

# 1 INTRODUCTION

This environmental impact report (EIR) has been prepared on behalf of the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) in accordance with the California Environmental Quality Act (CEQA). It analyzes the potentially significant impacts of adopting and implementing the proposed Plan Bay Area 2050 (proposed Plan), which is the update to Plan Bay Area 2040, and serves as the Regional Transportation Plan (RTP) and the Sustainable Communities Strategy (SCS) for the San Francisco Bay Area.

## 1.1 PURPOSE OF PLAN BAY AREA 2050

An RTP is a long-range plan that identifies the strategies and investments to maintain, manage, and improve the region's transportation network. As required by State legislation (Government Code Section 65080 et seq.) and by federal regulation (Title 23 U.S. Code Section 134), MTC is responsible for preparing the RTP for the San Francisco Bay Area region. The RTP must be updated every 4 years. The Sustainable Communities and Climate Protection Act of 2008, commonly known as Senate Bill (SB) 375 (Chapter 728, Statutes of 2008), requires California's 18 metropolitan planning organizations (including MTC) to develop an SCS as an element of the federally mandated RTP. The SCS is a growth strategy for the region that, in combination with the transportation strategy, strives to achieve State greenhouse gas (GHG) emissions reduction targets. The SCS demonstrates how the region will meet its GHG reduction targets established by the California Air Resources Board (CARB) through integrated land use, housing, and transportation planning. In the Bay Area, MTC and ABAG are jointly responsible for this planning effort. The Draft Plan, supplementary reports, and other technical documents on the planning process can be found at the Plan Bay Area 2050 website: [www.planbayarea.org](http://www.planbayarea.org).

The most recent RTP/SCS for the Bay Area region—Plan Bay Area 2040—was adopted in 2017. As the Bay Area's second RTP to include an SCS, the 2017 plan was considered a "limited and focused" update of the original Plan Bay Area, adopted in 2013. The proposed Plan will serve as the third RTP/SCS for the Bay Area, is a major update to Plan Bay Area 2040, and accompanies a current Regional Housing Needs Allocation cycle. The proposed Plan expands in scope relative to prior plans by examining the themes of economic development and environmental resilience. The Plan also meets all State and federal requirements for an RTP/SCS. As a result, the proposed Plan focuses on four key issues—transportation, housing, the environment, and the economy—and has been developed to improve equitable outcomes for all Bay Area residents and to provide greater resilience in an uncertain future.

The proposed Plan is a long-range plan that specifies the strategies and investments to maintain, manage, and improve the region's transportation network, including improvements to bicycle and pedestrian facilities, local streets and roads, public transit systems, and highways. The proposed Plan also calls for focused housing and job growth around high-quality transit corridors. This land use strategy is anticipated to enhance mobility and economic growth by linking the location of housing and jobs with transit, thus offering a more efficient land use pattern around transit and a greater return on existing and planned transit investments. In addition, the proposed Plan has integrated the issue of sea level rise inundation and identifies a strategy to protect shoreline communities affected by sea level rise by identifying a series of adaptation infrastructure strategies. The adaptation infrastructure includes archetypes that have been identified for regularly inundated shoreline areas. Archetypes include elevated roadways, a variety of levees, seawalls, tidal gates, and marsh restoration.

Once adopted, Plan Bay Area 2050 will be reviewed by CARB to confirm whether it would, if implemented, achieve the GHG emission reduction target for the region. If the combination of measures in the SCS is determined to be insufficient to achieve the region's target, an alternative planning strategy to achieve the targets must be prepared. For additional background on Plan Bay Area 2050, see Section 1.7, "Plan Bay Area 2050 Background."

## 1.2 PURPOSE OF THIS EIR

This EIR has been prepared in compliance with the CEQA statutes and guidelines. In general, the purpose of this EIR is to:

- ▲ analyze the potential environmental effects of adopting and implementing the proposed Plan;
- ▲ inform decision makers, responsible and trustee agencies, and members of the public as to the range of the environmental impacts of the proposed Plan;
- ▲ recommend mitigation measures to mitigate significant adverse impacts; and
- ▲ analyze a range of reasonable alternatives to the proposed Plan.

The Final EIR will include a mitigation monitoring and reporting program that identifies responsibility for implementing identified mitigation measures and required timing for implementation. As joint lead agencies for preparing this EIR, MTC and ABAG will rely on the EIR analysis of potential environmental effects in their review and consideration of the proposed Plan prior to approval.

As discussed in further detail below in Section 1.9, "CEQA Streamlining Opportunities," SB 375 provides streamlining benefits for certain transit-oriented projects consistent with an adopted SCS. Pursuant to these provisions of SB 375, this EIR has also been prepared to allow qualifying projects to streamline their environmental review.

## 1.3 NOTICE OF PREPARATION AND PUBLIC SCOPING

CEQA requires an early and open process for determining the scope of issues that should be addressed in the EIR. The Notice of Preparation (NOP) provides formal notification to all federal, State, regional, and local agencies involved with funding or approval of the project, and to other interested organizations and members of the public, that an EIR will be prepared for the project. The NOP is intended to encourage interagency communication concerning the proposed Plan and to provide background information about the proposed Plan sufficient to allow agencies, organizations, and individuals to respond with specific comments and questions on the scope and content of the EIR. A copy of the NOP is provided in Appendix A; the written comments received during the 30-day NOP period are provided in Appendix B. The NOP and comments on the NOP are also available on the project website: [www.planbayarea.org](http://www.planbayarea.org).

MTC and ABAG initiated the scoping process on September 28, 2020, through issuance of the NOP. As required by CEQA, MTC and ABAG sent a copy of the NOP to the State Clearinghouse within the California Office of Planning and Research and to the county clerks in each of the nine Bay Area counties. The NOP was also posted on the Plan Bay Area website ([www.planbayarea.org](http://www.planbayarea.org)) and distributed to State and federal resource agencies and to interested individuals and organizations.

### 1.3.1 Scoping Meetings

A scoping meeting is required by State CEQA Guidelines Section 15082(c)(1) for projects of Statewide, regional, or areawide significance. Similar to circulation of the NOP, the purpose of the scoping meeting is to provide notification that an EIR for Plan Bay Area 2050 was being prepared and to solicit input on the scope and content of the environmental document. The virtual scoping meeting was held on Thursday, October 15, 2020, from 11:00 a.m. to 1:00 p.m. At this meeting, a presentation by MTC staff provided an overview of the proposed Plan, the CEQA process, and key environmental issues identified in the NOP. Oral and written comments were accepted during the meeting.

The NOP and public scoping meeting also helped to meet federal requirements for public involvement in development of the RTP, as specified in 23 U.S. Code 134(i), the Moving Ahead for Progress in the 21st Century Act, and the Fixing America's Surface Transportation Act. In particular, through the NOP and scoping process, resource agencies, public agencies, tribal governments, transportation providers, and the public had an opportunity to provide early input on environmental issues and concerns that could be addressed in the EIR for the proposed Plan.

In addition, SB 375 requires opportunities for input by local officials and the public into the development of the SCS and the alternative planning strategy if one is prepared. Participation requirements include regional target workshops and development of an SCS public participation plan. Additional information about the comprehensive public involvement process for the proposed Plan is available at [www.planbayarea.org](http://www.planbayarea.org) and is described further in Section 1.7.6, "Public Engagement."

In addition to circulating the NOP and holding the scoping meeting, MTC initiated tribal consultation consistent with Assembly Bill 52, Statutes of 2014. This process is discussed in more detail in Section 3.7, "Cultural Resources and Tribal Cultural Resources."

## 1.4 EIR SCOPE

### 1.4.1 Program EIR

This is a program EIR, which is defined in Section 15168 of the State CEQA Guidelines as an EIR addressing a series of actions that can be characterized as one large project and are related either:

- (1) geographically,
- (2) as logical parts in the chain of contemplated actions;
- (3) in connection with the issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or
- (4) as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

A program EIR can be used as the basic, general environmental assessment for an overall program of projects developed over a multiyear planning horizon; therefore, it is an appropriate review document for the proposed RTP/SCS. A program EIR offers several advantages. For example, it provides a basic reference document to avoid unnecessary repetition of facts or analysis in subsequent project-specific assessments. It also allows the lead agency to consider the broad, regional impacts of a program of actions before its adoption and eliminates redundant or contradictory approaches to the consideration of regional and cumulative impacts.

