 and 2.3-41 is provided in Section 2 of this Final EIR to incorporate suggestions in this comment. "Complete Streets", which are a requirement for OBAG funding and included in mitigations in the Draft EIR, describes a comprehensive, integrated transportation network with infrastructure and design that allows safe and convenient travel along and across streets for all users, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, users and operators of public transportation, seniors, children, youth, and families.

A6-9: A revision to Draft EIR page 2.3-31 is provided in Section 2 of this Final EIR to incorporate suggestions in this comment. "Community separation" refers to permanent alterations to an existing neighborhood or community that separate residences from community facilities and services, restrict access to commercial or residential areas, or eliminate community amenities.

A6-10: See Master Responses A.1, A.2, and A.3 for more information on local land use control, additional environmental review, and CEQA streamlining. Please also refer to the responses A6-4, 5, and 6 in this section.

**Letter A7 City of Lafayette (5/16/2013)**

A7-1: See Master Response C regarding the request to extend the public comment period.

A7-2: The City of Lafayette (City) has requested that its Priority Development Area (PDA) be reclassified from the “Transit Town Center” Place Type designation to a “Transit Neighborhood” Place Type, as identified in MTC’s Station Area Planning Manual (see [http://www.bayareavision.org/pdaapplication/Station\\_Area\\_Planning\\_Manual\\_Nov07.pdf](http://www.bayareavision.org/pdaapplication/Station_Area_Planning_Manual_Nov07.pdf)). The Place Type designation for PDAs is locally-selected and is intended to help local jurisdiction community members and decision-makers plan for the scale and character of growth they envision for their city’s PDAs. As such, jurisdictions may request a change to their PDA Place Types at any time and the modification requires only ABAG staff review. ABAG staff has reviewed this request and are currently processing the requested Place Type change for the City. It is important to note, however, that a future change in Place Type designation does not affect the housing or job distributions to the City or its PDA in the proposed Plan.

A7-3: This comment addresses the levels of employment and housing growth allocated to the City and the methodology used to distribute housing in the proposed Plan, as well as the 2010 baseline data used in the employment distribution. ABAG staff reviewed the overall housing and employment growth figures for the City and the baseline data used to develop the regional jobs and housing distributions.

With respect to employment, ABAG staff identified an error in the National Establishment Times Series (NETS) database employment figures for 2010 for the City. The 2010 employment total for the City in the proposed Plan has been corrected, resulting in a change in from 10,640 to 9,940, as explained in Section 2.1 of this Final EIR. As a result, the 2040 employment total for the City decreased from 13,230 to 12,430, and the overall employment growth figure for the City’s PDA decreased from 2,590 to 2,490. These minor revisions do not affect any of the impact conclusions in the EIR.

With respect to housing, MTC and ABAG acknowledge that a portion of the housing growth allocated to the PDA could be accommodated elsewhere in the City. Housing unit growth in the City’s PDA was reduced from 940 to 900 and household growth from 990 to 950, as explained in Section 2.1 of this Final EIR. These minor revisions do not affect any of the impact conclusions in the EIR.

MTC and ABAG acknowledge that the City’s expectation for employment and housing growth is still lower than the revised levels in the proposed Plan, noted above. However, the distribution of jobs and housing unit growth in the proposed Plan takes into account a variety of factors—including input from jurisdictions, level of transit service, vehicle miles traveled by household, in-commuting by low-wage workers, housing values, and concentration of knowledge-based economic activity. In some cases, the distribution assumes changes in local conditions over the next three decades, and is not constrained by existing zoning or projections. As such, MTC and ABAG consider the revised levels of growth allocated to the City and its PDA in the proposed Plan appropriate considering the availability of high-frequency transit, and that this level of growth could be reasonably accommodated over the thirty-year time-frame of the Plan.

MTC and ABAG acknowledge that the development capacity issues raised in this comment by the City, including environmental impacts of growth, reflect key implementation challenges to infill development.

A7-4: This comment relates to the description of Place Types for the region's PDAs, as referenced in the proposed Plan. The Place Types provide general guidelines to local decision-makers and citizens when planning for growth in locations close to transit. MTC and ABAG acknowledge that transit-accessible neighborhoods vary widely in terms of size, geography and other characteristics, and that the 1/2-mile radius around transit stations guideline utilized in the Place Type description may not be applicable to all transit locations throughout the region. As such, each city self-identifies and nominates its own PDAs, if it chooses, and identifies the specific boundaries of each. MTC and ABAG confirm that the Place Type guidelines, including the "1/2-mile radius" guideline, in no way supersede local jurisdictions' identification of locations for growth, including the locally-defined boundaries for their PDAs, or zoning and other land use policies.

This comment also relates to the right of the City to conduct environmental review for projects in its PDA. MTC and ABAG staffs confirm that the Plan Bay Area EIR does not usurp the local project environmental review process, pursuant to SB375. See Master Responses A.1 regarding local land use control and A.2 regarding further environmental review.

A7-5: Plan Bay Area and this EIR do not take away a local jurisdiction's right to assess the environmental impacts of future growth. Rather, many environmental impacts are more appropriately assessed locally, at the project level, and this EIR identifies many impact areas where further review at the local level would likely be required. Moreover, while CEQA encourages lead agencies to use tiering and SB 375 streamlining to comply with CEQA where applicable, lead agencies for future second-tier plans and project-specific development proposals will exercise their discretion in determining the most appropriate manner to comply with CEQA in considering future projects. See Master Response A.1 for more information on local control over land use and A.2 regarding further environmental review.

A7-6: See Master Responses B.2 on PDA feasibility and I on the process of developing PDAs.

**Letter A8 City of Larkspur (5/16/2013)**

A8-1: The comment refers to the validity of the regional growth forecast, specifically the population and housing forecasts. ABAG's population and housing forecasts are reasonable and supported by substantial evidence. ABAG and a team of consultants developed a rigorous and thorough methodology that creates internally-consistent job, population and household projections that are based on credible assumptions about key relationships including job shares, labor force participation rates, and household formation rates, among other critical factors. This regional forecast also reflects changing data regarding national, state, and regional demographic and economic conditions, most notably the recent sustained economic recession.



The regional growth forecast starts with projected regional job growth which is the main determinant of ABAG's regional growth projections and includes population growth as in all major regional forecast modeling in California and around the nation including regional projections produced by SCAG, SANDAG, SACOG, AMBAG, and SBCAG. In addition, job growth is the primary determinant of regional population growth in the models used by the three major national forecasting firms – IHS Global Insight, Regional Economic Models, Inc., and Moody's.

ABAG job growth to 2040 is estimated as a share of U.S. projected job growth, also known as “shift-share” which is a widely used and accepted employment forecasting methodology, based on an assessment of regional competitiveness by major industry sectors. ABAG projections use Department of Finance (DOF) fertility and mortality assumptions to determine the amount of natural increase in the population to develop a population profile. Migration, rather than being tied to recent trends, is a function of job growth. DOF has acknowledged that the ABAG regional growth forecast is reasonable and that they will incorporate portions of our methodology to improve their forecasts for the region in the future.

The final housing forecast of 660,000 new units in the Draft Plan was calculated by incorporating detailed demographic information from the State Department of Finance (DOF) and the 2010 U.S. Census, including:

- Labor force participation rates by age and ethnicity
- Household formation rates by age and ethnicity
- Vacancy assumptions
- Unemployment rates
- In-migration assumptions
- Housing production constraints, including availability of funding to support affordable housing.

The regional employment, population and housing forecast in the Draft Plan was developed through a reasoned, systematic approach to assessing growth, as noted above. Furthermore, the forecast in the Draft Plan has undergone significant scrutiny and has been validated by the California Department of Finance (DOF) and the California Department of Housing and Community Development (HCD).

This comment also addresses the relationship between the Draft Plan job and housing growth projections and recent local trends and local growth projections, specifically for the county of Marin and the City of Larkspur (“City”). The distribution of employment and housing growth across the region in the Draft Plan takes into account a variety of factors—including input from jurisdictions, level of transit service (both existing and future), existing employment base, existing general plans and zoning, Vehicle Miles Travelled by Household, in-commuting by low-wage workers, housing values, and concentration of knowledge-based economic activity. As such, the employment and housing distributions assume that local

conditions will change over the next three decades (e.g. market feasibility, changes in land use, transportation changes, etc.), and are not constrained by existing zoning or past trends.

MTC and ABAG acknowledge that Larkspur does not have any PDAs, but as noted above, the housing and employment distributions do take into account planned levels of growth for the City as a whole (via existing general plans and zoning) as well as both existing and expected future transit. MTC and ABAG also acknowledge that the development constraint issues raised in this comment by the City, including the ability to focus growth in Priority Development Areas, reflect key implementation challenges to infill development

ABAG staff reviewed the employment figures for Marin County and the City and considers the allocations appropriate given the level of population and housing growth anticipated in the county, the level of transit, and the existing base of employment. Likewise, ABAG staff considers the level of housing growth for Marin County and the City appropriate given the levels of employment growth and levels of transit. The growth for the City, in particular, is comparable to similarly sized cities with similar levels of transit. This growth could be reasonably accommodated over the thirty-year time-frame of the Plan given the potential for changes in and intensification of land uses within the county.

The comment also references Planned and Potential PDAs. The distribution of housing and employment do not distinguish between Planned and Potential PDAs. While MTC and ABAG acknowledge that the first type have plans and zoning in place to accommodate growth and the latter do not, it is anticipated that over the thirty-year life of the Plan, Potential PDAs will transition to Planned status and have the development capacity and transit capacity to accommodate the growth anticipated in the Plan. The distinction is an important one, however, and MTC and ABAG will include a reference to this distinction in the text of the Plan.

See Master Response I for more information on the PDA process. See Master Response B.1 for more information on the regional forecast, and the *Draft Forecast of Employment, Population and Housing* for the Draft Plan for more information on the employment distribution methodology

([http://onebayarea.org/pdf/Draft\\_Plan\\_Bay\\_Area/Draft\\_PBA\\_Forecast\\_of\\_Jobs\\_Population\\_and\\_Housing.pdf](http://onebayarea.org/pdf/Draft_Plan_Bay_Area/Draft_PBA_Forecast_of_Jobs_Population_and_Housing.pdf)).

- A8-1.5: The comment is correct to state that local General Plans do not have to be amended to comply with Plan Bay Area, and that SB 375 does not compel local jurisdictions to build high density, transit-oriented development. MTC and ABAG acknowledge that the Plan contains many incentives to encourage local jurisdictions to adopt components of Plan Bay Area, but we respectfully disagree with the suggestion that any jurisdiction would be penalized for not adopting the Plan. As noted in the comment, one funding program included in the Plan is targeted to PDAs, which were voluntarily nominated by jurisdictions. The One Bay Area Grant program (OBAG) adopted by the MTC directs approximately 4.9 percent of funding in Plan Bay Area to the Congestion Management Agencies to support implementation of the Plan. In the case of North Bay Congestion Management Agencies (CMAs) such as the Transportation Authority of Marin, are required to direct 50 percent of OBAG funds to projects in or proximate to PDAs. The process for distributing the

remaining regional transportation funding in the Draft Plan is not constrained by whether or not a project is within a PDA. See Master Response A.1 and A.2 for more information on local control over land use and CEQA streamlining. See also Master Response I for more information regarding the PDA process.

- A8-2: Your support for efforts to prepare a comprehensive regional strategy to address sea level rise and your endorsement of the Joint Policy Committee are acknowledged. For additional information regarding the analysis of sea level rise in the Draft EIR, please see Master Response E.
- A8-3: Please see Master Responses A.1, A.2, and A.3 regarding local control over land use and additional environmental analysis.
- A8-4: Please see Master Response E regarding the analysis of sea level rise.
- A8-5: MTC and ABAG acknowledge that the map of critical habitat in the North Bay (Figure 2.9-5) was omitted from the Draft EIR in error, and instead repeats Figure 2.9-1 in its place. The correct Figure 2.9-5 is provided in Section 2 of this Final EIR. The figure is a visual aid only and does not alter the impact analysis presented in the Draft EIR.
- A8-6: Please refer to Master Responses A.1, A.2, and A.3 regarding local control of land use decisions, CEQA streamlining under SB 375, and the level of specificity in the EIR.
- A8-7: Please see Master Response C regarding requests for extension of the public comment period.

**Letter A9 City of Los Altos (5/16/2013)**

- A9-1: This comment addresses the level of housing growth allocated to the City of Los Altos (City) and the methodology used to distribute housing in the proposed Plan. While VMT and GHG emissions reduction are key goals of Plan Bay Area, the proposed Plan's land use distribution strives to achieve not only sustainability goals, but also to achieve a more equitable and prosperous region. As such, the distribution of housing and jobs in the proposed Plan takes into account a variety of factors—including input from jurisdictions, level of transit service, vehicle miles traveled by household, in-commuting by low-wage workers, level of existing jobs, and housing values. In some cases, the distribution assumes changes in local conditions over the next three decades, and, while existing zoning was considered in developing the proposed Plan, the proposed Plan is not constrained by existing zoning. This approach was a key element of creating a distribution of jobs and housing that ensures that growth will occur where transit can be more efficiently utilized, where workers can be better connected to jobs, as well as where residents can access high-quality services.

MTC and ABAG have reviewed the housing figures for the City in the proposed Plan and consider the level of growth consistent with the approach noted above. Additionally, the level of housing growth in the City is comparable to similarly sized cities in the county, and staff considers this level appropriate considering the available Valley Transportation

Authority (VTA) transit service in the City's VTA PDA and its proximate accesses to employment. This level of growth could be reasonably accommodated over the thirty-year time-frame of the Plan given the potential for densification of uses within and around the City's VTA PDA.

- A9-2: While the comment correctly indicates that the proposed Plan encourages land use policies to support more focused growth, implementation of these policies is at the discretion of local jurisdictions. With respect to the location of jobs and housing, the set of investments and distribution of growth in the proposed Plan aims to better connect Bay Area residents with employment opportunities. This strategy is a key part of achieving the region's greenhouse gas emissions reduction target, which the proposed Plan succeeds in doing. See also Master Responses A.1 regarding local land use control.
- A9-3: See Master Responses A.1 regarding local land use control and A.2 regarding CEQA streamlining and further environmental review.

**Letter A10 City of Mill Valley (5/15/2013)**

- A10-1: See Master Response C regarding the request to extend the public comment period.
- A10-2: MTC and ABAG acknowledge that the map of critical habitat in the North Bay (Figure 2.9-5) was omitted from the Draft EIR in error, and instead repeats Figure 2.9-1 in its place. The correct Figure 2.9-5 is provided in Section 2 of this Final EIR. The figure is a visual aid only and does not alter the impact analysis presented in the Draft EIR.
- A10-3: See Master Response B.1 for information on population projections, including the relationship between ABAG's projections and projections prepared by DOF. The Draft EIR analyzes the impacts of the projected population growth at a level of analysis appropriate for a long-term regional plan. See Master Response A.3 for additional information regarding the level of specificity in the EIR.
- A10-4: A detailed discussion of the role and scope of a Program EIR such as this is provided on page 1.1-4 in Section 1.1 of the Draft EIR and Master Responses A.1, A.2, and A.3. Significant and Unavoidable impacts are identified throughout Part Two of the Draft EIR and summarized in Section 3.2, CEQA Required Conclusions.
- A10-5: See Master Response A.1, A.2, and A.3 for information regarding local control over land use and environmental review, including a discussion of how local jurisdictions may adopt mitigation measures that differ from those identified in this EIR.
- A10-6: See Master Response E for information regarding sea level rise.

**Letter A11 City of Oakland (5/16/2013)**

- A11-1: This comment primarily addresses the transportation investments included in the proposed Plan.

The “top 10” and most cost-effective projects as shown in the proposed Plan represent just a small proportion of the total funding in the proposed Plan; they do not reflect the share of total funding going towards transportation investments that benefit Oakland residents and businesses. The City should review the Plan Bay Area Project Database ([www.bayarea2040.com](http://www.bayarea2040.com)) to examine the full set of projects that serve Oakland.

Projects included in Plan Bay Area were selected from a larger set of potential projects submitted by Congestion Management Agencies (CMAs) during the Call for Projects in spring 2011. In the case of the City of Oakland, Alameda County Transportation Commission was tasked to work with its constituent cities and identify local priorities for submission in the Call for Projects. While many cities were not able to include every transportation priority in the proposed Plan due to the Plan’s financial constraints, this local collaboration was the appropriate forum for cities to advocate for specific projects’ inclusion in the RTP/SCS.

