

3.13 PUBLIC SERVICES AND RECREATION

This section evaluates the potential impacts on schools, police protection, fire protection, emergency medical response, recreation facilities, and other government services (e.g., libraries, prisons, social services) that could result from the implementation of the proposed Plan.

Comments received in response to the Notice of Preparation (NOP) expressed concerns about the capacity of police, fire protection, public health and safety, wildfire risk, and recreational resources to serve Planned Development Areas (PDAs). Comments also expressed concern regarding the potential effects of locating active recreational resources near wildlife areas.

The effects on wildfire risk are addressed in Section 3.9, “Hazards and Wildfire.” For a discussion of the effects on biological resources, see Section 3.5, “Biological Resources.”

The CEQA Guidelines note that comments received during the NOP scoping process can be helpful in “identifying the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in an EIR and in eliminating from detailed study issues found not to be important” (CEQA Guidelines Section 15083). Neither the CEQA Guidelines nor the statutes require a lead agency to respond directly to comments received in response to the NOP, but they do require that they be considered. Consistent with these requirements, the comments received on the NOP have been carefully reviewed and considered by MTC and ABAG in the preparation of the impact analysis in this section. Appendix B includes all NOP comments received.

3.13.1 Environmental Setting

SCHOOLS

Although the California public school system is under the policy direction of the State 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 and set educational priorities for their schools. Each jurisdiction in the nine-county region of the Bay Area provides residents with local public education facilities and services, including elementary, middle, secondary, and postsecondary schools, as well as special and adult education.

As of the 2018-2019 school year, there were 1,764 public and charter schools in the Bay Area, with 1,051,744 enrolled students, and 53,174 teachers. **Table 3.13-1** lists the number of K-12 public and charter schools within each county.

Table 3.13-1: Bay Area Public Schools and Enrollment by County, 2018-2019

Area ¹	K-12 Schools	K-12 Enrollment	K-12 Teachers ²
Alameda County	381	236,076	11,543
Contra Costa County	274	175,040	8,597
Marin County	75	34,333	1,875
Napa County	41	20,742	1,090
San Francisco County	129	74,884	4,690
San Mateo County	171	97,275	5,089
Santa Clara County	411	276,637	13,281

Area ¹	K-12 Schools	K-12 Enrollment	K-12 Teachers ²
Solano County	104	66,140	3,063
Sonoma County	178	70,617	3,946
Regional Total	1,764	1,051,744	53,174

¹ Includes both incorporated cities and unincorporated areas of the county.

² Full-Time Equivalent Teachers, which include those assigned to a particular type of school; district and county office of education teachers not associated with a school are excluded. Most recent data available from 2018–2019.

Source: Education Data Partnership 2020

EMERGENCY SERVICES

This section provides information on emergency services in the Bay Area, including existing police protection, fire protection, and emergency medical services (e.g., paramedics, emergency medical technicians).

Police Protection

Police services are provided on the State, county, and local levels. Police services provide law enforcement in areas such as crime prevention, traffic and congestion control, safety management, emergency response, and homeland security.

The California Highway Patrol (CHP) is responsible for police protection along the sections of the interstate highway system that traverse the Bay Area. It provides services for the management of traffic, emergency accident response, and protection of the highway system through safety enforcement on interstate roads. CHP services also include various programs and initiatives aimed at improving road safety and awareness for many categories of drivers. Through collaboration with local, State, and federal public safety agencies, its purpose is to minimize exposure of the public to unsafe conditions resulting from emergency accidents and highway impediments (CHP 2020).

Each of the nine counties in the Bay Area has its own sheriff's department responsible for police protection in unincorporated areas of each county. Additionally, each incorporated city and town has a police department responsible for police protection within its own jurisdiction. Unincorporated areas or areas such as transit districts may also contract with county sheriff departments for police services instead of providing their own. Cities and towns may also contract with the county sheriff department to provide law enforcement services.

Police service performances vary by jurisdiction but are typically measured in terms of response times, calculated in the number of minutes it takes a police officer to respond to an incident.

Fire Protection

The Bay Area faces a number of fire threats, including urban, wildland-urban interface, and wildland fires. According to the California Department of Forestry and Fire Protection (CAL FIRE), fire threat in the region ranges from low to extreme depending on factors such as fuel rank, topography, presence of urban development, and expected fire frequency (CAL FIRE 2020). For a detailed discussion of fire hazard risk in the Bay Area, see Section 3.9, "Hazards and Wildfire."

Fire protection services are managed at the local level, typically by municipalities, counties, fire protection districts, or volunteer fire companies. California Government Code Section 38611 states that general law cities must establish a fire department unless it is included within the boundaries of an established fire protection district. State and federal lands are generally served by State and federal fire agencies (e.g., CAL FIRE, National Park Service), and in some cases, businesses and native tribes manage their own fire departments. Each fire protection agency is responsible for serving its own

prescribed area, but mutual aid agreements are in wide use across the region such that agencies can rely on assistance from neighboring agencies in the case of overwhelming demand. In an effort to prevent fire-related emergencies altogether, most fire departments and agencies sponsor prevention programs (e.g., public education, vegetation clearance) and enforce fire code regulations in built structures.