## 1.4.2 Level of Analysis

This EIR presents a programmatic assessment of the potential impacts of the proposed Plan, focusing on the entire set of projects, programs, and strategies contained in the proposed Plan. Individual transportation, sea level rise adaptation, and development project impacts are not addressed in detail. The analysis focuses on these three categories of projects at the local (county) and regional (Bay Area) level. Impacts are analyzed from a regional and local perspective, as applicable. Where appropriate, this EIR also provides a county-by-county assessment that considers growth geography footprint areas within Transit Priority Area (TPA) boundaries. (See Section 1.9, “CEQA Streamlining Opportunities,” for discussion of why this approach is important.)

For location-based impact assessments, a geographic information system (GIS) was used to digitally overlay onto resource-related data, the footprint of the proposed Plan associated with forecasted land use development, sea level rise adaptation infrastructure, and transportation projects. Results are presented, where relevant, for the region, for each county, and for the portions of the growth footprint specifically within the TPAs. Where impacts are quantified through modeling or GIS analysis, they are reported at the regional, county, and/or TPA level in tables and in the text. TPAs are presented as a subset of the regional and county totals. Information provided by county includes both incorporated and unincorporated areas in the county. The portion of the projected land use growth footprint located outside of a TPA is captured in the county totals.

The analysis in this EIR does not evaluate project-specific impacts of individual projects, although it provides environmental analysis and mitigation that is intended to address the range of impacts that may be associated with individual projects. This approach does not relieve local jurisdictions of responsibility for determining whether project-specific impacts require additional CEQA analysis; see Section 1.8, “Future Environmental Review,” below, for more details.

## 1.5 EIR ORGANIZATION

### 1.5.1 Executive Summary

The executive summary in this EIR outlines the proposed Plan and alternatives and includes a summary of the potentially significant adverse environmental impacts of the proposed Plan, the measures identified to mitigate those impacts, and an overview of whether or not identified measures would mitigate the significant impacts and to what level. The executive summary also discusses the environmentally superior alternative, and identifies “areas of controversy” and “issues to be resolved” as required by CEQA.

### 1.5.2 Chapter 1: Introduction

Chapter 1, “Introduction,” describes the relationship between the proposed Plan and the EIR, the organization of the EIR, and the basic legal requirements of a program-level EIR. It discusses the level of analysis and the alternatives considered, as well as how this EIR is related to other environmental documents and the EIR’s intended uses. This is followed by more content on the regional setting and regulatory framework that provides the context for the proposed Plan. This background information is followed by a discussion of the Plan development and public engagement process, as well as planning assumptions.

### 1.5.3 Chapter 2: Project Description

Chapter 2, “Project Description,” describes the proposed Plan and the project objectives and includes a discussion on planning assumptions and the Plan’s strategies and resulting forecasted changes.

### 1.5.4 Chapter 3: Environmental Impacts and Mitigation Measures

Chapter 3 presents the environmental analysis of the proposed Plan. Section 3.1 provides an overview of the approach to the environmental analysis. Sections 3.2 through 3.15 describe the existing physical and regulatory settings for each of the environmental issue areas analyzed in this EIR, the potential impacts of the proposed Plan on these environmental issue areas, and measures to mitigate the significant and potentially significant impacts identified. Each issue area is analyzed in a separate section, and each section is organized into the following subsections:

- ▲ “Environmental Setting,”
- ▲ “Regulatory Setting,”
- ▲ “Significance Criteria,”
- ▲ “Method of Analysis,” and
- ▲ “Impacts and Mitigation Measures.”

### 1.5.5 Chapter 4: Alternatives

Chapter 4 contains a description and analysis of the alternatives to the proposed Plan. It provides an initial assessment of the potential of each alternative to achieve the objectives of the proposed Plan while reducing potentially significant adverse environmental impacts. This discussion also includes a comparison summary table of regional environmental impacts associated with the alternatives, and information regarding the environmentally superior alternative.

### 1.5.6 Chapter 5: Other CEQA-Mandated Sections

Chapter 5 provides an assessment of the impacts of the proposed Plan in several subject areas required by CEQA, consisting of the following:

- ▲ significant irreversible environmental changes,
- ▲ significant and unavoidable impacts,
- ▲ growth-inducing impacts,
- ▲ cumulative impacts, and
- ▲ impacts found to be not significant.

### 1.5.7 Chapter 6: Report Preparers

Chapter 6 contains a list of report authors and other consulted for preparation of this EIR.

### 1.5.8 Chapter 7: References

Chapter 7 lists the references used to support preparation of this EIR.

## 1.5.9 Appendices

Appendix A includes the NOP of this EIR, and Appendix B includes the comments received on the NOP and at the scoping meetings, as well as the Scoping Summary Report. Appendix C includes air quality modeling data. Appendix D includes special-status species data. Appendices E and F include detailed data used to support impact analyses related to energy, and climate change and GHG emissions. Appendix G presents input and output data used for the impact analyses in the Section 3.12, "Noise."

## 1.6 EIR APPROACH

### 1.6.1 Baseline Assumptions

The analysis in this EIR generally assumes 2020 as the base year (existing conditions). This EIR uses data from this year or the year closest to 2020, based on the degree that information is available from across the region. However the analyses of air quality in Section 3.4, "Air Quality,;" GHG emissions and energy in Section 3.6, "Climate Change, Greenhouse Gases, and Energy,;" noise in Section 3.12, "Noise,;" and transportation in Section 3.15, "Transportation,;" use a baseline year of 2015 consistent with the assumptions for land use and traffic volumes in Travel Model 1.5. Also, the analysis of GHG emissions in Section 3.6 includes a 2005 baseline to satisfy statutory requirements under SB 375 and a 1990 baseline to assess consistency with SB 32. The proposed Plan has a horizon year of 2050 and therefore covers a 30-year planning period. Projects and programs identified in the proposed Plan are assumed to be fully implemented by 2050.

### 1.6.2 Alternatives

CEQA requires EIRs to evaluate a reasonable range of alternatives to the proposed project that could feasibly attain most of the basic project objectives and that would avoid or substantially lessen any of the significant environmental impacts. In addition, CEQA requires assessment of the likely foreseeable future condition if the proposed project were not implemented; this scenario is called the No-Project Alternative.

This EIR describes a number of alternatives to the proposed Plan, several of which were dismissed from further consideration. The EIR evaluates the proposed Plan and following three alternatives, assuming the 2050 horizon year and full implementation. It also compares the relative magnitude of identified environmental impacts of the alternatives to the proposed Plan, and discusses the environmentally superior alternative.

The proposed Plan and three alternatives are briefly described below. A full description of each alternative is provided in Chapter 4.

### NO PROJECT ALTERNATIVE

An EIR must analyze the "no project alternative" (CEQA Guidelines Section 15126.6(e)). The purpose of the no project alternative is to allow a comparison of the environmental impacts of approving the proposed project with the effects of not approving it. The no project alternative must discuss the existing conditions, "as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services." This alternative represents a future land use pattern and suite of transportation and resilience investments if the proposed Plan is not adopted. The No Project



Alternative illustrates trends assumed under adopted local general plans and zoning without an adopted regional plan, and assuming no new infrastructure projects beyond those currently under construction or those that have both full funding and environmental clearance (“committed”). Under the No Project Alternative, housing growth would be more dispersed, while job growth would be slightly more concentrated in the region’s two largest job centers of San Francisco and Silicon Valley. In comparison to the proposed Plan, the No Project Alternative would result in higher household growth primarily in Contra Costa County, with higher job growth in San Francisco and Santa Clara counties. The No Project Alternative includes substantially lower funding for transportation strategies and environment strategies than the proposed Plan.