The proposed Plan does allocate additional OneBayArea Grant (OBAG) funding to support cities (such as Oakland) that are taking on the bulk of the region’s growth. OBAG also requires that the majority of county OBAG funds be expended in focused-growth Priority Development Areas (PDAs). Many of the City’s remaining comments, related to additional funds for transit operations, implementation of a regional VMT tax, and funding shifts from the Regional Express Lane Program, were analyzed as part of Alternatives 3, 4, and 5; impacts of these policies can be examined in Draft EIR Chapter 3.1.

With regards to the specific transportation projects the City is requesting to be added to the Plan:

1. Coliseum City Infrastructure – this project was not submitted during the Call for Projects and thus is ineligible for inclusion in the proposed Plan.
2. East Bay Intermodal Terminal – this project was not submitted during the Call for Projects and thus is ineligible for inclusion in the proposed Plan. Furthermore, the project cost is listed as unknown; as the proposed Plan must be fiscally constrained, this is not allowed.
3. Broadway Streetcar – this project was not submitted during the Call for Projects and thus is ineligible for inclusion in the proposed Plan.
4. I-880 Broadway/Jackson Improvements – this project was included in the proposed Plan under RTPID# 98207.
5. Army Base Phase II Infrastructure – this project was not submitted during the Call for Projects and thus is ineligible for inclusion in the proposed Plan. Note that related Oakland Army Base infrastructure improvements are included under RTPID# 240024.
6. Gateway Park Bike/Pedestrian Bridge – this project was not submitted during the Call for Projects and thus is ineligible for inclusion in the proposed Plan.

7. East Bay Regional Bike-Sharing Program – bike-sharing is funded through the regional Climate Policy Initiatives program; this could be expanded to the East Bay in the future, if feasible.

8. Bay Trail Completion – note that the completion of the Bay Trail within Oakland is already included in the proposed Plan under RTPID# 240227 and within the remainder of Alameda County under RTPID# 240347.

9. Free AC Transit Youth Passes – this project was analyzed as part of Alternative 5. It was not included in Alameda or Contra Costa Counties’ project priority lists for Plan Bay Area, however, and therefore it was not included in the proposed Plan. Regarding a free youth pass, transit fare policy is set by local transit agency boards. It is not known whether all transit agencies would adopt a free youth pass program. One recent example from the Transit Performance Initiative (TPI), which provided regional funds to support agencies implementing performance improvements, is that some transit agencies did designate TPI funds to help offset the cost of pass programs for youth or low income riders.

The City of Oakland is encouraged to actively engage with ACTC during the Plan development process to ensure priority projects are considered.

A11-2: Your support for the Environmentally Superior Alternative (Alternative 5) is acknowledged. Decision-makers will consider the advantages and disadvantages of each alternative in determining which alternative to approve.

A11-3: This comment requests specific changes to the proposed Plan addressing transportation funding and housing policies. ABAG and MTC will take these comments into account in evaluating and updating the proposed Plan. Specific responses are provided below:

- See Master Response F regarding displacement and policies in the proposed Plan to support affordable housing and combat localized displacement.
- The distribution of housing and jobs in the proposed Plan takes into account a variety of factors—including input from jurisdictions, level of transit service, Vehicle Miles Travelled by Household, in-commuting by low-wage workers, level of existing jobs, and housing values.
- Pursuant to SB 375, an SCS must identify “areas within the region sufficient to house all the population of the region, including all economic segments of the population ... .” (Gov. Code § 65080(b)(2)(B)(ii).) The proposed Plan does so by producing a land use pattern that will accommodate HCD’s Regional Housing Needs Determination (RHND) and through ABAG’s and MTC’s efforts to support additional affordable housing production. This includes Chapter 6 of the Plan, which identifies strategies for facilitating greater affordable housing preservation and production in the region. Many of these efforts require policy changes at the state or federal level that are beyond the control of the regional agencies, who will act as advocates for these changes. The regional agencies are providing more direct support for affordable housing through the Transit Oriented Affordable Housing (TOAH) fund, which supports affordable projects

in Priority Development Areas and the identification of Affordable Housing as a potential use for future Cap and Trade funds.

- The Priority Conservation Areas (PCAs) program in the proposed Plan will help conserve and invest in open space and habitat areas.
- The comment requests the Plan include only the most cost effective transit expansion projects. During the development of the proposed Plan, all major capacity-increasing transportation projects were evaluated as part of the Plan Bay Area Project Performance Assessment; this analysis included all of the region’s uncommitted transit expansion projects. This process is described on pages 1.2-51 and 1.2-52 of the Draft EIR; detailed information can be found in the *Plan Bay Area Performance Assessment Report*. This process prioritized the highest-performing projects based on their cost-effectiveness and their support for the regional performance targets (which included a social equity target) – similar to the suggested approach in this comment.
- The comment requests the Plan increase funding for transit and institute a youth pass. The proposed Plan fully covers all transit operating shortfalls, which represents a major funding increase compared to prior RTPs (e.g., Transportation 2035) where the region expected significant operating shortfalls over the coming decades. Furthermore, the proposed Plan funds a 27 percent increase in public transit service as measured by transit vehicle seat-miles; a breakdown of additional transit service supplied under the proposed Plan is shown on page 2.1-27 of the Draft EIR.

Regarding a free youth pass, transit fare policy is set by local transit agency boards. It is not known whether all transit agencies would adopt a free youth pass program. One recent example from the Transit Performance Initiative (TPI), which provided regional funds to support agencies implementing performance improvements, is that some transit agencies did designate TPI funds to help offset the cost of pass programs for youth or low income riders.

- The comment requests the Plan fund more active transportation and complete streets programs. The proposed Plan includes \$4.6 billion in funding dedicated to bicycle and pedestrian improvements over the life of the Plan. OneBayArea Grant funding can also be used to fund additional bicycle and pedestrian projects through “Complete Streets” improvements.
- The comment requests the Plan quantify the construction jobs and ripple economic impact from infrastructure investments. The proposed Plan includes an Economic Impact Analysis for Future Regional Plans and identifies the need to work with regional business interests and stakeholders to make sure the region fosters the condition for a healthy economy for all as part of the Vibrant Economy section of Chapter 6, A Plan to Build On (proposed Plan, pages 122-123).

A11-4: The distribution of job growth in the proposed Plan takes into account a variety of factors—including existing employment base, concentration of knowledge-based economic activity, level of transit service, population growth, and input from jurisdictions. Transit-served locations, particularly within the region’s core, do play a large part in accommodating employment growth in the proposed Plan. Knowledge-based jobs have exhibited the tendency to concentrate in existing centers, particularly in more urban locations around

transit, and are anticipated to continue to do so. Likewise, population-serving employment, such as local retail, health and education jobs, are anticipated to locate closer to housing locations, and as a result are projected to concentrate in the regions' PDAs where the highest levels of housing growth are expected. This concentration of employment around transit in the proposed Plan is expected to reverse past trends of employment sprawl. However, it is reasonable to expect that some employment growth will take place in existing nodes outside the core of the region. MTC and ABAG staff consider the level of employment growth along the region's core transit network and within Oakland and the East Bay reasonable and appropriate.

A11-5: The comment requested that specific legislative changes necessary to implement Plan Bay Area be emphasized.

1. California Environmental Quality Act (CEQA) Reform: Further targeted reforms beyond those in SB 375 to the California Environmental Quality Act (CEQA) could substantially help support infill development consistent with the draft Plan Bay Area. The draft Plan includes a CEQA update as a part of the Platform for Advocacy on page 130.

2. Infrastructure financing districts: These districts can provide additional financial support for infill development consistent with the proposed Plan.

3. Replace redevelopment funding: The proposed Plan includes the need for new, locally controlled funding for affordable housing and infrastructure near transit stations as a part of the Platform for Advocacy on page 129.

4. Support local self-help: The proposed Plan includes local, self-help funding as a part of the Platform for Advocacy on page 131-132.

5. Align future funding with SCS/RTP performance goals and OneBayArea Grants: MTC and ABAG employed a robust analytical framework to develop the proposed Plan as outlined in the Performance Assessment Report. The first phase of OBAG directed \$320 million to the county congestion management agencies to invest. Over the life of Plan Bay Area, the OBAG investment totals \$14.6 billion of \$57 billion in available discretionary funding, approximately 25%. Future rounds of OBAG may be adjusted to ensure they are providing needed support for transit served, infill communities. In addition, the federal transportation law, MAP-21, includes a performance- and outcome-based program (MAP-21 §§1106, 1112-1113, 1201-1203; 23 USC 119, 134-135, 148-150).

A11-6: CEQA streamlining is a function of State law and is beyond the authority of MTC and ABAG to amend. However, MTC and ABAG agree that further legislative action, including revisions to CEQA, could further incentivize infill development. MTC and ABAG intend to work with local jurisdictions within the region to consider future legislation related to CEQA, as outlined in the Draft Plan, Chapter 6. See Master Response A.2 for information regarding CEQA streamlining benefits of this EIR.

A11-7: See Master Response A.2 for information regarding CEQA streamlining benefits.



**Letter A12 City of Orinda (5/16/2013)**

- A12-1: See Master Response C regarding the request to extend the public comment period.
- A12-2: ABAG has made a minor adjustment to the 2010 housing unit figure for the City of Orinda's PDA to reconcile vacancies and the corresponding number of households and housing units in this PDA. Please note that this correction has no effect on the overall housing growth in the Plan for the City of Orinda, nor did it result in any changes of regional significance finding in the Draft EIR. See Section 2.1 of the Final EIR for more information regarding minor corrections made to the Draft EIR. This minor revision does not change any of the conclusions in the EIR.
- A12-3: See Master Response A.1 regarding local control over land use decisions.

**Letter A13 City of San Rafael (5/13/2013)**

- A13-1: See Master Response C regarding the request to extend the public comment period.
- A13-2: See Master Response A.1 regarding local land use control. There is no requirement that local agencies adopt Plan Bay Area.
- A13-3: See Master Response B.1 regarding the population projections and their relationship with DOF estimates. The comment incorrectly states that ABAG and DOF will jointly produce the next regional forecast. ABAG and DOF will continue to collaborate to ensure the latest data and methodologies are incorporated into each agencies' respective forecasts.
- A13-4: The distribution of jobs and housing units in the proposed Plan takes into account a variety of factors—including input from jurisdictions, level of transit service, vehicle miles traveled by household, in-commuting by low-wage workers, housing values, and concentration of knowledge-based economic activity. In some cases, the distribution assumes changes in local conditions over the next three decades, and is not constrained by existing zoning and may assume investments appropriate to serve new growth. See Master Response B.1 regarding ABAG's population projections, which took into account projected employment growth in the region.
- A13-5: The reinforcement of Marin County's special characteristics is acknowledged.
- A13-6: See Master responses A.1, A.2, and A.3 regarding local control over land use decisions and future environmental review. Local Agencies are not required to adopt Plan Bay Area.
- A13-7: ABAG and MTC acknowledge the financial and ownership issues regarding the Canalways property that is included in a Marin Priority Conservation Area (PCA). This issue will be addressed as the PCA program is further refined. It is important to note that the boundaries of PCAs, like other elements of Plan Bay Area, do not trump local land use decisions and would need to be adopted by the appropriate local jurisdiction(s); see Master Response A.1 on local land use control for more information.

- A13-8: Plan Bay Area makes no assumptions about specific housing types or tenants in reference to numbers of housing units and typical density ranges (which may account for a wide variety of housing types and tenants) that may occur in locations across the region. Such determinations will be made by local agencies on a project-specific basis. The comment also states that the definition of a housing unit for purposes of compliance with RHNA should be expanded. RHNA is a separate process from the SCS and changes should be considered through HCD, ABAG and the RHNA process.
- A13-9: See Master Response A.1, A.2, and A.3 for further details on local control over land use decisions and SB 375 streamlining under this EIR.
- A13-10: See response A10-2.
- A13-11: The analysis of potential impacts caused by sea level rise is adequate for the purposes of a long-range regional plan. Local planning for sea level rise and project-specific mitigation will be the responsibility of local agencies. See Master Response A.3 regarding the level of specificity in the EIR and see Master Response E for information regarding sea level rise.

**Letter A14 City of Santa Clara (5/10/2013)**

- A14-1: The distribution of jobs and housing units in the Draft Plan takes into account a variety of factors—including input from jurisdictions, level of transit service, vehicle miles traveled by household, in-commuting by low-wage workers, housing values, and concentration of knowledge-based economic activity. In some cases, the distribution assumes shifts in local conditions over the next three decades (e.g. market feasibility), and is not constrained by existing zoning. ABAG staff reviewed the housing and employment figures for the City of Santa Clara (City) and considers the allocations appropriate in comparison to cities of similar population, base of employment, concentration of knowledge sector activities, and levels of transit.

With respect to the levels of growth in the City's PDAs, the 77 percent figure for future housing growth and 65 percent figure for future job growth within PDAs cited in the comment refers to the regional totals from the Draft Plan document (these figures were since updated to 78 percent of housing unit growth and 62 percent of job growth occurring in PDAs). The concentration of growth in PDAs for each jurisdiction varies based upon locally specific considerations. Some jurisdictions are projected to accommodate very little growth in designated PDAs and others are projected to accommodate nearly all growth in PDAs. In the Draft Plan, only 61 percent and 29 percent of city-wide housing unit and job growth, respectively, are concentrated in the City's PDAs (including growth in the portion of the VTA Cores, Corridors and Station Areas PDA within the City's boundaries). As such, ABAG and MTC do not consider the levels of housing and job growth overly concentrated in the City's PDAs and that these levels of growth are appropriate for the City and consistent with local expectations for growth.

- A14-2: ABAG and MTC acknowledge that the development capacity issues raised in this comment by the City, including the ability to focus growth in PDAs, reflect implementation challenges to infill development. This comment addresses the relationship between the Draft Plan job

growth projections and recent local trends and local growth projections. The distribution of jobs in the Draft Plan takes into account a variety of factors—including input from jurisdictions, level of transit service, existing employment base, population growth, and concentration of knowledge-based economic activity. As such, the jobs distribution assumes changes in local conditions over the next three decades, and is not constrained by existing zoning or past growth trends.

In particular, the overall regional employment forecast for 2040 is based not on past trends, but was estimated as a share of the U.S. Bureau of Labor Statistics' national growth projections, reflecting the difference in 2010 between national and regional labor force participation in various economic sectors, such as the professional services and retail sectors. It is important to note that indicators suggest that the regional economy has been steadily recovering from the 2007-2009 recession.

At the local level, the distribution of jobs to the cities for various employment sectors is in part based on existing concentrations of those jobs, which does reflect past employment growth trends. Please see Master Response B.1 regarding ABAG's population forecast, which is derived in part from the job growth forecast. Please see Master Response B.2 regarding the feasibility of the Plan's concentration of growth in PDAs.

A14-3: The comment notes correctly that Employment Investment Areas (EIA) have been adopted by the ABAG Executive Board., however, they do not affect the environmental analysis in this EIR. The EIAs recognize the unique contribution of communities, including many in the South Bay, to a sustainable regional growth pattern that successfully links jobs and housing by convenient transit service.

A14-4: While the comment is correct to state that the majority of mitigation measures would be the responsibility of local jurisdictions and project sponsors, this is because MTC and ABAG do not exercise control over local land use decision-making, and thus implementation of many aspects of the Plan relies on the voluntary participation of local jurisdictions. Please see Master Response A.1 regarding local control of land use planning and Master Response A.3 regarding the level of specificity in the EIR.

**Letter A15 City of Saratoga (5/15/2013)**

A15-1: To respond to this comment, ABAG staff reviewed the 2010 total employment figure in the Draft Plan for the City of Saratoga (City). Based upon this review, the 2010 employment total for the City in the Draft Plan was reduced by 1,959. This reflects a correction to the National Establishment Time Series (NETS) dataset used in the Draft Plan. The NETS dataset was used as the basis for all of the 2010 employment figures in the region. This minor revision does not change the impact conclusions in the EIR..

**Letter A16 City of Sausalito (5/13/2013)**

A16-1: See Master Response C regarding the request to extend the public comment period.

A16-2: See Master Response B.1 for information regarding population projections.

A16-3: See Master Response E for information regarding sea level rise.

A16-4: The capacities of regional and local utility service providers were not a factor in ABAG's determination of growth projections and allocation of growth. See Master Response B.1 for additional information regarding population projections. The Draft EIR does analyze public utilities, facilities, and services in Chapters 2.12 and 2.14 to the extent appropriate for review of a long-term regional plan. See Master Response G for additional information regarding Water Supply. MTC and ABAG acknowledge that in some cases, local conditions not analyzed in this program-level EIR may affect the development forecasted to occur in a given jurisdiction. It will be the responsibility of project-level environmental review to assess the capacity of utility and service providers to serve new growth. Regarding schools, the Draft EIR analyzes school impacts at a level appropriate to a regional, programmatic plan; at the local level, school impact fees will be used by school districts to build new or expand existing schools to accommodate new enrollment.