Fire protection service performance is typically measured by emergency response times or the ratio of service personnel to service area population. Because of the varying needs and challenges of each jurisdiction, however, performance measures differ among agencies, particularly when comparing urban and rural agencies. Fire departments are assigned a Public Protection Classification from the International Organization for Standardization (ISO), a private company that provides information about insurance risk. To assess fire protection agencies, ISO uses information about emergency dispatch; the number and location of engine companies; the amount of water needed to fight a fire; and local water supply, pressure, and flow. Local fire departments receive a classification from 1 to 10; a classification of 1 is the highest, and a classification of 10 indicates that fire suppression capabilities do not meet ISO's minimum standard.

Emergency Medical Services

Each county of the nine counties in the Bay Area, including incorporated cities and towns within those counties, provides emergency medical services to its residents through the training and certification of paramedics and emergency medical technicians. The various departments charged with administering emergency medical services (e.g., Napa County Emergency Medical Services Agency, San Francisco County Department of Emergency Management) contract with private ambulance services and local fire departments to deploy emergency medical services within their service areas.

LIBRARIES

The San Francisco Bay region is served by several public libraries, including the Alameda Free Library, Alameda County Library, Berkeley Public Library, Contra Costa County Library, Livermore Public Library, Oakland Public Library, Pleasanton Public Library, Richmond Public Library, San Francisco Public Library, and Sonoma County Library. Publicly funded libraries in California are required to maintain a certain amount of local funding depending on the population of a library's service area; however, there are no established standards with which California public libraries must comply (California State Library 2020).

SOCIAL SERVICES

Social services are provided by government agencies, private nonprofit organizations, and private for-profit organizations. The following types of social services are currently available in the proposed Plan area:

- ▲ **Alcohol, Drug, and Mental Health Services** provide alcohol and drug abuse prevention and treatment services to adults and juveniles and mental health services to seriously mentally ill adults, youths, and families.
- ▲ **Adult Education and Job Training** provide educational and job training opportunities to give adult students the knowledge and skills necessary to participate effectively as citizens, employees, parents, and family members.
- ▲ **Child Support Services** determine parentage, establish orders for support and medical coverage, and collect and distribute funds from absent parents who have a financial responsibility to support their children.

- ▲ **Civic Buildings and Community Centers** include libraries, community centers, and other public buildings not otherwise classified.
- ▲ **Courts and Parole Officers** hear and give rulings on the following types of court cases: appeals, civil, criminal, family and children, juvenile, and traffic. Parole officers coordinate parole hearings and supervise defendants not yet sentenced to a term of incarceration and offenders released from incarceration.
- ▲ **Health and Disabled Services** provide programs for the medically indigent, older adults, those with disabilities, and detainees; communicable disease prevention and control; protection of food and water; waste and vector control; vital records; nutrition and safety education; and public health nursing services.
- ▲ **Homeless and Housing Assistance** provides temporary shelter; food assistance; mental health services; and transitional housing assistance to adults, juveniles, and families.
- ▲ **Human Assistance** administers various federal, State, and local government programs designed to provide cash assistance, food stamps, and other social services not otherwise classified.
- ▲ **Veteran Affairs** provide medical, mental health, vocational rehabilitation, and employment assistance, educational and other training to veterans.

RECREATION

- ▲ The Bay Area contains over 1 million acres of parks and open space across its nine counties (see **Table 3.13-2**, below, and **Figure 3.11-4** in Section 3.11, “Land Use, Population, and Housing”). According to the Bay Area Protected Areas Database compiled by the Bay Area Open Space Council, about 140,000 acres of open space were permanently conserved between 2010 and 2018 (the most recent year for which a full dataset is available) (Bay Area Open Space Council 2019). While access by the general public to these reserve areas is restricted, the areas are important for the preservation of wildlife habitats and the protection of the environmental and rural characteristics of various parts of the region.

Table 3.13-2: Acreage of Bay Area Parks and Open Space

Location	Parks and Open Space (acres) ¹
Alameda County ²	128,600
Contra Costa County ²	153,400
Marin County ²	201,600
Napa County ²	156,700
San Francisco County ²	5,200
San Mateo County ²	124,900
Santa Clara County ²	266,600
Solano County ²	81,800
Sonoma County ²	265,100
Regional Total	1,384,000

Note: Figures may not sum because of independent rounding.

¹ Includes publicly owned lands and privately owned lands that are accessible to the public. The most recent year that a full dataset is available is 2013.

² Includes both incorporated cities and unincorporated areas of the county.