### **ALTERNATIVE 1: TRA FOCUS ALTERNATIVE**

The TRA Focus Alternative (Alternative 1) would concentrate growth into areas that contain high-quality transit services. This alternative is characterized as providing a compact growth pattern, with the greatest share of housing and job growth in transit-rich areas (TRAs)—especially within walking distance of regional rail stations. To support this more urban-oriented growth pattern, additional core capacity transit investments are funded in lieu of highway projects that add lane-mileage to the system. This alternative would result in higher levels of household and job growth in the growth geographies than the proposed Plan, with substantially more housing growth in TRAs. The TRA Focus Alternative modifies three strategies in the proposed Plan in order to accommodate demand for local transit services in the urban core, while reducing funding for highway expansion projects to reduce environmental impacts. This alternative modifies an additional two strategies in the proposed Plan in order to reduce environmental impacts from resilience projects that involve new highway capacity and to reduce the size of the urban footprint by protecting unincorporated areas from lower-density growth.

### **ALTERNATIVE 2: HRA FOCUS ALTERNATIVE**

The HRA Focus Alternative (Alternative 2) addresses the regional challenges of displacement and gentrification by shifting more housing growth toward locations with well-resourced schools and access to jobs and open space that have historically rejected more housing growth. The high resource areas (HRAs) included in this alternative also meet a baseline transit service threshold of bus service with peak headways of 30 minutes or better. Some HRAs also meet the designation of TRAs, meaning they are both well-resourced and transit-rich. This alternative places a substantially higher share of growth in HRAs—especially in the South Bay. To support this growth pattern and advance regional equity goals, infrastructure funding for major regional and interregional rail expansion projects would be reduced and greater funding would be provided to local bus frequency increases, new express bus lines, expanded transit fare discount programs, and enhanced non-motorized infrastructure. This alternative features similar levels of household and job growth in growth geographies to the proposed Plan, with substantially more housing growth and substantially less job growth in HRAs. The HRA Focus Alternative modifies five strategies in the proposed Plan to align transportation funding with projects that advance equity and climate goals. Transportation investments under this alternative seek to support additional lower-vehicle miles traveled growth in historically exclusionary job-rich areas, while funding express bus projects to provide regional connectivity without contributing to urban displacement pressures. The HRA Focus Alternative would contain the same sea level rise adaptation infrastructure as the proposed Plan.

## **1.6.3 Cumulative Impact Assumptions**

Section 15130 of the CEQA Guidelines requires that an EIR evaluate potential environmental impacts that are individually limited but cumulatively significant. CEQA defines “cumulative impacts” as “two

or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts” (CEQA Guidelines Section 15355). “Cumulatively considerable” means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects” (CEQA Guidelines Section 15065[a][3]). This means that cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

The proposed Plan, which includes a forecasted land use development pattern for the Bay Area to accommodate projected regional growth through 2050, and regionwide transportation projects and programs, is a cumulative plan by definition. For this reason, the environmental analysis included in this EIR is a cumulative analysis to the extent that impacts may combine to result in a cumulative condition, compliant with the requirements of CEQA and the CEQA Guidelines. Furthermore, this EIR contains analysis of cumulative impacts that extend beyond the region for identified CEQA impact areas. This discussion is included in Section 5.4.

## 1.7 PLAN BAY AREA 2050 BACKGROUND

### 1.7.1 Regional Location and General Settings

#### REGION

The San Francisco Bay Area region includes nine counties that may be aggregated geographically into four subareas: North Bay (Marin, Napa, Solano, and Sonoma Counties), East Bay (Alameda and Contra Costa Counties), South Bay (Santa Clara County), and the West Bay (San Francisco and San Mateo Counties). There are 101 cities spread throughout these nine counties. The total area of the region is approximately 4.4 million acres (7,000 square miles). The region is bordered by Mendocino, Lake, and Yolo Counties to the north; Sacramento, San Joaquin, Stanislaus, and Merced Counties to the east; San Benito, Monterey, and Santa Cruz Counties to the south; and the Pacific Ocean to the west. As of January 2020, the region had a population estimate of 7.79 million, which is approximately 20 percent of California’s population. Roughly 18 percent of the region’s approximately 4.4 million acres were developed in 2018 (see **Table 2-6**). The undeveloped area includes open space and agricultural lands, as well as water bodies (excluding the San Francisco Bay) and parks. Approximately 24 percent of the region is identified as protected open space (GreenInfo Network 2020). **Figure 2-7** illustrates the regional location of the Bay Area. More information about the physical setting is provided by environmental issue area in the setting sections throughout Chapter 3 of this EIR.

A summary of the region by subarea and county is provided below.

#### North Bay Counties

**Marin County** covers an area of approximately 518 square miles that contains 11 incorporated cities (Belvedere, Corte Madera, Fairfax, Larkspur, Mill Valley, Novato, Ross, San Anselmo, San Rafael, Sausalito, and Tiburon) and eight unincorporated communities. San Rafael is the city with the highest population level in the county, with approximately 60,000 people. Overall, the county has approximately 261,000 residents (California Department of Finance).

**Napa County** covers an area of approximately 789 square miles and contains a population of approximately 139,000 people. There are five incorporated cities within Napa County: American Canyon, Calistoga, Napa, St. Helena, and Yountville; the city with the highest population is Napa, where approximately 79,000 people reside. Napa County also contains 20 unincorporated communities (DOF 2020).



**Solano County** is home to approximately 440,000 people, over an area of 906 square miles. There are seven incorporated cities in Solano County (Benicia, Dixon, Fairfield, Rio Vista, Suisun City, Vacaville, and Vallejo) and eight unincorporated communities. Of these incorporated cities, Vallejo has the highest population, with approximately 119,000 people (DOF 2020).

**Sonoma County** has a population of approximately 493,000 people and covers an area of approximately 1,768 square miles. There are nine incorporated cities within Sonoma County (Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, Sonoma, and Windsor) and over 25 unincorporated communities. Of these cities, Santa Rosa has the highest population, with approximately 174,000 residents (DOF 2020).

### **East Bay Counties**

**Alameda County** is home to over 1.67 million people living in 14 incorporated cities, as well as in six unincorporated communities and rural areas. Total land area measures approximately 813 square miles. The incorporated cities are Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro, and Union City. The City of Oakland has the highest population among the incorporated cities, with approximately 434,000 people (DOF 2020). Oakland is the third most populated jurisdiction in the region.

**Contra Costa County** has a population of more than 1.15 million residents. This county contains 19 incorporated cities (Antioch, Brentwood, Clayton, Concord, Danville, El Cerrito, Hercules, Lafayette, Martinez, Moraga, Oakley, Orinda, Pinole, Pittsburg, Pleasant Hill, Richmond, San Pablo, San Ramon, and Walnut Creek) and many established communities in the unincorporated area. The city with the highest population level is Concord, with approximately 130,000 people (DOF 2020). Contra Costa County covers an area of approximately 804 square miles.