A16-5: See responses A10-2 and A13-3.

A16-6: The data, methodology, projections, timeframes, and conclusions for the analysis of greenhouse gas emissions are clearly identified in Section 2.5 of the Draft EIR. See Master Response D.1 for additional information regarding greenhouse gas emissions included in the analysis for consistency with the SB 375 target.

**Letter A17 BART (5/16/2013)**

A17-1: The MTC travel model has a demonstrated, documented ability to accurately forecast BART patronage (see Draft Plan Bay Area, Appendix 1, Travel Model Development: Calibration and Validation Technical Report; Plan Bay Area *Summary of Predicted Traveler Responses* Supplemental Report).

A17-2: See response 17-1 regarding MTC's projections for BART ridership.

**Letter A18 City of Sunnyvale (5/14/2013)**

A18-1: The comment notes correctly that Employment Investment Areas were adopted by the ABAG Executive Board, which included Moffett Park, Peery Park, and Reamwood in the City of Sunnyvale. The EIAs recognize the unique contribution of communities such as Sunnyvale to a sustainable regional growth pattern that successfully links jobs and housing by convenient transit service.

A18-1.5: The Regional Housing Needs Allocation (RHNA) process is separate from Plan Bay Area. The Plan's forecast and housing distribution do not incorporate previous or current RHNA, and the forecast has a longer time frame than the RHNA eight-year time-frame. As such, the City's 30-year housing growth figures do not change due to the eight-year RHNA adjustment for the City, and the adjustment is not reflected in the Plan. Please see Master Response A.1 regarding local control over land use planning and B.1 regarding population projections, both of which discuss the relationship between RHNA and the Plan.

- A18-2: Please see Master Responses A.1, A.2, and A.3 regarding local control of land use planning, CEQA streamlining, and the level of specificity in the EIR.
- A18-3: The extent to which additional environmental review, mitigation, and monitoring are needed will be determined by jurisdictions responsible for environmental review on a case-by-case basis for projects that may tier off this EIR or may qualify for CEQA streamlining. See the response A18-2 and Master Response A.2 for more details on CEQA streamlining. Realizing the streamlining benefits under SB 375 will be up to lead agencies approving projects that are eligible for such benefits.
- A18-4: The approach to finding a “less-than-significant” effect because project sponsors are obligated under the law to implement certain measures is logical and, in fact, had been used in prior EIRs for MTC. “A condition requiring compliance with environmental regulations is a common and reasonable mitigating measure.” (*Clover Valley Foundation v. City of Rocklin* (2011) 197 Cal.App.4th 200, 236-37 [upholding mitigation measures that required compliance with regulatory permitting], quoting *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 308; see also *Oakland Heritage Alliance v. City of Oakland* (2011) 195 Cal.App.4th 884 [upholding a seismic mitigation measure requiring compliance with all state and local building regulations].)
- A18-5: See the responses to comment A18-2, 3, and 4.

**Letter A19 County of Santa Clara (5/13/2013)**

- A19-1: This EIR evaluates Plan Bay Area as a single, regional plan and assesses its impacts at a regional level across all nine counties, which is consistent with CEQA provisions regarding program EIRs. The individual projects that may result from the Plan—transportation improvements and land use development—will require their own environmental analyses consistent with CEQA. A county-level evaluation of the proposed Plan and its impacts would be at a greater level of detail than is appropriate at this point in the planning process. Impacts have been assessed with the proper level of detail at a regional level and a conceptual localized level. County level information has been provided in the EIR when feasible solely for informational purposes. Please see Master Response A.3 regarding the level of specificity in the EIR.
- A19-2: Developing a regional, integrated long-range open space plan for the nine Bay Area counties is outside of the scope of the proposed Plan and it would not mitigate any environmental impacts identified by the EIR. The Draft EIR contains a discussion of parks, open space, and trails in Chapter 2.3, Land Use and Physical Development and Chapter 2.14, Public Services and Recreation. The topic has been analyzed at a level of detail appropriate for this programmatic EIR on a regional plan, and it is not within the scope of this EIR to cover the topic in greater detail. Please see Master Response A.3 regarding the level of specificity in the EIR.
- A19-3: Impacts on parks, open space and recreation are analyzed to an appropriate degree in Chapter 2.3, Land Use and Physical Development and Chapter 2.14, Public Services and Recreation. MTC and ABAG acknowledge the efforts of the County to identify

opportunities for partnership between the County and other entities to implement its vision for the regional park system. The recommendation is being considered by MTC and ABAG.

- A19-4: Impacts on recreational resources, open space resources, and public services are addressed in Chapter 2.14, Public Services and Recreation. Analysis is provided at a level of detail appropriate to this regional plan. Please see Master Response A.3 regarding the appropriate level of specificity in the EIR.

**Letter A20 East Bay Regional Park District (5/15/2013)**

- A20-1: The Draft EIR acknowledges and discusses resource areas and open space using the best available information. In Alameda and Contra Costa counties, the EIR notes that there are 236,000 acres of parks and publicly- and privately-owned open space lands accessible to the public. (See Draft EIR, p. 2.4-5.) Maps illustrating resource areas and open space also are included in Figures 2.3-1, 2.3-2, 2.3-3, and 2.3-4. The geographic data used to assess the impact of Plan Bay Area on open space in the Bay Area was drawn from the Bay Area Protected Area Database, a comprehensive dataset compiled yearly by the Bay Area Open Space Council and GreenInfo Network. This dataset includes all open space lands in the Bay Area, including those owned and operated by the EBRPD. Due to the regional scale of Plan Bay Area and the Draft EIR, it is not within the scope of the Draft EIR to assess the impact on or mitigation potential from individual parks or park districts within the nine-county planning area. However, this EIR does include an analysis of the impact on the need for recreational facilities; see discussion of Impact 2.14-1, which concludes with the observation that “development projects have the potential to produce significant impacts.” Mitigation measures are identified for this potential impact; see p.2.14-14 of the Draft EIR.

- A20-2: MTC and ABAG respectfully disagree with this comment. Plan Bay Area is a regional plan covering all nine Bay Area counties. As such, the impact on open space in the planning area is assessed through a regional lens in Chapter 2.14, Public Services and Recreation, focusing on aggregate, region-wide access to open space acres. A significant impact is identified, and mitigation measures (2.14(a) and 2.14(b)) are identified. It is beyond the scope of the Draft EIR to assess the impact of Plan Bay Area on individual parks or park districts; see Master Response A.3 regarding the level of specificity in a program EIR. In general, the proposed Plan focuses new development into existing urbanized areas, while recognizing localized effects on public services and recreational facilities may occur. As explained in Chapter 2.3 of the Draft EIR, 2,022 acres of protected open space lands are identified as potentially converted by the proposed Plan’s combined land use and transportation projects, which represents 0.6 percent of all open space lands (excluding agricultural land forest land, and timberland, which are addressed separately) in the Bay Area (Section 2.2 of this Final EIR reduces the total open space acreage in the region, which increases this number from 0.5 to 0.6 percent). This is considered a significant impact, but Mitigation Measure 2.3(h) is identified in the Draft EIR in order to minimize conversion of open space lands resulting from the Plan. Ultimately, MTC and ABAG do not have land use authority and must rely on implementing agencies and project sponsors to implement mitigation measures relating to open space conversion. Individual projects must comply with local parkland dedication and Quimby Act requirements, over which MTC and ABAG have no control. See response B6-9 for additional discussion of urban growth boundaries.

A20-3: A detailed U.S. Department of Transportation Act Section 4(f) evaluation applies to federal agency environmental review of individual projects and is beyond the scope of this Draft EIR as MTC and ABAG are not federal agencies. Individual projects subject to federal environmental review compliance under the National Environmental Policy Act (NEPA) would be subject to a Section 4(f) assessment. As the commenter points out, the Draft EIR acknowledges this requirement in the regulatory settings. (Draft EIR, p. 2.14-6.) Regarding the request to address impacts on East Bay Regional Park District lands, this level of detail is not appropriate, given the regional, programmatic scale of this analysis. See Master Response A.3 regarding the level of specificity in the EIR. The effects on the parks and open space resources are, in fact, analyzed in both Chapter 2.3, Land Use and Physical Development and Chapter 2.14, Public Services and Facilities. The Plan Bay Area Draft EIR adequately assesses the impact of the proposed transportation network as a whole, as well as the associated development projected by ABAG.

A20-4: Use of the East Bay Green Transportation and Environmental Maintenance Project as potential mitigation is a good suggestion, fully consistent with the more generalized approach to mitigation embodied in Mitigation Measures 2.14(a) and 2.14(b). As noted in Responses A20-1 and A20-2, since Plan Bay Area is regional in scale, it is beyond the scope of the Draft EIR to propose mitigation measures that address specific parks or park districts.

A20-5: The comment requests 5 percent of total Plan Bay Area revenues be dedicated to natural resource protection. This request is noted and will be considered by MTC and ABAG prior to taking action on adoption of Plan Bay Area. See response A20-6 for more detail.

A20-6: See Response A20-3 regarding compliance with Department of Transportation Act, Section 4(f). MTC and ABAG do not have direct land use authority over local parks and recreation decisions, and resource protection and enhancement would not be an eligible use for the vast majority of revenues available in the Plan.

The proposed Plan does include an innovative program to support Priority Conservation Areas (PCAs). PCAs are areas of regional significance that have broad community support and an urgent need for protection. These areas provide important agricultural, natural resource, historical, scenic, cultural, recreational, and/or ecological values and ecosystem functions. The purpose of designating priority conservation areas is to accelerate protection of key natural lands in the San Francisco Bay Area through purchase or conservation easements. Conservation is promoted through regional designation by:

- Coordinating conservation efforts within a regional framework of near-term priorities
- Providing a strong platform on which to leverage public and private resources
- Building upon prior and existing land protection efforts and investments
- Providing opportunities for forging new partnerships

Furthermore, Plan Bay Area is designed to minimize impacts on open space See Master response A.1 regarding local control over land use decisions. The Draft EIR evaluates impacts of the plan on parks and open space at the appropriate level for a long-term regional

plan and mitigates potential impacts to the extent feasible. See Master Response A.3 regarding the level of specificity in the EIR.

**Letter A21 U.S. Environmental Protection Agency (5/17/2013)**

- A21-1: Your comments of support are noted.
- A21-2: Support for the air quality mitigation measures is acknowledged. The intent of the measures for localized impacts is, as noted, to address needs in areas having higher pollutant levels and higher associated health risks.
- A21-3: The comment is correct in underscoring the importance of incentives and local agency implementation of mitigation measures for the process to be successful. EPA's support of implementation actions by agencies and project sponsors is appreciated.
- A21-4: The transportation projects identified in the proposed Plan will be subject to project level environmental analysis prior to construction. It is anticipated that the environmental review of any proposed transportation projects that have the potential to cause significant adverse impacts on existing or future sensitive land uses would have to include evaluation of project alternatives and or mitigation measures that could be implemented to reduce any potentially significant impact. The local pollutant analysis in the Draft EIR has identified those areas of the Bay Area where a more detailed air pollutant evaluation should be conducted. Mitigation Measure 2.2.5(d), for Impact Criterion 2.2-5(b) which addresses localized impacts on sensitive receptors, does include use of best management practices for any project that might cause a potential impact and it not limited to development projects. More details will be formulated by implementing agencies and project sponsors based on project- and site-specific conditions. EPA's recommendations of the three mitigation measures are incorporated into the Final EIR. Section 2 of this Final EIR modifies the Draft EIR text to add the following text as an additional bullet under Mitigation Measure 2.2(d): For transportation projects that would result in a higher pollutant load in close proximity to existing sensitive receptors, project sponsors shall consider, as appropriate (1) adjusting project design to avoid sensitive receptors, (2) including vegetation and other barriers between sensitive receptors and the project, and (3) providing air filtration devices for residential and other sensitive receptor uses.

**Letter A22 San Francisco County Transportation Authority, San Francisco Planning Department and San Francisco Municipal Transportation Agency (5/16/2013)**

- A22-1: The approach to finding a "less-than-significant" effect because project sponsors are obligated under the law to implement certain measures is logical and, in fact, had been used in prior EIRs for MTC. "A condition requiring compliance with environmental regulations is a common and reasonable mitigating measure." (*Clower Valley Foundation v. City of Rocklin* (2011) 197 Cal.App.4th 200, 236-37 [upholding mitigation measures that required compliance with regulatory permitting], quoting *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 308; see also *Oakland Heritage Alliance v. City of Oakland* (2011) 195 Cal.App.4th 884 [upholding a seismic mitigation measure requiring compliance with all state



and local building regulations].) See Master Response A.1 for additional information on local control over land use and A.2 regarding CEQA streamlining.

- A22-2: The Draft EIR includes a discussion of how mitigation measures are to be applied to projects on pg. 1.1-3, which also refers to “Environmental Guidelines of the Metropolitan Transportation Commission.” As no change in these guidelines is proposed by the proposed Project and CEQA Guidelines set forth rules for lead agencies to make determinations, no additional information is needed in this EIR. The EIR also includes substantial detail on the regulatory setting within which lead agencies make their determinations, so the flexibility requested is certainly available when local agencies comply with federal, state or local regulations. The flexibility requested for making determinations about what constitutes meeting the test of implementing “all feasible mitigation measures” is available under SB 375; see Master Response A.2 for additional information on CEQA Streamlining benefits. Project sponsors are to apply the mitigation measures “as feasible” to address site-specific conditions and “MTC and ABAG cannot require location implementing agencies to adopt mitigations, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation” (see pg. 1.1-3).
- A22-3: The comment is correct in stating that where impacts are determined to be less than significant, mitigation cannot be required; see response above on the flexibility that lead agencies have in making such determinations. Accordingly, there are no mitigation measures in the EIR for impacts that are less than significant without mitigation. Impact 2.3-1, referenced specifically by the commenter, is listed as a potentially significant impact and it is appropriate for the EIR to identify mitigation measures for potentially significant impacts.
- A22-4: On May 22, 2013, the Commission adopted MTC Resolution No. 4104, which is the updated Traffic Operations System (TOS) Policy for the San Francisco Bay Area. MTC Resolution No. 4104 does not call for the implementation of ramp metering on all freeway corridors. Instead, the policy states that the Commission requests Caltrans to work with MTC and the Congestion Management Agencies to determine which TOS elements are appropriate for specific major new freeway projects, considering local conditions, congestion level and other factors. Section 2 of this Final EIR modifies the Draft EIR text for mitigation measure 2.1(c) to allow for the same flexibility.
- A22-5: MTC acknowledges your suggested amendments and appreciates your suggested improvements to this analysis for future Plan EIRs.
- MTC reaffirms its statement in the Draft EIR that localized operational capacity issues should be addressed when considering individual transportation and land use projects, rather than as part of this program-level EIR. See Master Response A.3 regarding the level of specificity in the EIR. As specified on page 2.0-1 of the Draft EIR, the analysis focuses on regionally significant impacts. As such, impacts on specific highway segments or individual bus lines are not within the scope of the Draft EIR and are more appropriately dealt as part of detailed local analyses. Capacity-constrained transportation facilities, such as the San Francisco-Oakland Bay Bridge and the N-Judah Sunset Tunnel, warrant individual analysis in a project-level or more localized EIR, as, regional travel models are designed to forecast

overall travel patterns and may not be appropriate for use in analysis of localized operational constraints.

MTC maintains that the regional capacity impact analysis, which examined impacts both by transit mode and by time of day, is the most appropriate approach for a regional, program Draft EIR. As shown on page 2.1-37, the Draft Plan does not lead to regional capacity exceedances for any mode or any time of day. Use of the transit capacity metric for impact 2.1-5 allows the Draft EIR to measure systemwide impacts on public transit, similar to the approach taken for systemwide impacts on the highway network under impact 2.1-3.

A22-6: MTC recognizes the importance of public transit services in San Francisco in providing mobility for residents, workers, and visitors. San Francisco Muni, the region's largest transit operator, plays a critical role facilitating local travel within the City of San Francisco. Bay Area Rapid Transit (BART) and Caltrain, the two primary regional rail systems in the Bay Area, link San Francisco to major residential and employment centers across the East Bay, the South Bay, and the Peninsula. In combination with other smaller operators, these transit services are essential to support existing and future development within the City of San Francisco.