Source: Bay Area Open Space Council 2019

Parks and open space are generally categorized according to their size and amenities. Smaller parks, such as pocket parks, neighborhood parks, community parks, urban forests, and community gardens, serve local communities, typically are located in urbanized areas, and often include a wide range of improvements from playing fields and picnic areas to playgrounds and fitness trails. These parks are most often managed by local park districts or municipalities, which typically set minimum standards for park acreage based on their population. Larger open space areas, such as regional parks, greenbelts, trails and pathways, natural and wildlife preserves, some private farmlands, some public rangelands, State parks, and federal parks, serve a broader geographic range, typically are located outside of major urbanized areas, and generally include fewer improvements. Management of these parks is divided among a range of organizations and agencies, including regional park districts, State and federal government, private individuals, and nonprofit land trusts.

As noted in Section 3.11, “Land Use, Population, and Housing,” the California Coastal Commission and the Bay Conservation and Development Commission (BCDC) regulate land use near the coastline and along the bay, respectively, to protect and enhance the coastline and to promote public access within the coastal zone of California. On land, the coastal zone varies in width from several hundred feet in highly urbanized areas to up to 5 miles in certain rural areas, and offshore, the coastal zone extends along a 3-mile-wide band of ocean. The coastal zone established by the California Coastal Act does not include San Francisco Bay, where development is regulated by BCDC.

3.13.2 Regulatory Setting

FEDERAL REGULATIONS

Executive Order 12148

Executive Order 12148 was enacted by President Jimmy Carter on July 20, 1979, to merge many of the separate disaster-related responsibilities into the Federal Emergency Management Agency (FEMA). FEMA includes the Federal Insurance Administration, the National Fire Prevention and Control Administration, the National Weather Service Community Preparedness Program, the Federal Preparedness Agency of the General Services Administration, and other emergency-related programs. In March 2003, FEMA joined 22 other federal agencies, programs, and offices to become the U.S. Department of Homeland Security. FEMA’s continuing mission within the new department is to lead the effort to prepare the nation for all hazards and effectively manage federal response and recovery efforts following any national incident. FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration.

Disaster Mitigation Act of 2000

The Disaster Mitigation Act of 2000 (DMA 2000) (Public Law 106-390) provides the legal basis for FEMA mitigation planning requirements for state, local, and Indian tribal governments as a condition of mitigation grant assistance. DMA 2000 amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act by repealing the previous mitigation planning provisions and replacing them with a new set of requirements that emphasize the need for state, local, and Indian tribal entities to closely coordinate mitigation planning and implementation efforts. The requirement for a state mitigation plan is continued as a condition of disaster assistance, adding incentives for increased coordination and integration of mitigation activities at the state level through the establishment of requirements for two different levels of state plans. DMA 2000 also established a new requirement for

local mitigation plans and authorized up to 7 percent of Hazard Mitigation Grant Program funds available to a state for development of state, local, and Indian tribal mitigation plans.

U.S. Department of Transportation Act of 1966, Section 4(f) (Amended 2005)

The U.S. Department of Transportation Act (DOT Act) of 1966 included a special provision—Section 4(f)—that stipulated that the Federal Highway Administration and other DOT agencies cannot approve the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites unless:

- ▲ there is no feasible and prudent alternative to the use of land, and
- ▲ the action includes all possible planning to minimize harm to the property resulting from use.

The first substantive revision to Section 4(f) since enactment of the DOT Act was made in 2005; it simplified the process and approval of projects that have only minimal impacts on lands protected by Section 4(f). Under the new provisions, once DOT determines that a transportation use of Section 4(f) property results in a minimal impact, analysis of avoidance alternatives is not required and the Section 4(f) evaluation process is complete.

Land and Water Conservation Fund Act, Section 6(f)(3)

Section 6(f)(3) of the Land and Water Conservation Fund Act (LWCF Act) of 1965 (16 U.S. Code Section 460l et seq.) contains provisions to protect federal investments in park and recreation resources and the quality of those assisted resources. The law recognizes the likelihood that changes in land use or development may make park use of some areas purchased with LWCF Act funds obsolete over time, particularly in rapidly changing urban areas, and provides for conversion to other use pursuant to certain specific conditions.

Section 6(f)(3) states that no property acquired or developed with assistance under Section 6(f)(3) shall, without the approval of the Secretary of the Department of Interior, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he or she finds it to be in accordance with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he or she deems necessary to ensure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.

This requirement applies to all parks and other sites that have been the subject of LWCF Act grants of any type and includes acquisition of parkland and development or rehabilitation of park facilities. If a transportation project would have an effect upon a park or site that has received LWCF Act funds, the requirements of Section 6(f)(3) would apply.

STATE REGULATIONS

California Government Code Section 65995

California Government Code Section 65995 is found in Title 7, Chapter 4.9 of the California Government Code and authorizes school districts to collect impact fees from developers of new residential and commercial/industrial building space. Senate Bill 50, discussed below, amended Government Code Section 65995 in 1998.

Senate Bill 50 (Leroy Greene School Facilities Act of 1998)

The Leroy Greene School Facilities Act of 1998 (Education Code Sections 17070.10–17079.30) eliminated the ability of cities and counties to require full mitigation of school impacts and replaced it with the ability of school districts to assess fees directly to offset the costs associated with increasing school

capacity as a result of new development. The act states that payment of developer fees is “deemed to be complete and full mitigation” of the impacts related to planning, new development, or change in government organization relating to educational facilities.