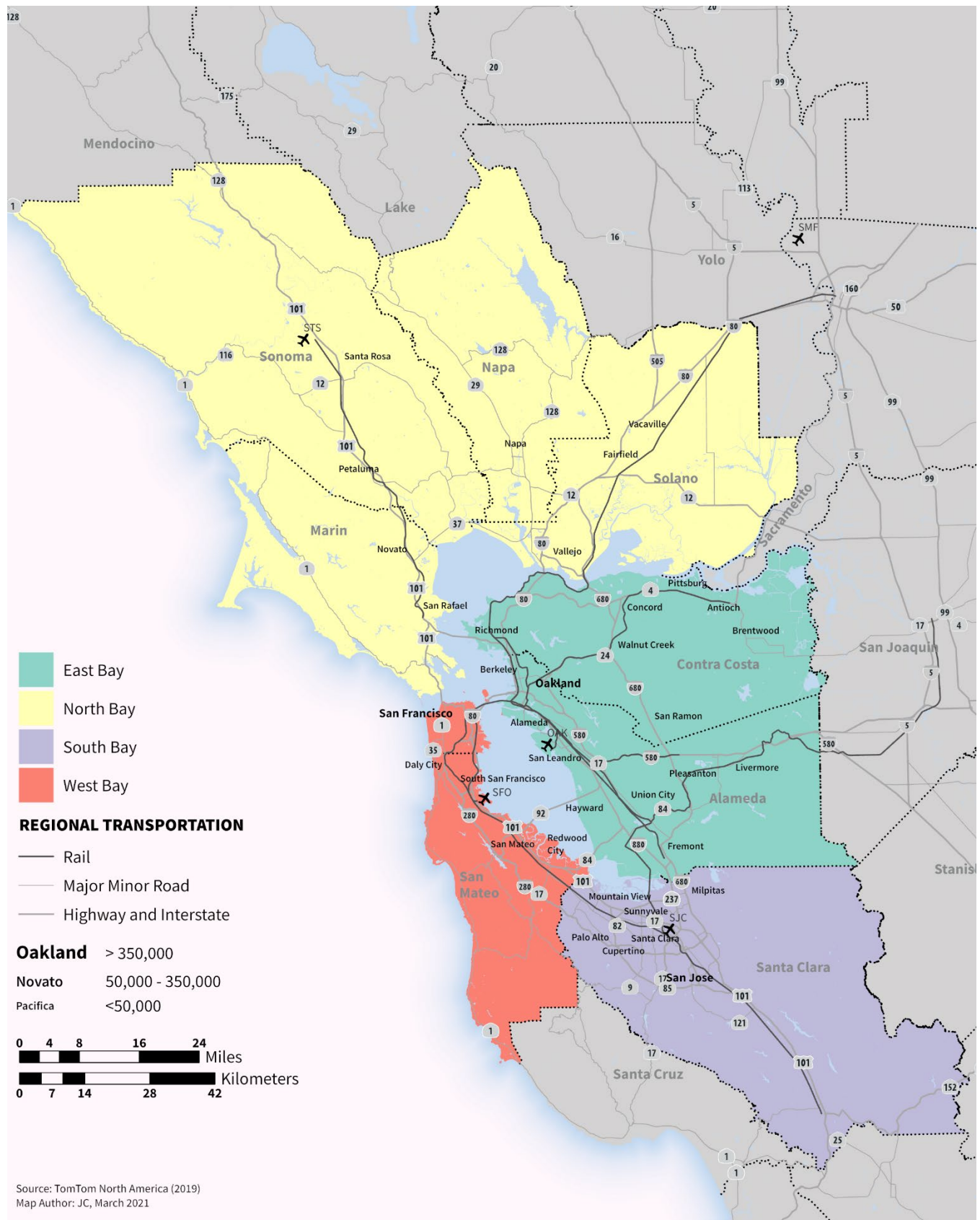


Figure 1-1: Regional Location

## COUNTIES

### South Bay Counties

**Santa Clara County** is home to approximately 1,962,000 people and covers approximately 1,302 square miles. Thirteen incorporated cities are located within Santa Clara County (Campbell, Cupertino, Gilroy, Los Altos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, San Jose, Santa Clara, Saratoga, and Sunnyvale) and two incorporated towns (Los Gatos and Los Altos Hills). Of the incorporated cities and towns, the highest population is located in San Jose, where over 1,049,000 people reside. The City of San Jose is the most populated jurisdiction in the Bay Area region (DOF 2020).

### West Bay Counties

**San Francisco County** and the City of San Francisco occupy the same physical area, covering approximately 48 square miles. Approximately 898,000 people reside within the City and County of San Francisco. San Francisco is the second most populated city in the Bay Area region (DOF 2020).

**San Mateo County** covers approximately 744 square miles and is home to approximately 773,000 people. The county includes 16 incorporated cities (Belmont, Brisbane, Burlingame, Daly City, East Palo Alto, Foster City, Half Moon Bay, Menlo Park, Millbrae, Pacifica, Portola Valley, Redwood City, San Bruno, San Carlos, San Mateo, and South San Francisco) and eight unincorporated communities. Of the incorporated cities, Daly City has the highest population, approximately 109,000 people (DOF 2020).

## 1.7.2 Regional Planning Agencies

MTC was formed in 1970 and functions under State and federal law as the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area. It covers the same geographic area as ABAG. MTC is the federally designated metropolitan planning organization (MPO) and the State-designated regional transportation planning agency (RTPA) for the Bay Area. It is responsible for preparing and updating the RTP every 4 years.

ABAG was formed in 1961 by a joint powers agreement among Bay Area local governments and serves as the comprehensive regional planning agency and Council of Governments for the nine counties and 101 cities and towns of the San Francisco Bay region. It is a public entity created by local governments to meet their planning and research needs related to land use and is responsible under State law for conducting the Regional Housing Needs Allocation process. ABAG also hosts several joint powers and administrative entities related to environmental and water resource protection, disaster resilience, energy efficiency, hazardous waste mitigation, financial services, and staff training to local counties, cities, and towns.

## 1.7.3 Federal and State Requirements

### METROPOLITAN PLANNING GENERAL REQUIREMENTS

Under the Fixing America's Surface Transportation Act (FAST Act) (Public Law 114-94) and Moving Ahead for Progress in the 21st Century Act (MAP-21) (Public Law 112-141), the U.S. Department of Transportation requires that MPOs, such as MTC, prepare long-range RTPs and update them every 4 years if they are in areas designated as "nonattainment" or "maintenance" for federal air quality standards. Prior to enactment of MAP-21, the primary federal requirements regarding RTPs were included in the metropolitan transportation planning rules (Title 23 Code of Federal Regulations Part

450 and 49 CFR Part 613). The FAST Act and MAP-21 changed the statutes that underpin these regulations.

## **REGIONAL TRANSPORTATION PLAN REQUIREMENTS**

In accordance with federal planning requirements, an RTP is a long-range plan that identifies the strategies and investments to maintain, manage, and improve the region's transportation network. The RTP must address no less than a 20-year planning horizon and include long-range and short-range strategies and actions that support the development of an integrated multimodal transportation system. The RTP must be updated at least every 4 years and seek to address projected transportation demand over the RTP planning horizon and pursue operational and management strategies that will improve the performance of the transportation system. It must have a fiscally constrained financial plan that demonstrates how the RTP can be implemented and how the transportation system can be operated and maintained using revenues reasonably expected to be available over the planning horizon. The RTP also is subject to myriad State and federal requirements with respect to public participation, equity and environmental justice, and air quality conformity, among others. As required by State legislation (Government Code Section 65080 et seq.) and by federal regulation (Title 23 U.S. Code Section 134), MTC is responsible for preparing the RTP for the San Francisco Bay Area region.

An RTP outlines the region's goals and strategies for meeting current and future mobility needs and for providing a foundation for transportation planning and funding decisions by local, regional, and State officials that are ultimately aimed at achieving a coordinated and balanced transportation system. In addition, an RTP identifies the region's transportation needs; sets forth actions, programs, and a plan of projects to address the needs consistent with adopted regional strategies and goals; and documents the financial resources needed to implement the RTP. The process for development of the RTP takes into account all modes of transportation and is accompanied by a continuing, cooperative, and comprehensive planning approach that is also performance driven and outcome based, consistent with the provisions of MAP-21 and the FAST Act.

The RTP must also comply with Section 65080 of the California Government Code. The State requirements largely mirror the federal requirements and require each transportation planning agency in urban areas to adopt and submit an updated RTP to the California Transportation Commission (CTC) and Caltrans every 4 years. To ensure a degree of Statewide consistency in the development of RTPs, CTC adopted RTP Guidelines pursuant to Government Code Section 14522. The RTP Guidelines include a requirement for program-level performance measures, which include objective criteria that reflect the goals and objectives of the RTP. The RTP Guidelines are intended to assist MPOs and RTPAs with developing RTPs that are consistent with federal and State planning requirements. An RTP is used to guide the development of the Federal Transportation Improvement Program, a federally mandated 4-year program of all regionally important surface transportation projects and all projects that will receive federal funding, as well as other transportation programming documents and plans. The proposed Plan follows the 2017 RTP Guidelines, which were adopted on January 18, 2017.