In addition to region-wide funding for transit operations and maintenance as a core element of the long-range planning effort, the proposed Plan invests in both local and regional public transit improvements that benefit San Francisco. As noted in the Draft EIR comment, the Draft Plan Bay Area provides support for major transit capital projects including the Central Subway, the Caltrain Downtown Extension, Caltrain Electrification, BART Metro, Van Ness Bus Rapid Transit, Geary Bus Rapid Transit, and Geneva-Harney Bus Rapid Transit.

Furthermore, the Draft Plan includes funding for improvements to address localized transit capacity issues on the San Francisco Muni system through the Transit Effectiveness Project and the Transit Performance Initiative. While these localized constraints on specific Muni bus and light rail lines during peak hours may not represent a regional transportation impact (as described in the response A22-5), they represent a critical local concern that inhibits mobility between the various neighborhoods of San Francisco.

A22-7: The San Francisco CRRP included air dispersion modeling for toxic air contaminants and particulate matter for the entire city. The CRRP identified areas above ambient air quality standards that will be required to implement similar health protection measures to those identified in the Draft EIR local pollutant analysis. It is anticipated that the City/County of San Francisco will amend Article 38 to reflect the new air quality data developed during preparation of the CRRP. The implementation of measures to protect public health can be assured through standard development regulations, like Article 38, as well as an adopted CRRP. Criterion 2.2-5(c) is amended to reflect this change in Section 2 of the Final EIR.

A22-8: The Draft EIR acknowledged and discusses how the proposed Plan could result in disruption or displacement (see Draft EIR pgs. 2.3-35 through 2.3-40). MTC and ABAG welcome the offer to work with the City and County of San Francisco on disruption and displacement issues. See Master Response F for additional information on displacement.

- A22-9: Correction noted; a revision to the Draft EIR is provided in Section 2 of this Final EIR.
- A22-10: The comment is correct; the Communities of Concern shown on the map on page 2.2-25 in the Draft EIR were updated at the end of March 2013. The updated map was not incorporated into the Draft EIR, which was released on April 2, 2013. A revised map has been created and is included in Section 2 of this Final EIR. The figure is a visual aid only and does not alter the impact analysis presented in the Draft EIR.
- A22-11: MTC appreciates your technical clarification regarding RTPID# 240730 (San Francisco Pricing Program: Mobility Improvements). Based on your comment, MTC understands that this project would be contingent on the implementation of the San Francisco congestion pricing programs (RTPID# 240728), as its fully committed funding is dependent on congestion pricing toll revenues. Therefore, even though it is a committed project, it should not be included in the No Project alternative due to this dependency on an uncommitted project. The Plan Bay Area Final EIR corrects this minor technical error in Section 2. This change does not alter the impact analysis of the No Project alternative nor the comparison of alternatives presented in the Draft EIR.

**Letter A23 SamTrans (5/16/2013)**

- A23-1: Your support for the proposed project is acknowledged.
- A23-2: The information on SamTrans' initiatives is appreciated and your support of AB 32 and SB 375 is acknowledged.

**Letter A24 Sonoma County Transportation Authority (5/15/2013)**

- A24-1: Your support of Alternative 2, the proposed Plan, is acknowledged. This comment does not raise environmental issues under CEQA. Nonetheless, please see Master Response A.1 regarding local control over land use planning and Master Response B.1 regarding population projection, both of which also discuss the relationship between SB 375 and RHNA.
- A24-2: MTC and ABAG strongly support Sonoma County's Urban Growth Boundaries (UGBs). However, considered as a whole and over the long term, the specific boundaries and policies associated with the Bay Area's UGBs (and similar policies around urban growth restrictions) are uncertain. Local government and popular votes can expand them and some of the older ones have been redrawn, sometimes more than once. In other locations, a failure to pass a future vote lets the UGB lapse. This flexibility, and the lack of consistency throughout the region, makes the modeling assumption that growth boundaries are permanent when conducting long range planning at the regional scale. Instead, in the land use analysis for the No Project alternative, incorporated land was allowed to increase (either through the expansion of existing cities or the incorporation of new ones) at the same rate (in relation to recent population growth) that it has in the past. This newly incorporated land was allocated to flat areas near highways, which tend to remain undeveloped in Solano, Sonoma, and Contra Costa Counties. As the commenter noted, this assumption only affects the No Project alternative; the proposed Plan and all other alternatives direct growth within the

existing urban footprint and retain all existing UGBs, limit lines and related growth management policies across the region. MTC and ABAG, based on historical trends, believe that the real estate market often places pressure on existing UGBs in these locations. The proposed Plan encourages strict enforcement of existing UGBs and their equivalents over the life of the Plan as reflected in the PDA approach.

- A24-3: Your opposition to Alternative 4 is acknowledged.
- A24-4: Your concerns regarding Alternative 5 are acknowledged.
- A24-5: Your support for the proposed Plan is acknowledged.

**Letter A25 San Francisco Public Utilities Commission (5/14/2013)**

- A25-1: Correction noted; a revision to the Draft EIR is provided in Section 2 of this Final EIR. The revision does not affect the analysis or conclusions in the Draft EIR.
- A25-2: Correction noted; a revision to the Draft EIR is provided in Section 2 of this Final EIR. The revision does not affect the analysis or conclusions in the Draft EIR.
- A25-3: Correction noted; a revision to the Draft EIR is provided in Section 2 of this Final EIR. The revision does not affect the analysis or conclusions in the Draft EIR.
- A25-4: Correction noted. As the other columns in the table also show SFPUC's retail demand only, and as we do not have the combined wholesale and retail numbers for those, a footnote has been added to Table 2.12-2 in Section 2 of this Final EIR explaining that the SFPUC numbers are for retail demand and supply only.
- A25-5: See Master Response G regarding water supplies. A revision has been made to the Draft EIR in Section 2 of this Final EIR regarding SFPUC's drought planning. The revision does not affect the analysis or conclusions in the Draft EIR.
- A25-6: See Master Response G regarding water supplies. A revision has been made to the Draft EIR in Section 2 of this Final EIR regarding the conditions affecting SFPUC's water supply projects. The revision does not affect the analysis or conclusions in the Draft EIR.
- A25-7: Correction noted; a revision to the Draft EIR is provided in Section 2 of this Final EIR. The revision does not affect the analysis or conclusions in the Draft EIR.
- A25-8: Correction noted; a revision to the Draft EIR is provided in Section 2 of this Final EIR. The revision does not affect the analysis or conclusions in the Draft EIR.

**Letter A26 Sonoma-Marin Area Rail Transit (5/16/2013)**

- A26-1: The reference to SMART's 2006 EIR regarding train vibration is acknowledged. The text of the vibration discussion in Section 2.6 of the Draft EIR has been amended to delete reference to the SMART project (see Section 2 of this Final EIR that shows revisions/corrections to the Draft EIR text). It should be noted that SMART rail vibration

would contribute to the impact, but the impact from SMART is less than significant, per the findings in SMART's 2006 EIR. The SMART Supplemental EIR (2008) determined that freight operations on SMART's rail corridor could result in vibration levels that exceed FTA standards and the cumulative impact could be significant, but SMART's contribution to the impact would not be cumulatively considerable.

A26-2: The information in the train horn noise analysis is based on the SMART Final EIR and SMART SEIR. Although mitigation for train horn noise was identified in the SMART EIR, pursuant to CEQA guidelines, the SMART EIR determined that the impact remained significant because implementation of the mitigation is the responsibility of another agency and could not be guaranteed. Similarly, the introduction to Section 2 of the PBA Draft EIR states that if MTC and ABAG cannot ensure that a mitigation measure would be implemented in all cases, impacts would be categorized as "significant." We acknowledge that SMART is working closely with local agencies to implement Quiet Zones along the rail corridor and has committed funds to ensuring completion of the Quiet Zones. With implementation of this measure at rail crossings near sensitive receptors, the impact would be less than significant; however, at a regional level the impact remains significant and unavoidable because MTC and ABAG cannot ensure implementation of mitigation measures. References to SMART on pages 2.6-32, 2.6-35, and 3.1-92 of the Draft EIR are removed; see Section 2 of the Final EIR.

**Letter A27 Town of Colma (5/16/2013)**

A27-1: To respond to this comment, ABAG staff corrected the 2010 housing unit and household figures for the Town of Colma (Town), per the official statement of correction from the U.S. Census Bureau dated March 7, 2013 (Case Number 90653). The 2010 housing unit total for the Town in the Draft Plan is reduced from 590 to 430 and the 2010 household total from 560 to 410. This minor revision does not change any of the conclusions in the EIR.

The distribution of jobs and housing unit growth in the Draft Plan takes into account a variety of factors—including input from jurisdictions, level of transit service, Vehicle Miles Travelled by Household, in-commuting by low-wage workers, housing values, and concentration of knowledge-based economic activity. In some cases, the distribution assumes changes in local conditions over the next three decades, and is not constrained by existing zoning. ABAG/MTC staff reviewed the overall housing and employment growth figures for the Town. Staff acknowledges that much of the land within the boundaries of the Town's PDA is occupied by cemeteries that cannot be redeveloped. However, staff considers the levels of growth allocated to the Town in the Draft Plan appropriate considering the availability of high-frequency transit and accesses to employment within and around the Town. This level of growth could be reasonably accommodated over the thirty-year time-frame of the Plan given the potential for densification of existing non-cemetery land uses. Please note that due to modifications of the overall regional employment distribution, the 2040 employment total for the Town decreased from 3,210 to 3,200. This minor revision does not change any of the conclusions in the EIR.

**Letter A28 Town of Corte Madera (5/16/2013)**

- A28-1: See Master Response B.1 on the population and job projections.
- A28-1.5: See Master Response D.2 on the connection between high-density housing near transit and reduced greenhouse gas emissions.
- A28-2: In order to qualify for streamlining or exemptions, projects must meet specific criteria, enumerated in Chapter 1.1 in the Draft EIR, beginning on page 14 and Master Response A.2. MTC and ABAG affirm that local jurisdictions retain the authority over development projects; please refer to Master Response A.1 for more information regarding local land use control and A.2 regarding CEQA streamlining options.
- A28-2.3: Plan Bay Area makes no assumptions about specific housing types or tenants in reference to numbers of housing units and typical density ranges (which may account for a wide variety of housing types and tenants) that may occur in locations across the region. Such determinations will be made by local agencies on a project-specific basis.
- A28-2.7: The issue of increased urbanization in suburban communities is addressed in Chapter 2.3, Land Use; Chapter 2.10, Visual Resources; and Chapter 2.11, Cultural Resources. The evaluation of impacts on visual resources is addressed at a level appropriate to a programmatic EIR for a regional plan. A local-level evaluation of the proposed Plan and its potential visual resources impacts is not required and would be highly speculative. Impacts on specific local visual resources should be assessed by project proponents at the local level as appropriate. See Master Response A.3 regarding the level of specificity in the EIR.
- A28-3: See Master Response B.1 for additional information regarding population projections and Master Response G for additional information regarding Water Supply, as well as Chapters 2.12 and 2.14 of the Draft EIR regarding a regional-level assessment of public utilities and services, respectively. As specified on page 2.0-1 of the Draft EIR, the analysis focuses on regionally significant impacts. MTC and ABAG acknowledge that in some cases, existing local conditions not analyzed in this program-level EIR may preclude in the short-term the level of development forecast to occur in a given jurisdiction. It will be the responsibility of project-level environmental review to assess the capacity of local utility and service providers to serve new growth.
- A28-4: Chapter 2.2, Air Quality, provides an extensive assessment and impact analysis of Toxic Air Contaminants (TACs) and other air pollutants associated with vehicle exhaust. The methodology and significance thresholds used in the Draft EIR to assess public health effects related to air pollutants are consistent with those recommended by the Bay Area Air Quality Management District and other State and federal regulatory agencies. The Draft EIR conducted dispersion modeling for all major transportation corridors within the Bay Area to identify areas that are exposed to levels of toxic air contaminants/particulate matter above the stated threshold of significance.
- Specifically, Criterion 4 in this section analyzes whether the Plan would “Cause a cumulative net increase in emissions of diesel PM, 1,3-butadiene, and benzene (TACs) from on-road mobile sources compared to existing conditions” and Criterion 5 analyzes whether the Plan would “Cause a localized net increase in sensitive receptors located in Transit Priority

Project (TPP) corridors where: (a) TACs or fine particulate matter (PM<sub>2.5</sub>) concentrations result in a cancer risk greater than 100/million or a concentration of PM<sub>2.5</sub> greater than 0.8 µg/m<sup>3</sup> of PM<sub>2.5</sub>; or (b) sensitive receptors are located within set distances (Table 2.2-10) to mobile or stationary sources of TAC or PM<sub>2.5</sub> emissions; or (c) TACs or fine particulate matter (PM<sub>2.5</sub>) concentrations result in noncompliance with an adopted Community Risk Reduction Plan.” When sensitive land uses are proposed in these areas, lead agencies should conduct a more detailed local air pollutant analysis to determine if project alternatives or mitigation measures exist to lessen any potentially significant impact to public health. The local pollutant analysis was conducted specifically because of epidemiological studies linking an individual’s close proximity to sources of air pollution and an increased risk of autism, asthma or other health concerns.

- A28-5: Hazardous materials are addressed in Chapter 2.13, Hazards. Public Services and Recreation are addressed in Chapter 2.14, Public Services and Recreation. The decision to exclude Mineral Resources from the impact analysis is described on page 3.2-18 of the Draft EIR and is proper with no additional justification. Please see Master Response A.3 regarding the level of specificity in the EIR.
- A28-6: Analysis of Public Services and Recreation was included in the Draft EIR, see chapter 2.14. The analysis of the impact of Alternative 5 (Environment, Equity and Jobs Alternative), as well as the other alternatives, on Public Services and Recreation is included in the Draft EIR Alternatives analysis. Please see pages 3.1-117 through 3.1-120 of the Draft EIR. The analysis finds that at a regional level the impacts of Alternative 5 on Public Services and Recreation would be similar to that of the Proposed Plan.
- A28-7: Given that adoption of Plan policies is voluntary and relies on local action, there is no CEQA impact regarding a conflict with local plans and policies. Please see the analysis under Impact 2.3-3 in Chapter 2.3 of the Draft EIR regarding conflicts with local plans, which was found to be less than significant for the reasons outlined here, as well as Master Response A.1 for more information regarding local control over land use and Master Response I regarding the PDA process.
- A28-8: Plan Bay Area makes no assumptions about the precise location of housing types or tenants (e.g., assisted living units, Section 8 units, starter condominiums, etc. that the comment suggests) that will occupy housing that may develop in local jurisdictions under implementation of the Plan. The Plan makes reference to numbers of housing units and typical density ranges (which may account for a wide variety of housing types and tenants) that may occur in locations across the region. The precise type and nature of housing developed in a given jurisdiction remains under the local control of that jurisdiction (see Master Response A.1 regarding local control). Jurisdictions’ only obligation to provide for the range of housing types specified in the comment falls under the requirements of Housing Elements, which are separate from Plan Bay Area. Moreover, the Regional Housing Needs Allocation (RHNA) assigned to each jurisdiction is required to be consistent with Plan Bay Area under SB 375, so no conflict in housing provision is anticipated. See Master Response F for additional information about regional displacement.

- A28-9: Alternatives 3, 4 and 5 evaluated in the Draft EIR are all financially constrained to the estimated \$292 billion of revenues anticipated to be available over the life of the Plan. Alternative 4 assumes the Preferred Transportation Investment Strategy (TIS), exactly the same as in the proposed Plan. Alternative 5 does not use the Preferred TIS, but the package of transportation investments and programs proposed would fall within the anticipated budget as required by federal law. Only Alternative 1, the No Project alternative, invests a different amount of revenues in the transportation system over the life of the Plan. The No Project alternative, as described in the Draft EIR in Chapter 3.1, page 3.1-5, only includes those projects and programs that are identified as “committed” in MTC Resolution No 4006, Committed Projects and Programs Policy, and would invest approximately \$91 billion in the transportation system over the life of the Plan.
- A28-10: The Proposed Project and alternatives, other than Alternative 4, were analyzed using the same growth forecasts, as outlined in the Draft EIR on page 3.1-11. The comment also questions the lack of detailed demographic and economic forecasts in the Draft EIR. The demographic and economic forecasts are documented in detail in the Supplemental Reports *Summary of Predicted Traveler Responses* and *Forecast of Jobs, Population and Housing*. The Draft EIR does not evaluate the validity of those forecasts; the Draft EIR evaluates the environmental impacts of the Proposed Project and alternatives. Therefore, the detailed forecasts were not included in the body of the Draft EIR itself but were instead summarized and reference was provided to the documents for those readers seeking additional information on forecasts. See Master Response B.1 regarding the forecasts.
- A28-11: Please refer to Master Response C regarding requests for extensions to the public comment period. Your support for the No Project alternative is acknowledged.