Assembly Bill 2926

In 1986, Assembly Bill No. 2926 (Statutes of 1986, Chapter 887) (AB 2926) authorized the levy of statutory development fees, as well as placed a cap on the number of fees that could be levied, on new residential and commercial/industrial development in order to pay for school facilities. Its overall purpose was to enable school districts to impose developer fees to pay for new school construction (Government Code 53080).

Class Size Reduction Kindergarten-University Public Education Facilities Bond Act of 1998

Proposition 1A, the Class Size Reduction Kindergarten-University Public Education Facilities Bond Act of 1998 (Education Code Sections 100400–100405), is a school construction funding measure that was approved by the voters on the November 3, 1998, ballot. The act created the School Facility Program that allowed eligible school districts to obtain State bond funds for the construction and modernization of educational facilities and accommodate for growth and overcrowding in educational facilities.

California Education Code

School facilities and services in California are subject to the rules and regulations of the California Education Code and governance of the State Board of Education (SBE). SBE is the 11-member governing and policy-making body of the California Department of Education (CDE) that sets K-12 education policy relating to standards, instructional materials, assessment, and accountability. CDE and the State Superintendent of Public Instruction are responsible for enforcing education law and regulations and for continuing to reform and improve public elementary school, secondary school, and childcare programs, as well as adult education and some preschool programs. CDE’s mission is to provide leadership, assistance, oversight, and resources so that every Californian has access to an education that meets world-class standards (CDE 2020). The core purpose of CDE is to lead and support the continuous improvement of student achievement, with a specific focus on closing achievement gaps (CDE 2019).

California Emergency Services Act

In 2008, Governor Schwarzenegger signed AB 38, the California Emergency Services Act, which merged the duties, powers, purposes, and responsibilities of the Governor’s Office of Emergency Services and the Governor’s Office of Homeland Security into a new cabinet-level agency, the California Emergency Management Agency (Cal EMA). In 2013, Governor Edmund G. Brown Jr. merged the California Emergency Management Agency with the Office of Public Safety Communications and renamed the organization the California Governor’s Office of Emergency Services (Cal OES). CAL OES is responsible for overseeing and coordinating emergency preparedness, response, recovery, and homeland security activities within the California. Section 8687.7 of the California Disaster Assistance Act required the development of a Standard Emergency Management System (SEMS) program, for managing multiagency and multijurisdictional responses to emergencies in California. The Cal OES Emergency Management Systems Unit is a multi-agency group charged with methodical review, evaluation, and approval of needed improvements to SEMS. State agencies are required to use SEMS and local government entities must use SEMS in order to be eligible for any reimbursement of response-related costs under the State’s disaster assistance programs.

Cal OES serves as the lead State agency for emergency management and coordinates the State response to major emergencies in support of local government. The primary responsibility for emergency management resides with local government. SEMS provides the mechanism by which local government requests assistance from Cal OES, and Cal OES maintains oversight of the State's mutual aid system. Cal OES may task State agencies to perform work outside their day-to-day and statutory responsibilities and serves as the lead agency for obtaining federal resources.

California Fire Code

Title 24, Part 9 of the CCR is the California Fire Code, which sets forth regulations regarding building standards, fire protection and notification systems, fire protection devices such as fire extinguishers and smoke alarms, high-rise building standards, and fire suppression training. The most recent California Building Standards Code was released in 2016 and became effective on January 1, 2017. The general purpose of the update is principally to update and codify a new edition of the California Building Standards Code (CCR Title 24) that adopts by reference more current editions of the model codes. Development under the proposed Plan would be subject to applicable regulations of the California Fire Code.

Title 8 California Code of Regulations Sections 1270 and 6773

In accordance with C.C.R., Title 8 Sections 1270 "Fire Prevention" and 6773 "Fire Protection and Fire Equipment," the California Occupational Safety and Health Administration (Cal OSHA) has established minimum standards for fire suppression and emergency medical services. The standards include, but are not limited to, guidelines on the handling of highly combustible materials, fire hose sizing requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance, and use of all firefighting and emergency medical equipment.

Quimby Act

The 1975 Quimby Act (California Government Code Section 66477) authorized cities and counties to pass ordinances requiring that developers set aside land, donate conservation easements, or pay fees for park improvements. The act states that the dedication requirement of parkland can be a minimum of 3 acres per thousand residents or more and up to 5 acres per thousand residents if the existing ratio is greater than the minimum standard. Revenues generated through in lieu fees collected under the Quimby Act cannot be used for the operation and maintenance of park facilities. In 1982, the act was substantially amended. The amendments further defined acceptable uses of or restrictions on Quimby funds, provided acreage/population standards and formulas for determining the exaction, and indicated that the exactions must be closely tied (nexus) to a project's impacts as identified through studies required by CEQA.