## **SUSTAINABLE COMMUNITIES STRATEGY REQUIREMENTS**

Pursuant to the Sustainable Communities and Climate Protection Act of 2008 (SB 375), the SCS is a required component of the RTP. SB 375 directs CARB to set regional targets for reducing GHG emissions. SB 375 requires that an MPO prepare and adopt an SCS that sets forth a forecasted regional development pattern that reduces GHG emissions associated with the land use and transportation network, measures, and policies. SB 375 is part of California's overall strategy to reach GHG emissions

reduction goals as set forth by Assembly Bill 32, SB 32, and Executive Orders S-03-05 and B-30-15. According to Section 65080(b)(2)(B) of the California Government Code, the SCS must:

- ▲ identify existing land uses,
- ▲ identify areas to house long-term population growth,
- ▲ identify areas to accommodate an 8-year projection of regional housing needs,
- ▲ identify transportation needs and the planned transportation network,
- ▲ consider resource areas and farmland,
- ▲ consider State housing goals and objectives,
- ▲ set forth an integrated forecasted development pattern and transportation network that will reduce GHG emissions, and
- ▲ comply with federal Clean Air Act requirements for developing an RTP.

As stated above, ABAG, the Council of Governments for the Bay Area, generally focuses on regional land use, housing, environmental quality, and economic development. MTC functions under State and federal law as the RTPA and MPO and generally focuses on transportation planning, distribution of federal transportation funding, and air quality conformity. SB 375 recognizes the bifurcated roles of each agency. Under California Government Code Section 65080(b)(2)(C), ABAG is responsible for the following portions of the SCS, which address housing policy:

- ▲ Identify the general location of uses, residential densities, and building intensities within the region.
- ▲ Identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period of the RTP, taking into account net migration into the region, population growth, household formation, and employment growth.
- ▲ Identify areas within the region sufficient to house an 8-year projection of the regional housing need for the region pursuant to Section 65584.
- ▲ Gather and consider the best practically available scientific information regarding resource areas and farmland in the region as defined in subdivisions (a) and (b) of Section 65080.01.
- ▲ Consider the State housing goals specified in Sections 65580 and 65581.

MTC is responsible for the following portions of the SCS, which address transportation:

- ▲ Identify a transportation network to service the transportation needs of the region.
- ▲ Allow the regional transportation plan to comply with Section 176 of the federal Clean Air Act (42 U.S. Code Section 7506).

Both agencies are jointly responsible for the following portion of the SCS:

- ▲ Set forth a forecasted development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies, will reduce the GHG emissions from automobiles and light trucks to achieve, if there is a feasible way to do so, the GHG emission reduction targets approved by the California Air Resources Board.

SB 375 requires the designated transportation planning agency (MTC) to “prepare and adopt” both the RTP and the SCS (California Government Code Section 65080[a], [b][2][B], and [b][2][H]).



## 1.7.4 Prior Plan Lawsuits and Settlement Agreement (2013)

Shortly after adoption of the first Plan Bay Area and certification of the EIR in July 2013, four lawsuits were filed challenging those actions. The lawsuits, based on CEQA and other California laws, were filed in August and October 2013. Two of the four lawsuits were settled out of court. The remaining two lawsuits have been fully litigated with final trial court judgments in favor of MTC and ABAG, affirmed by the court of appeal. More specifically:

- ▲ In February 2014, MTC and ABAG agreed to settle with the Building Industry Association (BIA) of the Bay Area. More detail on the components of this settlement agreement and the agencies' compliance with its terms appears in Table 1-1.
- ▲ In June 2014, MTC and ABAG agreed to settle with the Sierra Club and Communities for a Better Environment (CBE). The terms of that settlement agreement applied only to the last update of the Plan, adopted in 2017. MTC and ABAG have no continuing obligations under the CBE Settlement Agreement.
- ▲ In August 2014, a suit filed by Bay Area Citizens, represented by Pacific Legal Foundation, failed in Alameda Superior Court. The judge upheld adoption of the Plan and certification of the EIR. Bay Area Citizens appealed, and following briefing and oral argument, the court of appeal affirmed the trial court ruling in favor of MTC and ABAG. There are no further proceedings in the Bay Area Citizens case.
- ▲ In February 2015, a suit filed by the Post Sustainability Institute failed in Alameda Superior Court. The judge upheld approval of the Plan and denied declaratory and injunctive relief. The court of appeal affirmed the trial court ruling in favor of MTC and ABAG. There are no further proceedings in the Post Sustainability Institute case.

**Table 1-1: Building Industry Association Settlement Agreement Components and Compliance Information**

Agreement Paragraph	Agency Obligation	Timing	Where Addressed	Compliance Completed
6a.	<b>Regional Housing Control Total and Forecasted Development Pattern.</b> The SCS shall set forth a forecasted development pattern for the region that includes the Regional Housing Control Total, which shall have no increase in in-commuters over the baseline year for the SCS.	Regional Housing Control Total must be determined and disclosed prior to issuance of a Notice of Preparation for the SCS/RTP EIR, or if no EIR is prepared, then at least 6 months before a draft SCS is released for public review.	The agencies shall use the adopted methodology for determining the Regional Housing Control Total in the final Plan Bay Area SCS.	Yes, ABAG adopted the Final Regional Growth Forecast on September 17, 2020, and it was used to develop the forecasted development pattern in the SCS. The projection for 2050 housing units ( <i>previously referred to as a "control total"</i> ) was determined to be 1.54 million (2015–2050). For more discussion on the Final Regional Growth Forecast, see the discussion of planning assumptions below.
6b.	<b>Validation.</b> The agencies shall implement robust monitoring of regional development patterns, at a minimum tracking building permit issuance, number of units in PDAs, and type of residential development.	Monitoring would be done prior to release of the SCS.	The results shall inform each update of the Plan Bay Area SCS.	Yes, ABAG has tracked residential permitting activity in PDA/non-PDA areas and made the data available on its website, <a href="http://abag.ca.gov/planning/housing/datasets.html#tracking">http://abag.ca.gov/planning/housing/datasets.html#tracking</a> . In addition, MTC is tracking housing growth through its Vital Signs regional monitoring initiative, <a href="http://www.vitalsigns.mtc.ca.gov/housing-growth">http://www.vitalsigns.mtc.ca.gov/housing-growth</a> .
6c.	<b>Feasibility Analysis.</b> The agencies shall prepare an update to the PDA	The update shall be published prior to issuance of a Notice of	The results of the analysis shall inform	Yes, MTC and ABAG prepared an update to the PDA feasibility analysis prior to the



Agreement Paragraph	Agency Obligation	Timing	Where Addressed	Compliance Completed
	Feasibility Analysis to include analysis of local land use policies, market demand, financial feasibility, site-related issues, financing, and infrastructure needs.	Preparation for the SCS/RTP EIR or, if no EIR is prepared, then at least 6 months before a draft SCS is released for public review.	each update of the Plan Bay Area SCS.	development of the Plan, available at: <a href="https://www.planbayarea.org/sites/default/files/documents/2021-06/PDA_Implementation_Draft_Tech_Memo.pdf">https://www.planbayarea.org/sites/default/files/documents/2021-06/PDA_Implementation_Draft_Tech_Memo.pdf</a>
6d.	<b>Assumptions and Disclosure.</b> The agencies shall disclose and accept public comments on the key assumptions and descriptors to be used in preparation of each SCS update.	Key assumptions shall be disclosed prior to preparation of a document comparable to the Initial Vision Scenario, setting forth development scenarios, or if no such document is prepared, assumptions shall be disclosed at least 6 months prior to public release of a draft SCS. Key descriptors shall be disclosed with release of the SCS.	Appropriate assumptions and descriptors are to be used in preparation of the final Plan Bay Area SCS.	Yes, ABAG consulted with a technical advisory committee during the development of the Regional Growth Forecast. The Regional Growth Forecast process was also presented to working groups and committees. The Regional Growth Forecast is considered as part of the Draft Blueprint strategies (25), which were defined in February 2020 and include land use modeling assumptions influencing the land use pattern. The outcomes of the strategies were shared in July 2020. MTC and ABAG held engagement activities on the refinement of the Blueprint in summer 2020. The Final Blueprint strategies (35) were defined in September 2020, including refinements to land use modeling assumptions influencing the land use pattern. The outcomes of the Final Blueprint strategies were shared in December 2020 prior to adoption of the Final Preferred Scenario in January 2021.

Notes: PDA=priority development area.

### 1.7.5 Plan Development Process

The proposed Plan—Plan Bay Area 2050—serves as the 2021 RTP/SCS and builds upon the previous strategies developed in the first two iterations of Plan Bay Area, as well as a predecessor initiative “Horizon” discussed below.