**Letter A29 Town of Los Gatos (5/16/2013)**

- A29-1: The comment indicates that the Town of Los Gatos (Town) requested in June 2012 that references to previously adopted PDAs in the Town be removed, specifically the portion of the VTA Cores, Corridors, and Station Areas PDA within the Town. PDAs are locally nominated. As such, the Town is able to request that a Priority Development Designation be removed or modified. MTC and ABAG have updated the referenced Draft EIR and Plan maps and figures to remove all reference to this PDA within the Town. This change would not alter the impact analysis presented in the Draft EIR. This change is reflected in Section 2 of the Final EIR. See also Master Response A.1 regarding local land use controls and Master Response I regarding the PDA process.
- A29-2: See response A29-1.
- A29-3: The changes requested in this comment have been made in Section 2 of this Final EIR.
- A29-4: This comment addresses the relationship between the Draft Plan job growth projections and recent local trends and local growth projections. The distribution of jobs in the Draft Plan takes into account a variety of factors—including input from jurisdictions, level of transit service, existing employment base, population growth, and concentration of knowledge-based economic activity. As such, the jobs distribution assumes changes in local conditions



over the next three decades, and is not constrained by existing zoning or projections. ABAG and MTC staff reviewed the employment figures for the Town and consider the employment growth forecasted for the Town, though higher than past projections, appropriate given the size of the existing employment base in comparison with similar sized cities in the county, as well as the base of knowledge-sector employment, which is expected to further concentrate around existing nodes. ABAG and MTC acknowledge that the development capacity issues raised in this comment by the Town of Los Gatos reflect key implementation challenges to infill development.

**Letter A30 Santa Clara Valley Transportation Authority (5/16/2013)**

- A30-1: The Climate Initiatives Program is an innovative new program that includes numerous elements, most of which are new and promising strategies MTC and ABAG seek to implement either for the first time or at a larger scale than currently exists. The off-model techniques that were used to evaluate the program provide a more robust and precise estimate of GHG emission reductions than could have been done within the confines of MTC's travel models. The analysis of greenhouse gas reductions associated with the elements of the Climate Initiatives Program is included in the Supplemental Report, *Draft Summary Predicted Traveler Responses* in appendix 1 to the Plan. The analysis details the assumptions and calculations used to estimate the GHG reduction anticipated due to the Climate Initiatives Program. The analysis was based on the best available information, including existing regulations and current research. For additional information on GHG modeling and assumptions, see Master Response D.2 and Master Response H.
- A30-2: MTC and ABAG are not proposing the implementation of a Vehicle Miles Traveled (VMT) tax as part of the proposed Plan. The VMT tax was included in Alternative 5, the Environment, Equity and Jobs Alternative, as per the direction of the stakeholders who developed that alternative. In a statistically valid telephone survey of 2,500 Bay Area residents conducted during the spring of 2013, there least popular proposed strategy to reduce greenhouse gas emissions was charging drivers a new fee based on the number of miles driven. 64 percent of respondents said they oppose the idea, with nearly half (46 percent) strongly opposing. Funding strategies to incentivize the land development pattern of Plan Bay Area, such as OneBayArea Grants, are included in the Draft Plan, and future updates of the RTP/SCS could add additional funding strategies to advance implementation of the Plan and achievement of the GHG emissions reduction target.
- A30-3: Projects with less than 50 percent residential use are not eligible for SB 375/CEQA streamlining benefits. The comment suggests that strictly commercial projects should be eligible for streamlining under the Plan. MTC and ABAG have no control over the types of projects eligible for streamlining under SB 375, as SB 375 is a State law. Commercial projects may, however, be able to take advantage of streamlining provisions under SB 226 and its implementing guidelines. (See Public Resources Code Section 21094.5; CEQA Guidelines Section 15183.3.) See Master Response A.2 for more details about streamlining under SB 375 and SB 226.
- A30-4: The UrbanSim model was used to (a) create a reasonable range of Draft EIR alternatives and (b) model sub-travel-analysis-zone details for the Proposed Plan and "Enhanced"

Alternatives. It is unclear what evidence VTA seeks to demonstrate that UrbanSim is “ready for” this task; MTC and ABAG believe UrbanSim was the best available planning tool for this work. Please see the Supplemental Report *Summary of Predicted Land Use Responses* for additional information regarding UrbanSim modeling.

- A30-5: The distributions of housing and employment for alternatives are provided in the Draft EIR, pages 3.1-11 through 3.1-16. They include breakdowns by county and by percentages within PDAs. MTC and ABAG believe this level of detail is appropriate for a regional program EIR. EIRs must contain sufficient information about the each alternative to allow for meaningful evaluation, analysis, and comparison; however, CEQA does not require lead agencies to describe alternatives with the same level of detail as the proposed project. (CEQA Guidelines Section 15126.6.) "No ironclad rules can be imposed regarding the level of detail in required in considering alternatives." (*Al Larson Boat Shop, Inc. v. Board of Harbor Commissioners* (1993) 18 Cal.App.4th 729, 745; see also *N. Coast Rivers Alliance v. Marin Municipal Water District Bd. of Dirs.* (2013) 216 Cal.App.4th 614.) The alternatives analysis in the Draft EIR provides adequate detail of each alternative to allow for meaningful analysis, including quantitative analyses across several key impact areas. (See Draft EIR, Chapter 3.1.) The detailed descriptions and comparisons of the alternatives exceeds CEQA's requirements for plan level environmental review. (*Al Larson Boat Shop, Inc. v. Board of Harbor Commissioners* (1993) 18 Cal.App.4th 729, 745.
- A30-6: The comment refers to the validity of the regional growth forecast. The regional growth forecast starts with projected regional job growth which is the main determinant of ABAG's regional growth projections and includes population growth as in all major regional forecast modeling in California and around the nation including regional projections produced by Southern California Association of Governments, San Diego Association of Governments, Sacramento Area Council of Governments, Association of Monterey Bay Area Governments, and Santa Barbara County Association of Governments. In addition, job growth is the primary determinant of regional population growth in the models used by the three major national forecasting firms – IHS Global Insight, Regional Economic Models, Inc., and Moody's. ABAG job growth to 2040 is estimated as a share of U.S. projected job growth, also known as “shift-share” which is a widely used and accepted employment forecasting methodology, based on an assessment of regional competitiveness by major industry sectors. ABAG projections use Department of Finance (DOF) fertility and mortality assumptions to determine the amount of natural increase in the population to develop a population profile. Migration, rather than being tied to recent trends, is a function of job growth. DOF has acknowledged that the ABAG regional growth forecast is reasonable and that they will incorporate portions of our methodology to improve their forecasts for the region in the future. See Master Response B.1 regarding population projections.
- A30-7: Three main assumptions inform levels of regional employment growth in the forecast: the Bay Area's share of national jobs, labor force participation rates, and unemployment rates.
- Bay Area jobs are expected to increase from 2.4 percent of the national total in 2010 to 2.5 percent of the national total in 2040.

- The Bay Area labor force participation rate is calculated from age-specific rates provided by the US Bureau of Labor Statistics. (The labor force participation represents the percent of the total population in the labor force, whether employed or not.) The overall Bay Area labor force participation rate is expected to increase from 51.6 percent in 2010 to 52.5 percent in 2020, and then due to the aging population, is expected to slowly decrease to 49.8 percent in 2040.
- The unemployment rate in 2010 was reported as 10.6 percent. As a long term forecast, the unemployment rate is then assumed to decrease to 5.1 percent by 2020 and remain at the same overall rate, factoring in fluctuations due to business cycles, through 2040.

The ABAG population forecast assumes a relatively constant annual growth rate of 0.88 percent for the forecast period between 2010 and 2040. Again, population growth will fluctuate year to year, but for the purposes of long term forecasting we are assuming an overall rate that takes such fluctuations into account. ABAG’s job forecast assumes an annual growth rate of 1.63 percent for the period between 2010 and 2020, and a lower annual growth rate of 0.61 percent for the period between 2020 and 2040. The higher job growth rate in the earlier years represents roughly 200,000 workers unemployed in 2010 who become re-employed by 2020. For more information on job growth assumptions see Master Response B.1 and see: [http://onebayarea.org/pdf/Draft\\_Plan\\_Bay\\_Area/Draft\\_PBA\\_Forecast\\_of\\_Jobs\\_Population\\_and\\_Housing.pdf](http://onebayarea.org/pdf/Draft_Plan_Bay_Area/Draft_PBA_Forecast_of_Jobs_Population_and_Housing.pdf)

A30-8: MTC and ABAG acknowledge this observation about the alternatives analysis. The alternatives contain key policy distinctions that provide for a meaningful comparison of a reasonable range of alternatives; however, the Draft EIR shows that the environmental impact differences among the alternatives ended up being relatively small. Again, your support for the proposed Plan is acknowledged.

A30-9: Commenter asserts that Alternative 4 contains growth projections that do not appear to be achievable because the projections are based upon an assumption that SB 375 requires housing of all Bay Area workers within the Bay Area counties, not just that adequate housing be provided for new workers. Commenter asserts no other MPO shares this interpretation and SB 375 should not be interpreted in this way.

MTC and ABAG agree. Neither CEQA nor SB 375 requires an RTP/SCS to eliminate the existing ratio of in-commuters. The Plan and Draft EIR make the reasonable assumption that a certain portion of the Bay Area’s workforce will continue to in-commute from surrounding areas into the nine county Bay Area region covered by the Plan. It is unreasonable to assert that workforce migration would simply stop at the boundaries of the Plan if a certain amount of residential units were constructed within the region. Regardless of the number of residential units in the area covered by the Plan, a certain portion of the population will still choose, for various reasons, to live in places such as Davis, Sacramento, Stockton, Tracy, Salinas, Santa Cruz, and Monterey.

The Plan complies with SB 375’s requirement to house “all the population” by planning for enough residential units within the region for all new growth, which keeps the current proportion of in-commuters constant. Other metropolitan planning organizations share the

commenter's and ABAG's interpretation of SB 375's requirement to house all of the population. See also Response B7.

Commenter also asserts that because the RHNA allocations have already been drafted, Alternative 4's growth assumptions for the early years of the RTP are undercut and ABAG should not adopt the growth assumptions without the detailed public discussion that has occurred for the current RHNA numbers.

See Master Response B regarding population projections and the relationship between RHNA and SB 375.

A30-10: Commenter states Alternative 5 is based upon assumptions that are inconsistent with SB 375 regarding loss of local control related to rezoning. Commenter also asserts that OBAG funding obligations likely exist within PDAs, that additional low income housing will presumably require large subsidies, and that the VMT tax cannot be assumed to be in place within a reasonable time frame, and concludes that Alternative 5 should not be considered. In a statistically valid telephone survey of 2,500 Bay Area residents conducted during the spring of 2013, there least popular proposed strategy to reduce greenhouse gas emissions was charging drivers a new fee based on the number of miles driven. 64 percent of respondents said they oppose the idea, with nearly half (46 percent) strongly opposing.

Alternative 5 includes policies that differ from the other alternatives in important respects and provides MTC and ABAG with a valuable comparison. The concerns raised in the comment regarding difficulties in implementing Alternative 5 and its feasibility will be considered by MTC and ABAG. Please also see Master Response A.1 regarding local land use controls.

A30-11: Please see response A22-4. In addition, MTC Resolution No. 4104 continues to facilitate consultation between MTC, Caltrans, Congestion Management Agencies (CMAs), and local jurisdictions on ramp metering and TOS through the ramp metering technical committee discussions. It does not nullify existing Ramp Metering Memorandum of Understandings with Caltrans, but it does negate the need for new ones because the ramp metering operating principles are included in the policy.

A30-12: Mitigation 2.5(c), as currently drafted, includes local jurisdictions and other transportation agencies as those agencies project sponsors and implementing agencies shall coordinate with in developing Transportation Asset Management Plans. See Master Response E for additional information on Sea Level Rise.

A30-13: The consistency analysis in the Draft EIR referenced by this comment is the Bay Area Air Quality Management District's 2010 Clean Air Plan. A separate consistency analysis of local jurisdiction Climate Action Plans was not included in the Draft EIR.

A30-14: Your support for Alternative 2, the proposed Plan, is acknowledged.

**Letter A31 Alameda County Health Care Services Agency Public Health Department (5/16/2013)**

- A31-1: Your support for Alternative 5 is acknowledged.
- A31-2: Your comment about Alternative 5 and its public health effects is acknowledged. See response B25-80 regarding the Draft EIR's air quality analysis as it relates to health impacts.
- A31-3: Your comment about Alternative 5 and its air quality effects is acknowledged and consistent with the findings of the Draft EIR.
- A31-4: Your support for Alternative 5 and its effects on housing affordability is acknowledged. See Master Response F for more information about potential displacement impacts and the Plan's measures to address the issue.
- A31-5: Your comments about the One Bay Area Grant requirements are acknowledged; the program will help address displacement under the proposed Plan. See Master Response F for additional information on displacement.
- A31-6: Your support for Alternative 5 is acknowledged.

**Letter A32 City of Santa Rosa (5/14/2013)**

- A32-1: The comment suggests inconsistencies between the level of housing growth in the proposed Plan for the City of Santa Rosa's (City) Priority Development Areas (PDAs) in comparison to the total housing growth for the City as a whole, noting that the reported growth in the PDAs is greater than the total for the City. MTC and ABAG staff reviewed the data in question and have identified that what appears to be an inconsistency in the proposed Plan housing growth tables, is actually the result of overlapping PDAs. In particular, the geographic boundaries of the following Santa Rosa PDAs overlap: Downtown Station Area, Mendocino Avenue/Santa Rosa Avenue Corridor, and Sebastopol Road. In the growth allocation, overlapping PDAs were divided into individual sub-areas. Growth was calculated separately for each PDA sub-area. The total housing unit growth for the City of Santa Rosa's PDAs is 12,240, the sum of each individual PDA sub-area, less than the total housing unit growth for the City of 16,030. The growth totals that appeared in the Draft Plan (see *Draft Forecast of Jobs, Population, and Housing*; [http://onebayarea.org/pdf/Draft\\_Plan\\_Bay\\_Area/Draft\\_PBA\\_Forecast\\_of\\_Jobs\\_Population\\_and\\_Housing.pdf](http://onebayarea.org/pdf/Draft_Plan_Bay_Area/Draft_PBA_Forecast_of_Jobs_Population_and_Housing.pdf)) for the City's PDAs, however, summed the sub-areas for each PDA and therefore double-counted the overlap areas. As such, the growth total for the PDAs appeared higher than the total for the City. MTC and ABAG staff will update the employment and housing tables in the Plan and supplemental *Forecast of Jobs, Population and Housing* document ensuring that employment and housing totals for overlapping PDAs are assigned to one PDA only with no duplicate counts.
- A32-2: MTC and ABAG recognize the importance of the comprehensive approach to greenhouse gas emissions reduction pursued by the City. This complements the mandate of the proposed Plan, which is to reduce GHG emissions from automobiles and light trucks.
- A32-3: MTC and ABAG consider the level of growth in the Downtown Station Area PDA indicated in the proposed Plan reasonable and achievable over a 28-year time-frame given

long-term opportunities for densification and intensification within the PDA. However, MTC and ABAG recognize that implementation of the proposed Plan relies on discretionary actions by local jurisdictions. See Master Response A.1 regarding local land use control. The comment also states that growth for the Sebastopol Road Corridor PDA is overstated. As noted, the growth allocations for the City's PDAs were done at the sub-area level for overlapping PDAs, based proportionally on the size of each sub-area. Based on the City's comment, it seems that a greater portion of the Sebastopol Road Corridor PDA's growth should be contained in an area that overlaps with another of the City's PDAs. MTC and ABAG have modified the growth in each PDA sub-area to better reflect the City's vision for growth in these PDAs, as noted in response A32-1.

A32-4: The comment notes concern for how transit funds are linked to the Regional Housing Needs Allocation. Transit funding is not linked to RHNA.

**Letter A33 City of Novato (5/16/2013)**

A33-1: The comment is correct to say that implementation of the Plan will depend upon the voluntary actions of local agencies, and that the Plan forecasts are advisory and not mandatory (with the exception of the State-mandated requirement for jurisdictions to demonstrate their ability to achieve their Regional Housing Needs Allocation as part of the Housing Element process). Please see Master Response A.1 for more information on local control over land use.

A33-2: See Master Response B.1 regarding growth projections.