State Open Space Standards

State planning law (Government Code Section 65560) provides a structure for the preservation of open space by requiring every city and county in the State to prepare, adopt, and submit to the Secretary of the Resources Agency a "local open-space plan for the comprehensive and long-range preservation and conservation of open-space land within its jurisdiction." The following open space categories are identified for preservation:

- ▲ *open space for public health and safety*, including, but not limited to, areas that require special management or regulation because of hazardous or special conditions;
- ▲ *open space for the preservation of natural resources*, including, but not limited to, natural vegetation, fish and wildlife, and water resources;

- ▲ *open space for resource management and production*, including, but not limited to, agricultural and mineral resources, forests, rangeland, and areas required for the recharge of groundwater basins;
- ▲ *open space for outdoor recreation*, including, but not limited to, parks and recreational facilities, areas that serve as links between major recreation and open space reservations (such as trails, easements, and scenic roadways), and areas of outstanding scenic and cultural value; and
- ▲ *open space for the protection of Native American sites*, including, but not limited to, places, features, and objects of historical, cultural, or sacred significance, such as Native American sanctified cemeteries, places of worship, religious or ceremonial sites, or sacred shrines located on public property (further defined in PRC Sections 5097.9 and 5097.993).

State Public Park Preservation Act of 1971

The primary instrument for protecting and preserving parkland is the State Public Park Preservation Act of 1971 (PRC Sections 5400–5409). Under the act, cities and counties may not acquire any real property that is in use as a public park for any nonpark use unless compensation or land, or both, are provided to replace the parkland acquired. This ensures no net loss of parkland and facilities.

McAteer-Petris Act

BCDC is dedicated to the protection and enhancement of San Francisco Bay and the Suisun Marsh and to the encouragement of their responsible use. As the other designated coastal zone management agency, and pursuant to the McAteer-Petris Act, BCDC is designated as the agency responsible for the protection of the bay and its natural resources and for the regulation of the development of the bay and shoreline to their highest potential with a minimum of bay fill. For development projects, including transportation projects, BCDC jurisdiction includes the bay itself (including San Pablo and Suisun Bays, sloughs, and certain creeks) and, in general, a 100-foot band along the bay shoreline.

The McAteer-Petris Act further specifies that certain water-oriented land uses should be permitted on the shoreline, including ports, water-related industries, airports, wildlife refuges, water-oriented recreation and public assembly, desalinization plants, and power plants requiring large amounts of water for cooling purposes. Priority Use Areas (PUAs) designated for such uses in the proposed Plan are to be reserved for them to minimize the need for future filling in the bay for such uses. It is necessary to obtain BCDC approval before undertaking any work within 100 feet of the bay shoreline (including grading); filling of the bay or certain tributaries of the bay; dredging; implementing Suisun Marsh projects; performing any filling, new construction, or major remodeling; or otherwise making any substantial change in use, and many land subdivisions in the bay, along the shoreline, in salt ponds, duck hunting preserves, or other managed wetlands adjacent to the bay.

REGIONAL AND LOCAL REGULATIONS

City and County General Plans

State law requires every city and county to adopt a general plan that expresses the community's development goals and embodies public policy relative to the distribution of future land uses, both public and private (OPR 2017). Included in the general plan are potential hazards, policies, and mitigation measures related to recreation, as well as public services and safety. The elements contained in the general plan are intended to promote the highest quality of life in a given jurisdiction.

Each general plan is required to have an open space element that guides the comprehensive and long-range preservation and conservation of "open space land." A wide range of topics are addressed

in the open space element, including open space for the preservation of natural resources, open space used for the managed production of resources, open space for outdoor recreation, open space for public health and safety, demands for trail-oriented recreational use, the retention of all publicly owned corridors for future use, and the feasibility of integrating city and county trail routes with appropriate segments of the California Recreational Trails System. Policies and strategies for parks and recreation may include standards for park acreage and requirements for the provision of parks in new residential developments.

Each general plan is also required to have a safety element, which describes plans to promote safety within the jurisdiction, as well as the services available to maintain safety. The purpose of the safety element is to reduce the possible risks related to death, injuries, property damage, and economic and social dislocation resulting from fires, floods, earthquakes, landslides, and other hazards. Included in the safety element is the emergency response section, which describes the service areas of emergency services, including fire, police, and medical, and an evaluation of the adequacy of the existing service and the demand for additional emergency services.

In addition, CCR Section 65302(g) states that a city may adopt a county's safety element "to the extent that the county's safety element is sufficiently detailed and contains appropriate programs and policies for adoption by a city."

General plan policies relating to library services may involve the library level of service, capital facility funding, and library siting. In addition, general plans can evaluate proposed library facilities for consistency with library master plans and explore methods for financing new, expanded, or upgraded library facilities.

Emergency Operations Plans

Local jurisdictions maintain emergency operations plans that detail how emergency and disaster situations are to be handled within that jurisdiction. Jurisdictions may also have Multi-Hazard Emergency Plans that address various threats to the jurisdiction.

Fire District Master Plans

Many jurisdictions and fire districts in the region have adopted or are planning to adopt Fire Department (District) Master Plans. A master plan addresses staffing needs, facility needs, and service goals for the service area and serves as a guiding document for the organization and daily functions of the department.