The proposed Plan development process was composed of several key phases:

- ▲ **Horizon** (spring 2018 to fall 2019): A predecessor initiative to the proposed Plan, Horizon explored a suite of strategies to ensure a more resilient and equitable future in the face of uncertainty.
- ▲ **Draft Blueprint** (fall 2019 to summer 2020): Integrating the recommendations from Horizon, the Draft Blueprint served as a “first draft” of the proposed Plan. Comprised of 25 strategies, it was designed to advance the Plan vision of a more affordable, connected, diverse, healthy, and vibrant Bay Area for all.
- ▲ **Final Blueprint** (summer 2020 to winter 2021): Building on the Draft Blueprint, the Final Blueprint refined and expanded strategies (35 in total) to make further progress on the five key challenges identified in the Draft Blueprint analysis while integrating robust public feedback received during summer 2020.

## HORIZON

Beginning in early 2018, MTC and ABAG conducted an 18-month effort called the Horizon initiative. The Horizon initiative was the first step for MTC and ABAG to explore what the Bay Area can do to address current challenges, avoid future obstacles, and leverage opportunities. Findings from the Horizon initiative provided the Bay Area with a foundational analysis to start discussions on which strategies the Bay Area might consider to address affordability, connectivity, diversity, environmental health, and economic vibrancy.

### The Work Elements of Horizon

The 18-month Horizon process included five core work elements:

- ▲ **Guiding Principles:** To establish guideposts for the Horizon initiative, MTC and ABAG conducted public engagement in early 2018 and received over 10,000 unique comments from residents across the Bay Area in response to the question: What are the most pressing issues that should be considered to plan for life in 2050? This feedback helped MTC and ABAG refine the five Guiding Principles—Affordable, Connected, Diverse, Healthy, and Vibrant—that underlie the Horizon initiative and the proposed Plan.
- ▲ **Futures Planning:** Central to the Horizon initiative was the development and study of three divergent what-if scenarios called “Futures” to identify how a range of forces will potentially shape the Bay Area. See MTC’s web page, <https://mtc.ca.gov/our-work/plans-projects/horizon/futures-planning>, for more information.
- ▲ **Perspective Papers:** A series of white papers, known as Perspective Papers, proposed a set of priority strategies for further investigation in the Futures Planning process. See MTC’s web page, <https://mtc.ca.gov/our-work/plans-projects/horizon/perspective-papers>, for more information.
- ▲ **Project Performance Assessment:** Similar to prior iterations of Plan Bay Area, Horizon included a robust Project Performance Assessment of over 90 major transportation projects considered for inclusion in the proposed Plan. In addition, MTC and ABAG opened the process to the public by issuing a request for transformative projects and assessed the top Transformative Projects alongside those submitted by partner agencies. Analyses include benefit-cost assessments against the three different futures, a guiding principles assessment to determine project alignment with regional goals, and an equity assessment to consider the distribution of benefits by income level and geography. See MTC’s webpage, <https://mtc.ca.gov/our-work/plans-projects/horizon/project-performance-assessment>, for more information.
- ▲ **Public Engagement:** Finally, public engagement weaved together all the components of Horizon, providing an opportunity for community members to offer input on the most effective strategies and investments to address current and future regional challenges. Staff organized workshops, convened “pop-up” forums at community events, hosted committee meetings and webinars, and attended events hosted by community-based organizations to hear from as many voices as possible. See Section 1.7.6, “Public Engagement,” for more information.

## THE BLUEPRINT

Building on the foundation of the Horizon initiative, the Blueprint integrates strategies across four elements—transportation, housing, the economy, and the environment—aimed at creating a more resilient and equitable future for the Bay Area. The Blueprint planning process was developed in two phases: the Draft and the Final Blueprint. Because the Blueprint was a key first step in creating the proposed Plan, it required iteration and engagement with the public, stakeholders, and elected officials.

## The Draft Blueprint

The Draft Blueprint, approved by MTC and ABAG in February 2020, integrated 25 strategies to move the region toward its adopted vision of a more affordable, connected, diverse, healthy, and vibrant Bay Area for all residents. The Draft Blueprint weaved together transportation, housing, economic, and environmental strategies, alongside an expanded set of growth geographies (see Section 2.5.4, “Proposed Plan Growth Geographies,” for a description) designed to accommodate 1.4 million new households and 1.4 million new jobs identified in the regional growth, described in more detail in Section 2.5.2, “Planning Assumptions.” The Draft Blueprint included a fiscally constrained revenue forecast from the needs and revenue assessments, also described in more detail in Section 2.3, as well as new regional revenues for transportation, housing, economic development, and environmental resilience. See MTC’s webpage, <https://www.planbayarea.org/2050-plan/plan-bay-area-2050-draft-blueprint>, for more information.

## The Final Blueprint

The package of Draft Blueprint strategies was revised based on robust engagement with Bay Area residents and stakeholders to increase the effectiveness of strategies in realizing the vision and guiding principles of the proposed Plan. The Final Blueprint also added 10 more strategies that were not featured in the Draft Blueprint. In September 2020, MTC and ABAG approved the Final Blueprint, which includes a set of 35 revised and expanded strategies, as well as the growth geographies and the regional growth forecast, described in Section 2.5, “Proposed Plan.” The Final Blueprint was advanced by MTC and ABAG in January 2021 as the proposed Plan for analysis in the EIR, following the completion of modeling and analysis. See MTC’s webpage, <https://www.planbayarea.org/2050-plan/plan-bay-area-2050-final-blueprint>, for more information.

### 1.7.6 Public Engagement

On June 27, 2018, MTC adopted its *2018 Public Participation Plan* to ensure that Bay Area residents would have ample opportunities for early and ongoing engagement on the proposed Plan’s development. The novel coronavirus (COVID-19) pandemic required engagement to be conducted virtually in 2020 and into 2021, forcing the use of digital engagement rather than traditional in-person engagement tactics to ensure that the public continued to have the opportunity to participate.

MTC’s public involvement procedures for the proposed Plan incorporated the following goals:

- ▲ **Promote a transparent process:** MTC and ABAG should make every effort to make the often-complex planning process transparent by developing user-friendly content written in plain language. This will improve the public’s understanding of the Plan’s strategies and policies, improving the public’s ability to provide quality input that affects policy decisions.
- ▲ **Encourage broad participation:** The engagement process should include the greatest number of Bay Area residents as possible, reflecting its diverse population, especially from communities with low incomes, communities of color, persons with disabilities, and persons with limited English proficiency. An individual’s access to the internet, especially relevant since the pandemic began, should not be an obstacle to participate. The document will be available for public review in at least one library in each of the nine member counties and at [planbayarea.org/2050-plan/environmental-impact-report](https://www.planbayarea.org/2050-plan/environmental-impact-report). Members of the public can also make appointments with MTC staff to view the DEIR. Should you require a hard copy of the draft plan, please submit your request to [info@bayareametro.gov](mailto:info@bayareametro.gov) or call 415-778-6757 and one will be mailed to you.

- ▲ **Engage for impact:** Input on the Plan should be analyzed and provided to policy makers in a timely manner to inform their decisions. Interested participants should be informed of actions by MTC and ABAG at key milestones throughout the planning process.
- ▲ **Build knowledge:** The proposed Plan is an opportunity for MTC and ABAG to inform a wide range of people about transportation, housing, environmental, and economic issues in the Bay Area. Each step of the process should provide enough information to set context and promoting increased understanding of the Plan and relevant topics.

Public engagement for the proposed Plan, and its development, consisted of three main rounds. In total, Horizon and the proposed Plan were discussed at over 130 public meetings through 2020. Meetings included over 100 in-person and digital public workshops, and 60 technical workshop events consisting of webinars and meetings. Public engagement efforts resulted in over 33,000 public comments from nearly 16,000 participants. In addition, MTC partnered with eight community organizations working with communities with low incomes and communities of color to obtain ongoing input on the proposed Plan. In addition, MTC provided detailed project information on the [www.planbayarea.org](http://www.planbayarea.org) website and sent a monthly digital newsletter so that Bay Area residents and stakeholders could remain informed. MTC also developed three in-depth games to inform participants and obtain feedback on strategies under consideration. MTC held two summits with Native American tribal leaders and hosted government-to-government consultations as requested by individual tribes. Finally, MTC conducted a statistically valid telephone poll of nearly 3,000 Bay Area residents. Additional public engagement opportunities on the Draft Plan Bay Area 2050 will be held in June and July of 2021, with anticipated adoption to occur in fall 2021.