A33-3: The PDA and PCA program, or "FOCUS", is a regional development and conservation strategy developed by ABAG and MTC in 2007 in partnership with BAAQMD and BCDC. The program promotes a more compact land use pattern for the Bay Area. It 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. These programs are key building blocks of Plan Bay Area. See Master Response B.2 regarding PDA feasibility. See also Master Response I regarding the PDA process.

A33-4: Please see response A13-8.

A33-5: See Master Response E for information regarding sea level rise.

A33-6: See Master Response G for information regarding water supply.

A33-7: The commenter asks MTC and ABAG to identify additional sources of funding for police, fire, recreation, school, and other services. The Draft EIR analyzes impacts to public services and facilities to the extent appropriate for a long-term regional land use and transportation plan. See Master Response A.3 for the level of specificity in the EIR.

**Letter A34 Caltrans (4/16/2013)**

- A34-1: Your request for changes to the proposed Plan will be considered by MTC and ABAG prior to taking action to adopt Plan Bay Area.
- A34-2: The reference to Caltrans has been added to the pages cited, as listed in Section 2 of this Final EIR.
- A34-3: MTC recognizes the importance of freight transportation on the region's highways and railroads, as well as at regional airports and seaports. A description of the San Francisco Bay Area highway system, used by the region's freight trucks, is on pages 2.1-1 and 2.1-2. A description of the freight rail, seaport, and airport facilities can be found on page 2.1-9. The proposed Plan's overall emphasis on passenger vehicles is primarily the result of California Senate Bill 375 (SB 375). SB 375 specifically required MTC and ABAG to achieve greenhouse gas reduction targets for cars and light-duty trucks as part of the RTP/SCS planning process. The target, as established by the California Air Resources Board, did not include GHG reductions from typical freight vehicles, such as heavy-duty trucks or freight railroads. Therefore, transportation and land use strategies were developed to maximize greenhouse gas emission reductions from passenger vehicle sources. See Master Response D.1 for additional information on GHG reductions under SB 375.
- A34-4: Criterion 3, per-capita vehicle miles traveled (VMT) under level of service (LOS) F conditions, appropriately captures the level of traffic congestion. In particular, the criterion selected for the Draft EIR best captures the impacts of traffic congestion on an individual traveler, as it is measured on a per-capita basis. Overall delay measures would instead primarily reflect the region's population growth and would provide an exaggerated estimate of traffic congestion impacts. Table 2.1-12 (Bay Area Travel Behavior, 2010-2040) in the Draft EIR provides the results for the "more traditional metrics of vehicle-hours of delay" as requested by Caltrans.
- A34-5: All of the trip forecasts in Table 2.1-3 in the Draft EIR are from the 2012 Metropolitan Transportation Commission Travel Demand Forecasts.
- A34-6: MTC appreciates your suggestion for revision of Table 2.1-3; however, we elect to preserve the table in its current state in order to maximize readability, given that the suggested revision does not provide any significant additional information for the Draft EIR reader.
- A34-7: The baseline year for the Draft EIR is the year 2010, as specified on page 2.0-1(except for the GHG analysis, which used a 2005 baseline as discussed in Master Response D.1). As such, all of the data under Existing Regional Environmental Conditions reflects travel model output for year 2010 conditions (or United States Census data, if available). The comment incorrectly suggests that the data in Table 2.1-3 comes from U.S. Census data; instead, these metrics on regional travel behavior for year 2010 came from MTC Travel Demand Forecasts.
- A34-8: Wildland fires are mentioned in the Public Health bullet. The idea here is that fires may affect ecosystems by burning wildland habitat which, in turn, would have an impact on biodiversity.

A34-9: While color would be more readable, MTC and ABAG also are concerned about reproduction costs and decided that the sequence of information, shown in the legend and the labels, makes the content readable. The slope of the line, in the trend graph, also enables someone to discern quickly which elements are growing faster, and which have growth rates that are relatively evenly correlated. No change will be made because the information being depicted is discernible in black and white.

A34-10: Comment noted; a correction is included in Section 2 of this Final EIR.

**Letter A35 City of American Canyon (5/16/2013)**

A35-1: Your support for the proposed Plan is acknowledged.

A35-2: Your opposition to Alternative 3 is acknowledged.

A35-3: Your opposition to Alternative 4 is acknowledged. See response A30-9.

A35-4: Your opposition to Alternative 5 is acknowledged. See response A30-10.

**Letter A36 City of Belvedere (5/16/2013)**

A36-1: The latest Urban Water Management Plan (UWMP) of the Marin Municipal Water District (MMWD) indicated that it has adequate water supplies for projected growth through the year 2035, the time horizon for the UWMP, with additional supply capacity remaining unused. The proposed Plan would result in essentially the same year 2040 population as under the No Project alternative - a three percent increase, with the proposed Plan resulting in 500 more households in Marin County than under the No Project scenario. Given the water supplies indicated by MMWD, it is unlikely that additional water supplies will need to be acquired due to growth under the proposed Plan. It is not the responsibility of MTC and ABAG to require MMWD to ensure that its UWMP takes changes in climate into account. Please see Master Response G for additional information.

A36-2: The distribution of jobs in the Draft Plan takes into account a variety of factors—including input from jurisdictions, level of transit service, existing employment base, population growth, and concentration of knowledge-based economic activity. As such, the jobs distribution assumes changes in local conditions over the next three decades, and is not constrained by existing zoning or projections. While the proposed Plan anticipates job growth in the City of Belvedere, its growth rate (12 percent) is below the overall Marin County growth rate of 17 percent, and well below the regional average of 33 percent. The City's lower growth rate reflects in part its lower concentration of knowledge-based activities compared to cities such as San Rafael, as well as many other parts of the Bay Area. See Master Response B.1 for additional information on population projections.

**Letter A37 City of Hayward (5/15/2013)**

A37-1: To respond to this comment, ABAG staff reviewed the National Establishment Times Series (NETS) database employment figures for 2010 for the City of Hayward (City). Based



upon this review, the 2010 employment total for the City in the Draft Plan has been corrected, resulting in a change in from 69,100 to 68,140, as explained in Section 2.1 of this Final EIR. As a result, the 2040 employment total for the City decreased from 89,900 to 87,820. This change does not alter the impact findings in the Draft EIR.

**Letter A38 City of Palo Alto (5/13/2013)**

A38-1: As discussed in detail in Master Response B.1, ABAG arrived at reasonable and supportable population forecast for the Bay Area over the life of the proposed Plan. The Plan, in turn, is designed to accommodate future growth in a manner that achieves the requisite GHG reductions and houses all the population, as required by SB 375. MTC's and ABAG's policies in the proposed Plan do not determine growth, they accommodate it. Therefore, it would be unreasonable for MTC and ABAG to arrive at a population forecast, and then evaluate an alternative in the EIR that fails to accommodate the forecasted growth, as the commenter suggests should be done. A reduced population alternative may have environmental benefits, but those benefits would be due to an artificially low growth projection, not a result of potentially feasible policy considerations that could reduce the potential impacts of the actual population that ABAG anticipates.

A38-2: Please see Master Response B.1 for more information concerning population projections. SB 375 requires the RTPC/SCS to demonstrate the ability to accommodate all of the population projected for the region; an alternative that used lower growth than projected would not comply with State law. Furthermore, the alternatives must present a range of feasible options for accomplishing the project goals over the time frame. The process that MTC and ABAG undertook to develop the alternatives is described in Chapters 1.1 and 3.1 of the Draft EIR. MTC and ABAG respectfully disagree that none of the alternatives would lessen the environmental impacts identified; Alternative 5 is identified as the Environmentally Superior Alternative, albeit marginally so. The reasonable range of alternatives evaluated in the Draft EIR provide a meaningful comparison of different approaches to regional planning; each of which offer environmental advantages and disadvantages. The range of alternatives is constrained; however, by SB 375's requirements to house all the population and achieve GHG reduction targets. Thus, while the alternatives provide different environmental trade-offs, it is not surprising that in the end, the overall environmental impacts were relatively similar.

Regarding alternative means of reducing GHG emissions, see Master Response D.1 regarding SB 375's GHG reduction requirements for regional planning agencies.

A38-3: The commenter's opposition to Alternatives 3, 4, and 5 is noted. See responses A38-1 and A38-2 regarding the alternatives analysis, and responses A30-9 and A30-10 regarding alternatives 4 and 5, respectively. See Master Response B.1 regarding the population projections.

A38-4: The comment is correct to specify that in many cases, impacts are identified as Significant and Unavoidable in the Draft EIR where mitigation is assumed to be the responsibility of the local project sponsor, with review by the local jurisdiction in which the project is proposed. This is due to the fact that (1) MTC and ABAG have no jurisdiction over local

land use decision-making, so mitigation for project-level impacts must be identified by the local agency and implemented by the project sponsor, regardless of whether they use measures posed in this Draft EIR or not; and (2) many significant impacts must be identified as unavoidable precisely because MTC and ABAG cannot guarantee that appropriate mitigation will occur in all cases at the project level. MTC and ABAG have identified appropriate mitigation measures for impact areas where best practices are acknowledged and widely applicable. In issues pertaining to land use character and compatibility, appropriate mitigation measures are best determined by the local jurisdiction, and MTC and ABAG recognizes jurisdictions' right to local control over land use decisions and issues of compatibility at the individual project level. See Master Response A.1 regarding local control over land use, and Master Response A.3 regarding the level of specificity in the EIR.

Regarding alternatives with a lesser growth projection, please refer to the response A38-2.

A38-5: Please refer to the response A38-2, and refer to Master Response B.1 for more information on the difference between DOF and ABAG population projections.

A38-6: The comment incorrectly assumes that Plan Bay Area and the associated EIR do not allow flexibility for cities to reduce greenhouse gas emissions at a local level. Rather, cities may prepare their own plans for greenhouse gas reductions and are not required to implement the policies or recommended mitigation measures proposed in the Plan. Please also refer to Master Responses A.1, A.2, and A.3 for more information on local control over land use, CEQA streamlining benefits, and the appropriate level of specificity in this EIR. See also the response A38-2.

A38-7: Your opposition to all alternatives to the proposed Plan is acknowledged.

A38-8: See Master Responses A.1, A.2, and A.3 for more information on local control over land use, CEQA streamlining benefits, and the appropriate level of specificity in this EIR. Providing regional or state funding for implementation of project specific mitigation measures is beyond the scope of this EIR.

A38-9: The stakeholders that developed alternatives 4 and 5 selected the titles for the alternatives. MTC developed the title for Alternative 3. MTC and ABAG respectfully disagree that the titles of the alternatives resulted in any bias.

**Letter A39 Contra Costa Transportation Authority (1/0/1900)**

A39-1: Your support for the proposed Plan is acknowledged.

A39-2: The Draft EIR acknowledges that while some of the differences among alternatives are small, overall the alternatives represent different land use patterns and approaches to accommodating new growth that allow for a meaningful comparison. The Draft EIR also notes that there are trade-offs among the alternatives and that the proposed Plan offers some environmental advantages over other alternatives. Decision-makers will weigh the relative advantages and disadvantages of the alternatives in taking action on the project.

- A39-3: Commenter's observations about Alternative 3 and the potential consequences are acknowledged. This comment does not raise significant environmental issues that require a response, but rather speaks to the tradeoffs among alternatives, which will be considered by decision-makers as part of the EIR certification process and action on the proposed Plan.
- A39-4: Commenter's concerns regarding Alternative 4 are noted. See Master Response B.1 for additional information on population projections. See response A30-9 regarding Alternative 4.
- A39-5: Commenter's concerns regarding Alternative 5 are noted. See Master Response A.1 for additional information on local control over land use. This EIR acknowledges in a number of places (see p.3.1-48 of the Draft EIR, for example) that "local jurisdictions would retain ultimate land use authority." The disqualification cited would be in relation to discretionary funding.
- A39-6: This comment incorrectly states that OBAG funding cannot be spent in PDAs in rural and ex-urban areas under Alternative 5. The OBAG program would be modified under Alternative 5 to change eligibility criteria, rendering some PDAs ineligible if the local agency "upzones" the area. No change in pre-existing CMA obligations is implied or expected should this alternative be selected for implementation.
- A39-7: The VMT tax is a component of Alternative 5, which was examined through the alternatives screening process described on page 3.1-2 of the Draft EIR. The Draft EIR, on p.3.1-148, acknowledges that there are potential issues with the feasibility of Alternative 5 regarding the implementation of the VMT tax. However, it does provide a valuable comparison to the proposed Plan. See response A30-10 for additional information on Alternative 5.

**Letter A40 City of Brentwood (5/16/2013)**

- A40-1: See responses to CCTA's comments, Letter A39.

**Letter A41 Solano Transportation Authority (5/16/2013)**

- A41-1: Your support of prioritizing SB 375-mandated goals is acknowledged.
- A41-2: See Master Response B.1 for additional information on population projections.
- A41-3: See Master Response B.1 for additional information on population projections, including commentary on job growth. MTC and ABAG will revisit these projections prior to adopting the next Bay Area RTP/SCS in 2017 and local consultation will be part of the process as it has been in the past.
- A41-4: The alternatives screening process, explained on pg. 3.1-2 of the Draft EIR, was intended to identify a reasonable range of alternatives for full evaluation in the EIR. See response A30-9.
- A41-5: See responses A39-5 regarding local control, A39-6 regarding OBAG under Alternative 5, and A39-7 and A30-10 regarding the reasonableness of a VMT tax.

A41-6: Your support for the proposed Plan is acknowledged.

**Letter A42 Town of Fairfax (5/16/2013)**

A42-1: See Master Responses D.1, and D.2 regarding the Draft EIR's GHG analysis. See Master Response B.2 regarding the collaborative development process and feasibility of PDAs.

A42-2: See Master Responses A.1 and A.3 regarding local authority and the level of specificity in a long-term regional plan level EIR. See response B25-8 regarding health issues associated with air quality impacts and see Master Response E regarding sea level rise. The EIR evaluates each of the issue areas raised in the comment to the extent required by CEQA.

A42-3: See Master Response G for information regarding water supply. In addition, as discussed under Impact 2.12-1 of the Draft EIR, the Urban Water Management Plans (UWMPs) for the major water suppliers of the region indicate adequate water supplies for the amount of the region's projected growth, at a regional level. This amount of population growth and development projected for the region is expected to occur regardless of the proposed Plan.

A42-4: See response A42-1. In addition, this issue is analyzed under Impact 2.12-4, which found that mitigation measures 2.12(a) through (h), adopted and implemented by an individual project as feasible, would reduce the impact to less than significant, but found the impact significant and unavoidable since MTC and ABAG cannot require local implementing agencies to adopt the mitigation measures, and it is ultimately the responsibility of local agencies to determine and adopt mitigation. This amount of population growth and development projected for the region is expected to occur regardless of the proposed Plan and would be the actual cause of any impacts from expansions of water supply - these impacts will occur with or without Plan Bay Area, as shown in Chapter 3.1 of the Draft EIR.

A42-5: Please see Master Response A.1 for information on local control over land use and Master Response A.2 for information on CEQA streamlining benefits.

**Letter A43 City of Cloverdale (5/9/2013)**

A43-1: The comment accurately notes that the figure for the City of Cloverdale (City) reported in the Draft Plan is rounded. Calculating the housing growth based on the rounded 2010 and 2040 figures across all jurisdictions will result in inaccuracies in reporting regional totals. MTC and ABAG staff will update the employment and housing tables in the Plan noting that the growth figures may appear inaccurate due to rounding. The rounding does not affect the conclusions in the EIR.

This comment also addresses the concentration of projected housing units in the City's Priority Development Area (PDA). The 70% figure for future housing growth within PDAs refers to the regional total. The figure for each jurisdiction varies based upon locally specific considerations. Some jurisdictions did not nominate PDAs, and there for are not projected to accommodate growth in PDAs, while others are projected to accommodate less than half of all growth in designated PDAs and others are projected to accommodate nearly all growth in PDAs. The distribution of housing units in the Draft Plan takes into account a variety of

factors—including input from jurisdictions, level of transit service, vehicle miles traveled by household, in-commuting by low-wage workers, housing values, and projected concentrations of job growth. In some cases, the distribution assumes changes in local conditions over the next three decades, and is not constrained by existing zoning. This approach was a key element of creating a distribution of jobs and housing growth that achieved the region’s Greenhouse Gas Emissions reduction target.

**Letter A44 City of San Mateo (5/15/2013)**

A44-1: MTC and ABAG acknowledge that in some cases, existing conditions can limit development potential. The distribution of housing units in the Draft Plan takes into account a variety of factors—including input from jurisdictions, level of transit service, vehicle miles traveled by household, in-commuting by low-wage workers, housing values, and projected concentrations of job growth. In some cases, the distribution assumes changes in local conditions over the next three decades, and is not constrained by existing zoning. This approach was a key element of creating a distribution of jobs and housing growth that achieved the region’s greenhouse gas emissions reduction target.