Recreation and Park Master Plans

Recreation and park master plans outline projected recreation facility needs and strategies for fulfilling those needs. The main purpose of the plans is to provide guidance for addressing preservation, use, development, and administration of recreation facilities. These policy and action documents ensure the preservation of the naturalistic environment while providing developments to facilitate human enjoyment of the parks and recreation areas. Plans can target goals and future actions for a specific park or be generalized to a collection of parks in a larger system.

3.13.3 Impact Analysis

SIGNIFICANCE CRITERIA

The following significance criteria are based on CEQA Guidelines Appendix G, the criteria used in the Plan Bay Area 2040 EIR (2017), and professional judgment. Under these criteria, implementation of the proposed Plan would have a potentially significant adverse impact if it would:

- ▲ result in substantial adverse physical impacts associated with the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection, police protection, schools, parks, and other public facilities (Criterion PSR-1) or
- ▲ increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated or include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment (Criterion PSR-2).

METHOD OF ANALYSIS

This program-level analysis includes a qualitative assessment of impacts related to the need for construction of new or modification/expansion of existing facilities to maintain adequate service ratios, response times, or other performance objective for schools, police and fire protection, emergency medical, other public facilities, and park and recreation services as a result of implementation of the proposed Plan. The analysis assesses the amount and location of assumed land uses, resiliency projects, and transportation projects under the proposed Plan, as compared to existing conditions, and considers how that development pattern might affect the provision of services as it relates to requiring new or modified/expanded facilities. The baseline for existing services and recreational facilities in the following analysis is the date of NOP release in September of 2020. The discussion of projected increases in residents, jobs, and households is based on the data included in Chapter 2, "Project Description," which calculates future growth against a baseline year of 2015. Generally, the analysis in this section is qualitative in nature, addressing generally the types of impacts (not site specific) that could result from construction or modification of facilities needed to meet local service levels. The analysis also considers potential impacts from increased use of existing parks and recreational facilities that could be caused by change in development patterns under the proposed Plan.

IMPACTS AND MITIGATION MEASURES

Impact PSR-1: Result in substantial adverse physical impacts associated with the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection, police protection, schools, parks, and other public facilities (PS)

Land Use Impacts

Construction and Operation

As described in Chapter 2, "Project Description," the regional growth forecast for the Bay Area projects that by 2050 the region will support an additional 2.7 million residents and 1.4 million jobs, resulting

in 1.4 million new households. The proposed Plan designates growth geographies and identifies a set of land use strategies to accommodate the projected growth that results in focused housing and job growth concentrated primarily in or adjacent to already developed areas and along existing transit corridors. The proposed Plan was designed to accommodate the people, households, and jobs identified in the regional growth forecast. The overall growth would result in increased demand for services. As the number of households grows, demand for schools and other general government services and facilities (e.g., libraries) would increase. Increases in residential and nonresidential land uses would also increase the number of service calls for emergency services and police and fire protection.

The proposed Plan also includes land use strategies that would allow for denser or more compact development in designated growth geographies. These strategies would allow greater densities for new commercial development in select PDAs, PPAs, and select transit-rich areas and provide incentives to employers to shift jobs to housing-rich areas well served by transit. Therefore, service areas for existing service providers may not substantially expand. Implementation of the proposed Plan would result in more dense and intense development than existing conditions, largely as infill development. This type of growth pattern would allow jurisdictions to leverage existing facilities and absorb some of the increased demand more efficiently than if new development were more dispersed.

Overall, with implementation of the Plan, the higher density and intensity of new growth in the region, particularly in developed areas, would limit the need to expand service boundaries for law enforcement and fire protection. As a function of distance, these services would not need to expand. However, as function of response time, Plan implementation could result in the need to expand services. As noted in Section 3.9, "Hazards and Wildfire," development that proposes large concentrations of people (such as a job center) or that would site individuals who require special assistance (such as a hospital or senior facility) in an area with identified hazards could cause adverse effects related to the implementation of countywide and jurisdictional emergency plans because there would be more individuals potentially subject to these hazards requiring response from emergency services. As shown in Table 2-9 in Section 2, "Project Description," roadway capacity would be increased, but the increase in population and employment would result in an increase in the average trip time of 10 percent (see Table 2-14), suggesting an overall increase in congestion. In order to maintain adequate response times, existing emergency service providers may need to expand their capacity and increase their equipment, including ambulances, police cars, fire trucks, and other emergency-related resources (e.g., lifeboats, helicopters) if additional population growth results in substantial increases in the volume of requests for services or a decrease in response times. In cases where future demand exceeds capacity, new facilities may be required. In many cases, particularly police, fire, and emergency medical, adequate service includes consideration of response times, in addition to service ratios.