The first round of engagement began in fall 2019 and focused on introducing the proposed Plan to the public. The purpose of the first round was to gauge the public's support of high-performing strategies aimed at meeting the Plan's transportation, housing, environmental, and economic goals while also capturing any new strategy ideas. Engagement consisted of a series of pop-up workshops at existing community events and locations and an interactive online tool called Mayor of Bayville. The input from these tactics helped staff prioritize and refine the strategies that were then incorporated into the Draft Blueprint. This effort resulted in submission of over 13,000 comments.

In late spring and summer 2020, ABAG and MTC began the second round of engagement, which focused on improving the strategies from the previous round of engagement. This work began as the Bay Area and the rest of the world began contending with the novel coronavirus pandemic that required all Bay Area residents to shelter in place and maintain physical distancing. Because in-person engagement was impossible, staff leveraged a suite of digital and nondigital approaches—which provided the opportunity to try new technology while also reaching a broader audience—including public, community, and tribal workshops and focus groups using video conferencing software; telephone town hall meetings using a telephone meeting system; an online survey using an online polling platform; workshops with technical partners using online collaboration software; and a statistically valid telephone poll to ask Bay Area residents key questions about various elements within the Draft Blueprint, the precursor to the proposed Plan. Over 7,500 residents participated in these activities, which yielded over 3,400 comments and helped inform the Draft Blueprint.

Finally, as a regular practice, MTC and ABAG contract with community-based organizations that work with communities with low incomes and communities of color to regularly engage with these communities throughout the planning process. The eight community-based organizations were selected through a competitive process and provided input via focus groups, attendance at pop-up events, and correspondence to their constituents. Since March 2020, two round of focus groups were held with the community-based organizations and their respective constituents. The first round focused on the Draft Blueprint in early summer 2020, and the second round focused on the

Implementation Plan in late 2020. The community-based organization will help reach out to constituents to participate in workshops on the Draft Plan in June/July 2021.

The final round of engagement will take place in late spring and summer 2021. Engagement activities will include virtual public workshops, virtual public hearings, presentations to elected officials, and youth engagement through a regional scavenger hunt. Additional documentation on public engagement activities is available at [www.planbayarea.org](http://www.planbayarea.org).

## 1.8 FUTURE ENVIRONMENTAL REVIEW

Implementation of the projects addressed in the proposed Plan must individually demonstrate compliance with the requirements of CEQA and/or NEPA (for projects requiring federal funding or approvals). As appropriate, individual projects may be required to prepare a project-level analysis to fulfill CEQA and/or NEPA requirements. The lead agency responsible for reviewing these projects shall determine the level of review needed, and the scope of that analysis will depend on the specifics of the particular project. These projects may, however, use the discussion of impacts in this program EIR as a basis of their assessment of these regional or cumulative impacts. These projects may also be eligible for CEQA streamlining under SB 375, as explained further below.

This program EIR is a first-tier document that addresses the environmental impacts that may affect the nine-county Bay Area as a result of adoption and implementation of Plan Bay Area 2050. “Tiering” generally refers to using the analysis of a broader environmental document that covers the general impacts of a program or larger-scale project so that subsequent environmental documents for a related individual project can be narrow and focused on unique or unanalyzed issues. CEQA encourages the use of tiering to reduce the time and excessive paperwork involved in the review process by eliminating repetitive analyses of issues that were addressed in the program EIR (CEQA Guidelines Section 15168). SB 375 enables certain qualifying projects to tier off the SCS or alternative planning strategy developed to meet California’s climate change goals. Tiered documents may consist of initial studies or focused EIRs that may incorporate by reference portions of the program EIR from which they are tiered. If the potential environmental effects of subsequent actions are consistent with and adequately addressed by a certified program EIR, additional environmental analysis may be unnecessary.

## 1.9 CEQA STREAMLINING OPPORTUNITIES

Following certification of this EIR and adoption of Plan Bay Area 2050 by MTC and ABAG, CARB must then confirm that the Plan will achieve the GHG emission reduction targets required by Assembly Bill 32 and SB 375. After this determination is made, a number of streamlining benefits become available to lead agencies that carry out or approve future projects consistent with the Plan.

For a lead agency to take advantage of the potential streamlining benefits associated with the SCS, the lead agency must comply with all feasible and applicable mitigation measures included in this EIR, to the extent necessary, to substantially lessen or avoid potentially significant impacts of the project. Where a future project, as mitigated by the lead agency, would not result in a potentially significant impact identified in this EIR, the lead agency is not required to adopt the mitigation measures set forth in this EIR and/or other relevant project-level EIRs to take advantage of the CEQA streamlining benefits discussed below.

## 1.9.1 Streamlining Under SB 375

SB 375 provides streamlining benefits for transit priority projects (TPPs). A TPP is a project that meets all the following criteria:

- ▲ consistent with the general land use designation, density, building intensity, and applicable policies specified for the project area in the SCS;
- ▲ located within half a mile of a major transit stop or high-quality transit corridor;
- ▲ composed of at least 50 percent residential use based on total building square footage and if 26–50 percent of total building square footage is nonresidential, a minimum floor area ratio of 0.75); and
- ▲ built out with a minimum of 20 dwelling units per acre (Public Resources Code [PRC] Section 21155).

For the purposes of this EIR, geographic areas that meet the TPP requirements are referred to as Transit Priority Areas (TPAs).

One of three potential streamlining benefits may apply to a TPP pursuant to SB 375, as described below and in **Table 1-2**.

First, TPPs that meet a detailed list of criteria set forth in PRC Section 21155.1 are statutorily exempt from CEQA. Because the list of criteria that must be met to achieve this exemption is extensive, the exemption may be available only in limited circumstances.

Second, a TPP that does not qualify for the statutory exemption may be eligible to comply with CEQA using a Sustainable Communities Environmental Assessment (SCEA). An SCEA is similar to a streamlined negative declaration or mitigated negative declaration and requires a 30-day public review period. An SCEA is available for a TPP that would not result in any potentially significant environmental impacts after mitigation and that has incorporated all feasible mitigation measures, performance standards, or criteria set forth in the prior applicable EIRs, including the EIR for the RTP/SCS. An SCEA is not required to discuss (1) growth-inducing impacts or (2) any project-specific or cumulative impacts from cars and light-duty truck trips generated by the project on global warming or the regional transportation network (PRC Sections 21155.2[b][1], 21159.28[a]). In addition, unlike a negative declaration or mitigated negative declaration, a lead agency's decision to approve a TPP based on an SCEA is reviewed, if challenged, by a court under the substantial evidence standard (PRC Section 21155.2[b][7]).

Third, a TPP that would result in one or more potentially significant impacts after mitigation may be reviewed using a tiered TPP EIR as established by PRC Section 21155.2(c). A tiered TPP EIR is required to address only the significant or potentially significant effects of the TPP on the environment. It is not required to include a discussion of (1) growth-inducing impacts, (2) any project-specific or cumulative impacts from cars and light-duty truck trips generated by the project on global warming or the regional transportation network, (3) cumulative effects that have been adequately addressed and mitigated in prior applicable certified EIRs, (4) off-site alternatives, or (5) a reduced-density alternative to address effects of car and light truck trips generated by the TPP (PRC Sections 21155.2[c], 21159.28[a] and [b]).

In addition to the benefits provided for TPPs, SB 375 provides streamlining benefits for residential or mixed-use residential projects, as defined in PRC Section 21159.28(d), that are consistent with the use designation, density, building intensity, and applicable policies specified for the project area in the



SCS. Projects eligible for streamlining must incorporate mitigation measures required by an applicable prior environmental document, such as this EIR if it is certified by MTC and ABAG. EIRs for qualifying residential or mixed-use residential projects are not required to include a discussion of (1) growth-inducing impacts, (2) any project-specific or cumulative impacts from cars and light-duty truck trips generated by the project on global warming or the regional transportation network, or (3) a reduced-density alternative to address effects of car and light truck trips generated by the project (PRC Section 21159.28[a] and [b]).