A44-2: The Draft EIR proposes numerous mitigation measures that may reduce project-specific impacts regarding water supply, wastewater capacity, and other areas of utility provision. However, because MTC and ABAG cannot require local implementing agencies to adopt the mitigation measures recommended in the Draft EIR, and because local conditions may preclude adoption of these mitigation measures for at least some future land use development projects, the Draft EIR concludes that these impacts may be significant and unavoidable. Please see Master Response G for more information regarding analysis of water supply. See also Master Response A.1 regarding local control over land use planning.

A44-3: The Plan outlines a legislative advocacy platform; however, neither the Plan nor the Draft EIR rely on legislative advocacy to achieve the Plan’s targets or to reduce environmental impacts.

**Letter A45 County of Napa (5/7/2013)**

A45-1: Your support for the proposed Plan is acknowledged.

A45-2: This comment about methodology concerns the substance of Plan Bay Area itself, not the Draft EIR, which provides environmental review of the Plan. However, please refer to Chapter 2.3 of the Draft EIR regarding impacts of agricultural land conversion and Chapter 2.12 regarding public utilities impacts, including water and sewer service, as well as Master Response G regarding water supply analysis requirements for the EIR.

A45-3: The comment is correct to specify that while Plan Bay Area achieves a performance objective with regards to agricultural preservation, the Draft EIR identifies a significant and unavoidable impact. This is the case for several reasons. First, MTC and ABAG have no local land use authority and cannot require local governments to control growth in such a manner that would limit conversion of agricultural land to urban uses. See Master Response A.1 for more information on local control over land use. Second, significance thresholds

state that conversion of any Important Farmland to urban uses constitutes a significant impact. The proposed Plan concentrates new household and job growth in PDAs, which are largely within the urbanized footprint and typically support infill development. However, a relatively small portion of PDA acreage (approximately 7,600 acres) overlaps with agricultural lands, about 80 percent of which is grazing land. The rest is divided between Farmland of Local importance, Farmland of Statewide Importance, Prime Farmland, and Unique Farmland. In addition, Transportation projects in the proposed Plan have the potential to impact 1,529 acres of farmland, assuming the worst-case disturbance. Mitigation measures that would help reduce the impacts on agricultural land are identified in Section 2.3 of the Draft EIR, but MTC and ABAG cannot require local implementing agencies to adopt these mitigation measures, and it is ultimately the responsibility of local agencies to determine and adopt mitigation.

A45-4: This comment requests that the relationship between the Plan's performance standard of reducing premature deaths from exposure to fine particulates be explained in light of the EIR's conclusions regarding exposure to air pollutants. The *Plan Bay Area Draft Performance Assessment Report*, published by MTC in March 2013, found that in comparison to the project objective of a 10 percent decrease in such deaths, the proposed Plan would accomplish a 71 percent decrease, far exceeding the target. This performance standard is not an adopted criterion of significance for this EIR, which is why the Draft EIR and the Plan include different analyses.

For many metrics, including air quality, the numeric or percentage results may differ between the Plan Bay Area performance targets and the EIR analysis results. This is primarily due to (1) different base years for analysis and (2) different methodologies.

Different base years are the primary reason for different percent reductions between the target results and the EIR analysis. Per MTC Resolution 3978, the performance targets have a 2005 base year unless specifically specified for the individual target. This is partially due to the SB 375 GHG target base year, but it is also due to the performance targets being developed in 2010-2011 at the beginning of the planning process. At that time, 2010 model runs were not available and therefore all scenarios were assessed using a 2005 base year. In order to ensure consistency with past target results, the target analyses completed on the proposed Plan and the alternatives from the EIR also used the 2005 base year consistent with Res. 3978. In contrast, the EIR generally used a 2010 base year; it should be noted that economic conditions were significantly different between these two base years, accounting for the majority of the differences in the results.

Different methodologies were also used for the targets analysis and for the EIR analysis. Because the performance targets were used for assessments as early as spring 2011, methodologies were developed several years ago by stakeholders and were used in a relatively consistent manner throughout the process. EIR analysis methodologies were developed in late 2012 and often sought to capture slight variations on the same measures. For example, the coarse particulate matter performance target in the Plan does not include road dust, as based on consultation with the Bay Area Air Quality Management District, updated emissions factors were anticipated to be released by CARB and EPA during the timeframe of the analysis that would reduce anticipated emissions estimates, but the

reduction levels were unknown at the time. In addition, that segment of coarse PM was considered potentially less harmful to public health (which was the goal area for that particular target). Road dust was included in the EIR's analysis of particulate matter based on input from the Air District, as the revised emissions factors were released and readily available (EMFAC2011). These minor methodology differences serve different purposes and lead to different results.

The Draft EIR found that the proposed Plan could cause compared to existing conditions a net increase in emissions of PM<sub>10</sub> from on-road mobile sources (Impact 2.2-3(b)) as well as localized net increases in sensitive receptors located in Transit Priority Project corridors where TACs or fine particulate matter (PM<sub>2.5</sub>) concentrations result in a cancer risk greater than 100/million or a concentration of PM<sub>2.5</sub> greater than 0.8 µg/m<sup>3</sup> (Impact 2.2-5(a)) or within set distances to mobile or stationary sources of TAC or PM<sub>2.5</sub> emissions (Impact 2.2-5(b)). While the first of these impacts, the increase in PM<sub>10</sub> emissions, was found to be significant and unavoidable regardless of mitigation, the sensitive receptor impacts are expected to be less than significant in most instances as long as Mitigation Measure 2.2(d) is implemented by local jurisdictions. Furthermore, the Draft EIR found that the proposed Plan would have no adverse impact regarding a cumulative net increase in emissions of diesel PM, 1,3-butadiene, and benzene (toxic air contaminants) from on-road mobile sources (Impact 2.2-4), noncompliance with an adopted Community Risk Reduction Plan (Impact 2.2-5(c)).

A45-4.5 The level of detail and analysis in the "Climate Protection Strategies" is appropriate for a long-term regional plan.

A45-5: See Master Response A.2 for more information on CEQA streamlining benefits.

**Letter A46 Napa County Transportation and Planning Agency/Napa Valley Transportation Authority (5/8/2013)**

A46-1: The level of detail and analysis in the "Climate Protection Strategies" is appropriate for a long-term regional plan.

A46-1.5: Your support of the regional population, housing and jobs growth numbers and distribution is acknowledged. MTC and ABAG will revisit these projections prior to adopting the next Bay Area RTP/SCS in 2017 and local consultation will be part of the process as it has been in the past. Your interest in participating in this process is appreciated. See Master Response B.1 for additional information regarding population projections.

A46-2: Your concern about the growth projections in alternative 4 is acknowledged. The alternatives screening process, explained on pg. 3.1-2 of the Draft EIR, identifies a reasonable range of alternatives for full evaluation in the EIR. As noted above, MTC and ABAG will revisit these projections prior to adopting the next Bay Area RTP/SCS in 2017. See also response A30-9.

A46-3: See responses A39-5 and Master Response A.1 regarding local control, A39-6 regarding OBAG under Alternative 5, and A39-7 regarding the reasonableness of a VMT tax. See also response A30-10.

**Letter A47 City of Brisbane (5/13/2012)**

A47-1: See Master Response B.1 regarding job growth and population projections. See Master Response F regarding regional displacement impacts.

A47-2: The air pollution emission sources identified in the local pollutant analysis include Highway 101, Caltrain, diesel backup generators, gas stations, landfill methane collection system and flares, and a recycling center with rock crushers, sand screens, painting booth, solvent stations and cleaning pads. Please go to the Bay Area Air Quality Management District's webpage for more specific information on the exact sources with the City of Brisbane.

**Letter A48 City of Burlingame (5/7/2013)**

A48-1: MTC and ABAG appreciate the comment's acknowledgement of the problem of potential occurrence of displacement of lower-income units by new development. For more information on the assessment of displacement associated with the Plan, please refer to Master Response F.

A48-2: In response to this comment, the number of housing units allocated to the portion of the El Camino Real Priority Development Area in the City of Burlingame (City) was reduced by 844. These units were re-distributed to other cities and towns within the region where they are more appropriately located. These insignificant revisions do not alter the conclusions of the Draft EIR and do not constitute "substantial" new information as defined under Section 15088.5 of the CEQA Guidelines because these minor revisions do not deprive the public of a meaningful opportunity to comment upon a substantial adverse environmental effect or a feasible mitigation or avoidance measure.

A48-3: The comment relates to CEQA streamlining opportunities and notes that Burlingame has already completed a significant amount of environmental review of infill development as part of various specific plans and other efforts. See Master Response A.2 for more information regarding CEQA streamlining.

A48-4: MTC and ABAG appreciate the detail that the comment provides with regards to the level of environmental review required by the City of Burlingame for infill projects and/or those located in specific plan areas. For more information regarding local land use control and CEQA streamlining, please see Master Responses A.1, A.2, and A.3. It will be the responsibility of project-level environmental review to assess the capacity of utility and service providers to serve new growth. See Master response G regarding the EIR's water supply analysis and Master Response A.3 regarding the level of specificity in the EIR.

A48-5: Master Response B.1, regarding population projections, contains detailed information on job and population migration information for the Bay Area and how these factors were considered in the development of growth projections.



- A48-5.5 See the Performance Assessment Report, included in Appendix 1 of Plan Bay Area, for a detailed description of the Plans targets and methodology analysis.
- A48-6: See Master Response A.2 for more information regarding CEQA streamlining.
- A48-7: Impacts on schools as a result of growth are discussed in Chapter 2.14, Public Services and Recreation. Although the California public school system is under the policy direction of the Legislature, the California Department of Education relies on local control for the management of school districts. School district governing boards and district administrators allocate resources among the schools of the district. Regional growth, which is anticipated to occur regardless of the implementation of the proposed Plan, will require the expansion of public school facilities throughout the region. Because standards for both public schools are determined at the local level, and because impacts on existing facilities would vary substantially throughout the region, it is infeasible for this EIR at the regional scale to determine the exact scale and location of impacts on school districts region-wide. At the local level, school impact fees will be used by local school districts to build new or expand existing schools to accommodate new enrollment.
- A48-8: While the proposed Plan presents a scenario and policies for distributing and accommodating future growth region-wide in accordance with the requirements of SB 375, all development is still subject to approval of the local jurisdiction in which it is proposed. All local development impact fees and other locally established means for paying for facility and service expansion will not be affected by the Plan.
- A48-9: Please see Master Response D.2 for more information regarding the connection between high density housing near transit and reduced greenhouse gas emissions. Impacts on the Bay that may result from climate change, and mitigation measures that may lessen these impacts, are discussed in Chapter 2.5, Climate Change. Identifying funding sources for improvements to the Bay that could help mitigate the effects of climate change/sea level rise is outside of this scope of the EIR. See Master Response E for more information on the impacts of Sea Level Rise.

**Letter A49 City of Walnut Creek (5/14/2013)**

- A49-1: As the comment notes, the total growth projected for the City over the course of the Plan can be accommodated under its existing general plan. The comment indicates that a significant proportion of this growth is expected to take place in the City's downtown core, which is adjacent to the West Downtown PDA and the Walnut Creek BART station. Given the small size of the City's PDA in relation to the surrounding downtown core, MTC and ABAG acknowledge that a portion of the housing growth allocated to the PDA could be accommodated in the transit-accessible areas adjacent to the PDA. In response to this comment, 430 housing units were shifted from the West Downtown Priority Development Area in the City of Walnut Creek (City) to the remainder of the City. This minor revision does not change the impact conclusions in the EIR.
- A49-2: The comment incorrectly states that the 2010 employment figures for jurisdictions within the Draft Plan are based on the 2010 Longitudinal Employment and Household Dynamics

(LEHD) dataset from the U.S. Census Bureau. The Draft Plan does not utilize the 2010 LEHD dataset to develop the 2010 employment figures for each jurisdiction. As noted in the *Draft Forecast of Jobs, Population and Housing* ([http://onebayarea.org/pdf/Draft\\_Plan\\_Bay\\_Area/Draft\\_PBA\\_Forecast\\_of\\_Jobs\\_Population\\_and\\_Housing.pdf](http://onebayarea.org/pdf/Draft_Plan_Bay_Area/Draft_PBA_Forecast_of_Jobs_Population_and_Housing.pdf)), at the regional level, current employment was based on total jobs by sector as detailed in *Bay Area Job Growth to 2040: Projections and Analysis*, prepared by Stephen Levy at the Center for Continuing Study of the California Economy (CCSCE). This is derived from California Employment Development Department (EDD) wage and salary job estimates plus estimates for self-employed workers developed from the 1990 and 2000 Census and American Community Survey annual estimates. The distribution of jobs to the counties is then based upon 2010 sector totals by county from the Caltrans forecast. Finally, the National Establishment Time-Series (NETS) data is used to determine shares of 2010 employment by sector for each city and PDA. These shares are then applied to the 2010 county totals by sector to arrive at jobs by PDA and jurisdiction for each sector within each county. ABAG and MTC acknowledge that there may be some discrepancies between the LEHD dataset and the 2010 employment dataset used in the Plan, derived as noted above. ABAG did not modify its 2010 data for Walnut Creek using the LEHD dataset as this would create inconsistencies in the employment figures region-wide.

**Letter A50 Governor’s Office of Planning and Research (6/12/2013)**

- A50-1: MTC and ABAG agree with the commenter that the proposed Plan is grounded in empirical data and that implementation of the proposed Plan would provide for substantial habitat preservation, emissions reductions, and improvements in public health. MTC and ABAG also appreciate the support the proposed Plan’s ability to achieve a 16 percent reduction in greenhouse gas emissions by 2035 and 18 percent reduction by 2040.
- A50-2: MTC and ABAG appreciate the commenter’s support for the quantitative measures of projected outcomes, or “performance metrics”, utilized in preparing the proposed Plan. MTC and ABAG agree with the commenter that the proposed Plan provides data and discussion that covers a wide range of stakeholders interests, enabling broad informed decision-making.
- A50-3: Commenter commends MTC and ABAG for (1) including project performance reassessment as a part of the proposed Plan and (2) developing a process to prioritize projects for inclusion in the proposed Plan. Commenter concludes that by doing so, the proposed Plan sets an example for other metropolitan planning organizations regarding how to reassess project priorities. MTC and ABAG thank the commenter for these comments. MTC and ABAG agree with the commenter regarding the importance of reassessing and prioritizing transportation projects.
- A50-4: Commenter commends the proposed Plan’s approach to housing distribution and the manner in which the One Bay Area Grant (OBAG) Program is utilized to allow local jurisdictions the flexibility of local control while advancing the proposed Plan’s objectives. MTC and ABAG thank the commenter for these comments. Incentivizing implementation of the proposed Plan without interfering with local land use authority is one of the purposes behind the OBAG program.

A50-5: Commenter states that roadway tolling can provide a combination of system performance enhancement, revenue enhancement, human health benefits and environmental benefits by reducing VMT. Commenter concludes that MTC and ABAG's consideration of the effects of well-administered tolling lane and cordon-pricing programs, including reducing congestion, and possible co-benefits to human health and the environment (e.g. reducing GHG emissions, improving air quality, and reducing collisions), provides decision-makers with important information and the public with better outcomes. MTC and ABAG agree with the commenter and thank the commenter for these comments.

A50-6: MTC and ABAG will take commenters roadway maintenance comments into consideration during the process of finalizing and adopting Plan Bay Area.

The letter refers to a system of HOT lanes, which presumably is the Regional Express Lane Network. This Network represents only a modest increase in the region's freeway capacity. Table 3.1-7 of the Draft EIR shows only a 4 percent difference in freeway lane-miles between the No Project Alternative, which includes only committed express lanes, and the proposed Project, which includes the full Network. This is because approximately half of the Network is composed of existing HOV lanes that will be converted to express lanes. Only the remaining half of the Network would be developed by building new express lanes. Furthermore, express lane mileage is managed capacity, which gives priority to transit and buses and is subject to Federal requirements to maintain speeds of 45 miles per hour or better 90 percent of the time express lanes are in operation. This effectively limits the number of vehicles to approximately 1,600 vehicles per hour per lane, which is less than the typical capacity of an unmanaged lane (2,200 vehicles per hour per lane).

A50-7: The commenter commends MTC for including targets for increasing biking and walking mode share, although notes that the proposed Plan does not achieve the targets MTC set for the region. The commenter recommends MTC consider transportation investments in active mode facilities which take advantage of opportunities to achieve greater mode shift. MTC and ABAG will take these comments into consideration during the process of finalizing and adopting Plan Bay Area.