With respect to increased demand for school-related services, the composition of residential land uses (e.g., single-family residences, multifamily residences) from proposed changes in land use would vary as future development occurs. The generation of additional primary and secondary school-age children and the ability of individual schools to accommodate them is dependent on the type of housing, demographics, and the available capacity of the elementary, middle, and high schools that would accommodate them. This is a dynamic condition that changes over time as population characteristics and other variables change. Therefore, it would be speculative at this time to estimate the number of additional students that would be assigned to individual schools. In the cases where increased growth exceeds the capacity of schools and other government-related services and facilities, implementation of the proposed Plan could require additional or modified facilities to ensure acceptable levels of service.

At the regional scale, it is not feasible to quantify separate effects on each public service in separate jurisdictions because of the large number of jurisdictions (nine counties, over 100 cities) in the Plan area and the differing service standards for each service across jurisdictions and lack of site-specific detail for future land use development. Public service standards, performance measures, and policies related to police, fire, emergency protection, and other governmental facilities and services are established by local jurisdictions and agencies. For schools, standards relating to class size are primarily determined by State policy, although local school districts are responsible for the planning and construction of school facilities, and some schools diverge from State policy under overcrowding and scarce funding scenarios.

The following public service standards, performance measures, and related policies are representative of the standards applicable throughout the region:

- ▲ **Schools:** School standards related to class size are predominately set at the State level, with school districts also planning for school facilities. Funding for new school construction is provided through State and local revenue sources in the form of development fees. Senate Bill (SB) 50 (1998) governs impact fees from new development for school funding. Payment of fees authorized by this legislation is deemed “full and complete mitigation”; therefore, local agencies cannot require additional mitigation for any school impacts. School impacts fees would be used in combination with State and other funds to construct new schools. Therefore, SB 50 restricts the ability of local agencies to apply local standards for school impacts, deny project approvals based on school impacts, or require mitigation on the basis that public school facilities are inadequate.
- ▲ **Police Protection, Fire Protection, and Emergency Medical Services Response:** Level of service standards for emergency services usually include average response times for service calls and personnel ratios per 1,000 residents. Some individual jurisdictions adopt fire or police master plans that include additional information supporting these goals and policies.
- ▲ **Libraries:** Library facilities typically use a service standard of facility feet or acres per capita or per 1,000 residents.
- ▲ **Social Services:** Performance measures for social services are subjective, and service standards vary depending on the type of service offered and the jurisdiction where services are provided.

The proposed Plan forecasts the general location of future land uses, and future residential densities and building intensities in the region consistent with the proposed Plan beyond the horizon year of most local general plans in the Plan Area (2050). The regional growth forecast could result in increases in demand for public services that exceed existing service capabilities. To meet increased demand for these facilities, existing facilities could require additional personnel and equipment to maintain adequate service levels. In some cases, it would be necessary to construct new facilities or modify existing facilities to maintain adequate capital capacity, equipment, and personnel. Because MTC and ABAG do not have land use authority to adopt local land use plans or approve local land use development projects, land use development projects are ultimately controlled by local jurisdictions throughout the Plan area. Future land use development projects would be required to undergo an evaluation of their contribution to demand on public services prior to approval. In cases where a project results in increased demand, many jurisdictions require developers to pay impact fees to fund increased demand for public services; however, the amount and extent to which a project must mitigate additional demand would differ on a project-by-project basis depending on size and location and would be the responsibility of the implementing agency/project applicant.

In cases where the proposed Plan's forecasted development pattern results in the need for new facilities to meet increased demand, short-term construction impacts could occur on a project-by-project basis. For example, the construction of a new school may cause adverse short-term traffic impacts or short-term air quality and noise impacts associated with the use of heavy-duty equipment. If construction occurs on previously undeveloped land, it could have additional impacts including increased stormwater runoff, loss of habitat, effects on cultural/tribal cultural resources, and effects on visual resources. These potential impacts would be evaluated on a project-by-project basis prior to initiating construction activities. Environmental review would be conducted by the appropriate lead agency, and mitigation would be incorporated as needed. For the purposes of this analysis, it is assumed that the construction of new or modified public service facilities resulting from the implementation of the proposed Plan could result in adverse environmental effects; however, there is inherent uncertainty surrounding the location and size of future facilities.

Therefore, impacts related to new or expanded school, police, fire, emergency medical, and other government service facilities would be potentially significant (PS). Please see Impact PSR-2 for a discussion of impacts on parks and recreational facilities.

Transportation System and Sea Level Rise Adaptation Impacts

Construction and Operation

Implementation of the proposed Plan would include transportation projects that would maintain and optimize the existing transportation system, create healthy and safe streets, and build a next generation transit network. Sea level rise adaptation infrastructure could result in the construction of levees, sea walls, elevated roadways, marsh restoration projects, and tidal gates. Construction and operation of transportation projects and sea level rise adaptation infrastructure would not directly result in an increase in residents that would generate new students in the community or new residents that would require new or expanded public service facilities. Further, schools, libraries, parks, and social services would not be needed to support the transportation facilities or sea level rise adaptation infrastructure. Therefore, impacts on public services as a result of transportation projects and sea level rise adaptation improvements in the proposed Plan would be less than significant (LTS).