**Table 1-2** lists the prerequisites and qualifications for residential/mixed-use residential projects, TPPs, and sustainable communities projects and the corresponding CEQA streamlining benefits under SB 375. Projects that use the SB 375 CEQA streamlining benefits would 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. Other development projects that do not fall into any of these categories could still use this EIR for other CEQA tiering benefits. For more information, see Section 1.9.4, “Other Tiering Opportunities.”

**Table 1-2: SB 375 Requirements for CEQA Streamlining Related to an SCS**

Project Designation	Mixed-Use Residential Project	Transit Priority Project	Sustainable Communities Project
Prerequisites	<ul style="list-style-type: none"> <li>▲ MPO adopts an SCS or APS that can achieve region’s GHG emissions reduction target</li> <li>▲ CARB accepts the SCS or APS</li> <li>▲ Proposed project is a residential or residential mixed-use project consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in the SCS or APS</li> <li>▲ Project has incorporated applicable mitigation measures or performance standards required by a prior environmental document</li> <li>▲ Regardless of any CEQA streamlining or exemption benefits that a project receives from the SB 375 CEQA provisions, the lead agency must consider the merits of the project before moving forward with project approvals in accordance with local codes and procedures</li> </ul>		
Qualifications	<ul style="list-style-type: none"> <li>▲ At least 75% of total building square footage for residential use</li> </ul>	<ul style="list-style-type: none"> <li>▲ At least 50% of total building square footage for residential use and If 26–50% of total building square footage is nonresidential, a minimum FAR of 0.75;</li> <li>▲ Minimum net density of 20 du/acre; and</li> <li>▲ Within 0.5 mile of major transit stop or high-quality transit corridor included in the RTP</li> </ul>	<ul style="list-style-type: none"> <li>▲ Everything for Transit Priority Project PLUS:</li> <li>▲ Served by existing utilities</li> <li>▲ Applicant pays all applicable fees</li> <li>▲ Does not contain wetlands or riparian areas</li> <li>▲ Does not have significant value as a wildlife habitat and does not harm any protected species</li> <li>▲ Not on the Cortese List</li> <li>▲ No risks from hazardous substances</li> <li>▲ No impacts on historic resources</li> <li>▲ No wildfire, seismic, flood, or public health risk</li> <li>▲ Not on developed open space</li> <li>▲ Buildings are 15% more energy efficient than required under Title 24</li> <li>▲ Landscaping uses 25% less water than average households</li> <li>▲ Site is no more than 8 acres</li> </ul>

Project Designation	Mixed-Use Residential Project	Transit Priority Project	Sustainable Communities Project
			<ul style="list-style-type: none"> <li>▲ No more than 200 housing units</li> <li>▲ No net loss of affordable housing within project area</li> <li>▲ No building greater than 75,000 square feet</li> <li>▲ Does not conflict with nearby industrial uses</li> <li>▲ Meets minimum affordable housing requirements as prescribed in SB 375 OR in-lieu fee paid OR 5 acres of open space per 1,000 residents provided</li> </ul>
Streamlining Benefits	<p>Environmental documents are <b>not</b> required to reference, describe, or discuss:</p> <ul style="list-style-type: none"> <li>▲ Growth-inducing impacts</li> <li>▲ Impacts from car and light-duty truck trips on global warming or</li> <li>▲ the regional transportation network</li> <li>▲ A reduced-density alternative to project (EIRs only)</li> <li>▲ Cumulative effects that have been adequately addressed and mitigated in prior applicable certified EIRs</li> <li>▲ Off-site alternatives</li> </ul>	<p>The lead agency may determine whether to pursue a Sustainable Communities Environmental Assessment (SCEA) or a Limited Environmental Review</p> <p>SCEA:</p> <ul style="list-style-type: none"> <li>▲ Lead agency prepares only an initial study that identifies all significant impacts, except for growth-inducing impacts and impacts from car and light-duty truck trips on global warming or the regional transportation network</li> <li>▲ Cumulative effects identified and mitigated for in previous applicable EIRs shall NOT be treated as cumulatively considerable for the project</li> <li>▲ Shall contain mitigation measures to avoid or mitigate to a level of less than significant all significant effects identified</li> <li>▲ 30-day public comment period</li> <li>▲ May be approved after the lead agency conducts a public hearing, reviews comments received, and finds that all potentially significant effects have been identified, analyzed, and mitigated to a level of less than significant</li> <li>▲ The fee to appeal a planning commission decision to the decision-making body shall not exceed \$500</li> <li>▲ Deferential review standard—the burden of proof for legal challenge is on the petitioner/plaintiff</li> <li>▲ Limited analysis EIR</li> </ul>	<p>Exempt from CEQA</p> <p>Lead agency may file a notice of exemption upon project approval.</p>

**Source:** California Public Resources Code, Division 13, Chapter 4.2 (Implementation of the Sustainable Communities Strategy), Section 21155

## 1.9.2 Streamlining Under SB 226

In 2011, the legislature enacted SB 226 to establish additional streamlining benefits applicable to infill projects that are consistent with the requirements set forth in CEQA Guidelines Section 15183.3 (PRC Sections 21094.5[c], 21094.5.5). Residential, commercial and retail, public office buildings, transit stations, and schools are eligible for this streamlining provided they meet the following requirements: (1) are located in an urban area on a site that has been previously developed or adjoins existing qualified urban uses on at least 75 percent of the site's perimeter; (2) satisfy the performance standards provided in Appendix M of the CEQA Guidelines; and (3) are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either an SCS or an alternative planning strategy, with some exceptions. For these projects, an "infill EIR" is required to analyze only effects on the environment that are specific to the project or to the project site and that were not addressed as significant effects in a prior planning-level EIR unless new information shows the effects would be more significant than described in the prior EIR (PRC Section 21094.5[a][1]). Moreover, an infill EIR is not required to consider potentially significant environmental effects of the project that would be reduced to a less-than-significant level by applying uniformly applicable development policies or standards adopted by the city, county, or the lead agency (PRC Section 21094.5[a][2]). The infill EIR is not required to discuss (1) alternative locations, project densities, or building intensities or (2) growth-inducing impacts.

Unlike the CEQA streamlining benefits established by SB 375 which are limited to residential projects, the benefits created by SB 226 may apply to nonresidential projects, including qualifying commercial, retail, transit station, school, or public office building projects (CEQA Guidelines Section 15183.3[f][1]).

## 1.9.3 Streamlining Under SB 743

SB 743 (2013) (PRC Sections 21099 and 21155.4) created an exemption from CEQA for certain projects that are consistent with a specific plan. (See PRC Section 21155.4.) A specific plan is a local plan that contains specific policies and development regulations for a defined area, such as a downtown core or along a transit corridor. The exemption applies if a project meets all of the following criteria:

- ▲ It is a residential, employment center, or mixed-use project.
- ▲ It is located within a TPA.
- ▲ The project is consistent with a specific plan for which an EIR was certified.
- ▲ It is consistent with an adopted SCS or alternative planning strategy.

The exemption cannot be applied if the project would cause new or worse significant environmental impacts compared to those analyzed in the EIR for the specific plan. In that case, supplemental environmental review must be conducted.

SB 743 also specifies that aesthetic and parking impacts of residential, mixed-use residential, or employment center uses on infill sites within a TPA shall not be considered significant effects on the environment (see PRC Section 21099[d]).

## 1.9.4 Other Tiering Opportunities

Finally, for all other types of projects proposed to be carried out or approved by a lead agency within the region, the lead agency may use this EIR for the purposes of other allowed CEQA tiering (PRC Sections 21068.5, 21093–21094; CEQA Guidelines 15152, 15385). Moreover, by tiering from this EIR (if certified by MTC and ABAG), a later tiered EIR would not be required to examine effects that (1) were

mitigated or avoided in this EIR; (2) were examined in this EIR at a level of detail sufficient to allow those effects to be mitigated or avoided by site-specific revisions, the imposition of conditions, or other means in connection with the approval of the later project; or (3) constitute cumulative effects and that were adequately addressed in this EIR (PRC Section 21094).