A50-8: Commenter notes that the proposed Plan achieves a per-capita reduction in roadway injuries and fatalities. To further reduce potential pedestrian and bicyclist road traffic injuries, the commenter recommends increases investments in active mode transportation and transit. MTC and ABAG will take these suggestions regarding active transport into consideration during the process of finalizing and adopting Plan Bay Area.

A50-9: Table 1.1-1 of the Draft EIR lays out the CEQA streamlining options under SB 375 and also please see Master Response A.2 regarding CEQA streamlining. As part of the implementation of the Plan, MTC and ABAG will be developing materials to assist local jurisdictions utilizing streamlining consistent with the Plan.

A50-10: MTC and ABAG agree with this comment and will work to do so during the administration of Plan Bay Area, and if the proposed Plan is adopted, MTC and ABAG will execute a Mitigation Monitoring Program that will accompany the certification of this EIR. In addition, MTC and ABAG will develop an overall "state of the region" report to monitor

implementation of the Plan in the years between Plan cycles. In addition, the Plan itself will be updated every four years.

- A50-11: MTC and ABAG agree with the comment that an RTP/SCS is an appropriate forum for discussing and addressing sea level rise issues. Chapter 2.5 of the Draft EIR does so, and Mitigation Measures 2.5(a), (b), (c), and (d) have MTC and ABAG working on regional coordination of sea level rise impact assessments and adaptation strategies that can be applied at the project-specific level. The Draft Plan highlights sea level rise adaptation as a key work item coming out of the Plan. See also Master Response E regarding sea level rise.

**Letter A51 Delta Stewardship Council (5/15/2013)**

- A51-1: The commenter is correct that all the Contra Costa County PDAs are located within the Contra Costa County Urban Limit Line. Therefore, the Contra Costa County PDAs are consistent with Bay Delta Plan Policy DP P1 (23 CCR Section 5010) which allows for new residential, commercial, and industrial development within Contra Costa County's 2006 voter-approved urban limit line, with the exception of new residential, commercial, and industrial development on Bethel Island unless it is consistent with the Contra Costa County general plan effective as of the date of the Delta Plan's adoption.

- A51-2: ABAG and MTC confirm that the boundaries of the Priority Development Areas in Benicia and Suisun City are outside of the Suisun Marsh.

- A51-3: The proposed Plan has been revised to clarify that "any activity proposed in the primary or secondary zones of the Delta as defined in the Final Delta Plan adopted by the Delta Stewardship Council (DSC) on May 16, 2013 should be reviewed by the implementing agency in consultation with DSC to confirm consistency with the Delta Plan." Therefore, for a project in the secondary zone of the Delta to be consistent with the proposed Plan, Delta Plan consistency must be considered by the implementing agency in consultation with DSC. If the implementing agency determines after consultation with DSC that a specific project proposed in the secondary zone of the Delta is not consistent with the Delta Plan including Delta Plan policies, such as DP P1, then the project would not be exempt from the definition of a "covered project" pursuant to Water Code section 85057.5(b)(4) based on consistency with the sustainable communities strategy. Additionally, per the analysis of conflict of land use plans under Impact 2.3-3 of the Draft EIR and the analysis of conflicts with adopted local conservation policies under Impact 2.9-4, development under the proposed Plan must comply with existing land use plans with legal authority, including adopted conservation plans.

However, in order to provide additional assurance that projects will be consistent with the Delta Plan, Section 2 of this Final EIR updates Mitigation Measure 2.9(h) to include the Delta Plan as a specific program to be reviewed by implementing agencies and/or project sponsors.

- A51-4: The Draft EIR has been updated to include the listed mitigation measures to be considered by implementing agencies and/or project sponsors; items in the comment that substantially duplicated existing measures are not included. See Section 2 of this Final EIR for this change

to Mitigation Measure 2.3(g). These changes do not affect the conclusions of the EIR. Please also see response A51-3 regarding Delta Plan consistency generally.

A51-5: This comment will be considered by MTC and ABAG prior to taking action on Plan Bay Area. Additionally, the proposed Plan would not supersede the land use authority of local jurisdictions. Therefore, it will be up to the local agencies with land use authority to “set aside land for future habitat restoration needs.” See Master Response A.1 regarding local control over land use.

A51-6: In 2008, MTC and ABAG created a regional initiative called FOCUS to support efforts by local jurisdictions and regional agencies to encourage the growth of jobs and production of housing in areas with amenities and existing infrastructure. Through FOCUS, local governments identified Priority Development Areas (PDAs) and Priority Conservation Areas (PCAs). The purpose of identifying PCAs as part of FOCUS is to highlight near-term opportunities for land conservation in the Bay Area that have consensus from local agencies for protection. These areas provide important agricultural, natural resource, historical, scenic, cultural, recreational, and/or ecological values and ecosystem functions.

The purpose of designating priority conservation areas is to accelerate protection of key natural lands in the San Francisco Bay Area through purchase or conservation easements. Conservation is promoted through regional designation by:

- Coordinating conservation efforts within a regional framework of near-term priorities
- Providing a strong platform on which to leverage public and private resources
- Building upon prior and existing land protection efforts and investments
- Providing opportunities for forging new partnerships

In the fall of 2007, local governments, public agencies, and nonprofit organizations nominated over 100 areas for consideration as Priority Conservation Areas. Nominations were reviewed by staff, and a review panel of land conservation experts, regional committee and local government representatives. Recommendations were based on three nomination criteria: level of consensus, regional significance, and urgency for protection. The ABAG Executive Board adopted a set of Priority Conservation Areas on July 17, 2008.

The commenter is correct that Figure 1.2-2 did not depict the PCAs. A new map has been added to the Draft EIR, Figure 1.2-2B, showing PCA locations. See Section 2 of this Final EIR for this figure.

A51-7: The Commenter is correct that three transportation projects included in the proposed Plan have the potential to adversely affect habitat in the Suisun Marsh PHRA. The EIR concludes that through implementation of mitigation measures identified in the EIR, these potentially significant impacts normally could be reduced to a less than significant level. (Draft EIR, pp. 2.9-56 to 2.9-80.) However, the EIR concludes, there may be instances in which site-specific or project-specific conditions preclude the reduction of such impacts to less than significant levels. Additionally, MTC and ABAG cannot require local implementing agencies to adopt the above mitigation measures, and it is ultimately the responsibility of a lead agency to

determine and adopt mitigation. Therefore it cannot be ensured that this mitigation measure would be implemented in all cases. Please also see response A51-3 regarding Delta Plan consistency generally.

- A51-8: Staff reviewed the transportation project list and the Figure 4-8 of the Draft Delta Plan referenced in the comment letter regarding the Western Delta/Eastern Contra Costa PHRA. It does not appear that there are any projects that were mapped for the Plan in the PHRA. However, not all projects are mapped. Many counties submit programmatic categories that cover small projects such as local streets and roads maintenance, or arterials programs. In Contra Costa County, there is a programmatic project, RTP # 22607, Widen and Extend Major Streets and Improve Interchanges in east Contra Costa County. The location of projects funded through programmatic categories is not known at this time.
- A51-9: Section 2 of this Final EIR adds the two measures proposed to the list of measures to be considered in Mitigation Measure 2.9(e) which regards interference with the movement of native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridor. Please also see response A51-3 regarding Delta Plan consistency generally.
- A51-10: Per the analysis of conflict of land use plans under Impact 2.3-3 of the Draft EIR and the analysis of conflicts with adopted local conservation policies under Impact 2.9-4, future projects are required to be developed in a manner that is consistent with the Bay Delta Conservation Plan (BDCP) to the maximum extent feasible. Local land use authorities (cities and counties) are ultimately responsible for the review and approval of land use development projects and transportation projects, which must undergo project-level environmental review; it is during these processes that any conflicts with the BDCP would be identified and resolved. See also Master Response A.1 regarding local control over land use.
- A51-10.5: Potential flooding risks are analyzed in Chapters 2.5 (Climate Change) and 2.8 (Water Resources) of the Draft EIR and mitigation measures 2.5(a) through (d) and 2.8-7 are required to address these impacts. Policies included in the Delta Plan to address flood risk will also be considered by implementing agencies in evaluating whether specific projects are consistent with the Delta Plan. Please also see response A51-3 regarding Delta Plan consistency generally.
- A51-11: Section 2 of this Final EIR adds the Delta Plan to the list of programs included in Mitigation Measure 2.8(b) to address flood hazards.. Please also see response A51-3 regarding Delta Plan consistency generally.
- A51-12: Commenter's policy recommendations regarding coordination of transportation investments with other agencies, water supply reliability, and protection of the Delta are noted. The decision-makers will consider these comments before adopting the proposed Plan or one of the other alternatives included in the EIR. Please also see response A51-3 regarding Delta Plan consistency generally.

**Letter A52 City of Livermore (5/13/2013)**

- A52-1: The commenter indicates that the number and location of housing units and jobs allocated in the Draft Plan is inconsistent with the City of Livermore’s current General Plan. The distribution of employment and housing growth across the region in the Draft Plan takes into account a variety of factors—including input from jurisdictions, level of transit service (both existing and future), existing employment base, existing general plans and zoning, vehicle miles traveled by household, in-commuting by low-wage workers, housing values, and concentration of knowledge-based economic activity. As such, in some cases the employment and housing distributions assume that local conditions will change over the next three decades (e.g. market feasibility, changes in land use, transportation changes, etc.), and are not constrained by existing plans or past trends.
- A52-2: ABAG and MTC acknowledge the commenter’s concern about the regional forecast. See Master Response B.1 regarding population and job growth projections.
- A52-3: In response to this comment, ABAG staff reviewed the allocation of jobs to the City of Livermore in the Draft Plan. Upon review, the number of jobs forecast for Livermore in 2040 was increased from 51,620 to 53,210. Staff found that the employment distribution methodology is slightly under-allocating certain sectors of employment growth in Livermore given that the methodology bases growth largely on cities' existing jobs base and does not account well for current and anticipated employment growth rates. Livermore is currently a small job center, but has growing jobs in the knowledge-based sector. Livermore was assigned proportionately fewer jobs than cities with larger current job bases but less capacity and slower expected rates of growth, such as Hayward and Unincorporated Alameda County. This minor revision does not change any of the conclusions in the EIR.
- A52-4: See response A52-3 above.
- A52-5: See responses A52-1 and A52-2 above. In addition, the comment questions the level of job growth forecast for areas outside of the City’s identified PDAs. The City retains jurisdiction over all local land use decisions. See Master Response A.1 regarding local control.
- A52-6: As noted in response A52-5, the City retains jurisdiction over all local land use decisions. See Master Response A.1 regarding local control.
- A52-7: The comment raises concerns about the OneBayArea Grant (OBAG) program tying a portion of funds to housing production, and if that places smaller and moderately sized communities at a substantial disadvantage. The OBAG program is 4.9 percent of the total funds included in the Draft Plan. In Alameda County, 70 percent of the County’s OBAG funds are to be spent in or proximate to PDAs. The OBAG policies are designed to reward those jurisdictions that are accommodating growth in a focused manner. OBAG is the only funding program in the proposed Plan directly linked to investments in PDAs.
- A52-8: MTC and ABAG acknowledge the commenter’s concern regarding the future capacity of local services. See Chapters 2.12 and 2.14 of the Draft EIR regarding a regional-level assessment of public utilities and services, respectively. See Master Response G for additional information regarding Water Supply. As specified on page 2.0-1 of the Draft EIR,

the analysis focuses on regionally significant impacts. See Master Responses A.1 regarding local control over land use planning and A.3 regarding the level of specificity in the EIR.

**Letter A53 City of Livermore (6/11/2013)**

- A53-1: MTC and ABAG acknowledge that Plan Bay Area focuses a substantial amount of the regional job and housing growth into the urban core of the Bay Area. Refer to the response A53-4 regarding the drawbacks associated with “taking advantage of excess non-peak capacity” by encouraging reverse commuting. By emphasizing both housing and job growth in core urban areas, the Proposed Plan works to reduce long-distance commuting that is often responsible for traffic congestion in outlying areas.
- A53-2: As noted in the response A53-1, the Proposed Plan focuses growth in the urban core in order to reduce impacts (related to both transportation and land use) for other Bay Area communities. By emphasizing growth in Priority Development Areas, rather than in outlying greenfield locations, the Proposed Plan will help to preserve the unique characteristics of these communities by minimizing any adverse impacts of regional growth.
- A53-3: MTC and ABAG acknowledge the unique characteristics of the City of Livermore, given its geographical location in the Bay Area. Contrary to this comment’s suggestion that the Proposed Plan does not offer strategies to address in-commuting traffic impacts and longer travel times from suburban edge cities, the Proposed Plan is specifically designed to address these very issues.

First, pursuant to SB 375, an SCS must identify “areas within the region sufficient to house all the population of the region, including all economic segments of the population ... .” (Gov. Code § 65080(b)(2)(B)(ii).) The proposed Plan does so by producing a land use pattern that will accommodate HCD’s Regional Housing Needs Determination (RHND) and through ABAG’s and MTC’s efforts to support additional affordable housing production. This includes Chapter 6 of the Plan, which identifies strategies for facilitating greater affordable housing preservation and production in the region. Many of these efforts require policy changes at the state or federal level that are beyond the control of the regional agencies, who will act as advocates for these changes. The regional agencies are providing more direct support for affordable housing through the Transit Oriented Affordable Housing (TOAH) fund, which supports affordable projects in Priority Development Areas and the identification of Affordable Housing as an allowable use for future Cap and Trade funds.. See Master Response F for more information regarding displacement. The proposed Plan meets the requirement to house the population and therefore eliminates growth in the share of interregional commuting. By emphasizing sufficient housing growth within the region, future impacts on edge communities will be minimized as regional transportation gateways (such as the Altamont Pass) will experience only limited growth in traffic volumes.

Second, the Plan’s emphasis on focused growth – connecting housing and employment opportunities – helps to reduce commute distances across the region and decrease vehicle miles traveled per capita. As shown on page 2.1-31, the Proposed Plan successfully reduces commute travel times for auto modes from year 2010 levels, while at the same time preventing significant growth in commute travel times for public transit – both of these



results are partially attributable to the Proposed Plan's emphasis on housing growth in the urban core, given its greater proximity to major regional employment centers.

A53-4: Refer to page 1.2-37 of the Draft EIR for further discussion of the job growth distribution across the region. Refer to page 1.2-57 of the Draft EIR for a map of transportation projects in Alameda County; as that map demonstrates, transportation projects funded in Plan Bay Area emphasize improvements across the entire region, with a focus towards investments that support growth in Priority Development Areas.

The comment's suggestion that additional reverse commuting should be encouraged (to take advantage of excess transportation capacity) is not an effective strategy to address the primary goal of the Proposed Plan: to reduce per-capita greenhouse gas emissions. From a transportation perspective, greenhouse gas emissions reductions can be achieved using three primary types of strategies – improving vehicle technologies (e.g. by incentivizing electric vehicles), reducing driving distances (e.g. by bringing housing and jobs closer together) and/or reducing auto trips (e.g. by encouraging utilization of non-auto modes).

- Reverse commuting has no effect on the first strategy of improving vehicle technologies, as it emphasizes changes in travel patterns rather than technological improvements.
- In general, reverse commuting does not reduce driving distances as it relies on urban residents to travel to suburban worksites, albeit in the off-peak direction in less congested conditions.
- Unfortunately, reverse commuting actually increases the modal share of auto trips compared to a traditional commute pattern, as suburban locations are generally less attractive places to access by transit. With lower parking costs, fewer transit options, and less traffic congestion, reverse commuters have fewer incentives to use transit when compared to traditional commuters heading to urban worksites (which generally feature higher parking costs, robust transit services, and significant traffic congestion).

Given that reverse commuting's primary impact is reducing non-auto commute mode share, this strategy leads to greater auto VMT per capita and greater GHG emissions per capita. Therefore, in order to achieve GHG emission reductions mandated under SB 375, the Proposed Plan does not emphasize this strategy; instead, it focuses the bulk of regional job growth in the transit-served urban core, in addition to suburban centers where individuals would be able to live and work in the same city. These strategies are more effective to achieve the stated goals of Plan Bay Area.

A53-5: The commenter also reiterates a concern regarding the level of knowledge sector job growth in the City expressed in Letter A52. Please see response A52- 3.

A53-6: The commenter indicates that the City has adopted policies and made planning decisions supportive of the objectives of Draft Plan and requests that the Plan acknowledge these local policies and planning decisions. ABAG and MTC acknowledge this comment.

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