Conclusion

While impacts from sea level rise adaptation infrastructure and transportation projects are expected to be less than significant, the Plan's land use development pattern to accommodate forecasted regional growth could result in **potentially significant (PS)** impacts related to new or expanded public service facilities. Please see Impact PSR-2 for a discussion of impacts related to parks and recreational facilities. Mitigation Measure PSR-1 addresses this impact and is described below.

Mitigation Measures

Mitigation Measure PSR-1(a) Implementing agencies and/or project sponsors shall implement the following measure, where feasible and necessary based on project- and site-specific considerations:

- ▲ Prior to approval of new development projects, local agencies shall ensure that adequate public services, and related infrastructure and utilities, will be available to meet or satisfy levels identified in the applicable local general plan or service master plan, through compliance with existing local policies related to minimum levels of service for schools, police protection, fire protection, medical emergency services, and other government services (e.g., libraries, prisons, social services). Compliance may include requiring projects to either provide the additional services required to meet service levels or pay fees toward the project's fair share portion of the required services pursuant to adopted fee programs and State law.

Mitigation Measure PSR-1(b) Implementing agencies and/or project sponsors shall implement the following measure, where feasible and necessary based on project- and site-specific considerations:

- ▲ For projects that could increase demand for public services facilities, implementing agencies and/or project sponsors shall coordinate with relevant service providers to ensure that the existing public services could accommodate the increase in demand. If existing facilities are found to be inadequate to maintain adequate capital capacity, equipment, personnel, and/or response times, facility improvements for the appropriate public service shall be identified in each project's CEQA documentation. Implementing agencies and/or project sponsors shall implement, where feasible and necessary, the mitigation measures described throughout this EIR to address the environmental effects related to the construction of new or expanded public service facilities:
 - Mitigation Measures AES-1 through AES-4
 - Mitigation Measures AGF-1 through AGF-3
 - Mitigation Measures AQ-2 through AQ-4
 - Mitigation Measures BIO-1 through BIO-3 and BIO-5
 - Mitigation Measures GHG-1 and GHG-3
 - Mitigation Measures CUL/TCR-1, CUL/TCR-2, and CUL/TCR-4
 - Mitigation Measure GEO-7
 - Mitigation Measures HAZ-4, HAZ-6 and HAZ-7
 - Mitigation Measures LU-1, LU-2, and LU-4
 - Mitigation Measures NOISE-1 through Noise-4
 - Mitigation Measures PSR-2
 - Mitigation Measures PUF-1 through PUF-4
 - Mitigation Measure TRA-2

Significance after Mitigation

To the extent that an individual project adopts and implements Mitigation Measure PSR-1 described above, the severity of the impact would be reduced. Mitigation Measure PSR-1(a) would reduce impacts on the provision of services to less than significant with mitigation (LTS-M) because it would require project-specific evaluations of public services in order to meet additional demand with the provision of additional services or a project's contribution toward provisions of additional services. Mitigation Measure PSR-1(b) would reduce the severity of impacts from construction of new or expanded facilities because it would include implementation of measures to offset the impacts of construction of new or physically altered facilities. However, the measures would not reduce this impact to a less-than-significant level, as discussed in the appropriate sections of this EIR. Therefore, this impact would be significant and unavoidable (**SU**).

Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measure described above to address site-specific conditions. However, MTC/ABAG cannot require local implementing agencies to adopt the above mitigation measure, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.

Impact PSR-2: Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated or include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment (PS)

Land Use Impacts

Construction and Operation

Currently, the nine-county Bay Area contains approximately 1.4 million acres of parks and open space containing networks of trails, as well as approximately 7.7 million people, resulting in about 180 acres of parks and open space per thousand residents. Open space resources, however, are variable and some (such as large open space reserves in Marin, Napa, and San Mateo Counties) serve residents from throughout the region. Smaller parks and playgrounds are intended, on the other hand, to serve immediate neighborhoods. Implementation of the proposed Plan would increase the number of residents making use of existing parkland and could cause accelerated physical deterioration of parks, trails, and recreational facilities as a result. Most local jurisdictions have their own goals and standards for acceptable amounts of parkland, typically in terms of acres per 1,000 residents (e.g., 5 acres per thousand population) or per capita. Often, park acreage requirements are established with variable amounts dedicated to local parks, regional parks, and regional open spaces. Local jurisdictions strive to ensure that new developments make adequate provisions for new parkland.

The proposed Plan's environmental strategies encourage future Bay Area development focused within existing developed areas, ringed by natural lands that are well-maintained and dotted with parks and trails that provide easy access to open space. Support for locally adopted land use policies that limit new construction outside of the existing footprint, combined with investments in natural lands that serve vital ecological purposes and parks and recreation facilities essential to population health and wellbeing are included, with a specific emphasis on improving access to parks and open space and promoting a sustainable development pattern.

The proposed Plan also includes strategies to protect open space lands and concentrate development within already developed areas. Specifically, Strategy EN4 directs new growth to be located within the region's existing urban footprint or growth boundaries. This strategy would confine new development within areas of existing development and areas that are suitable for growth, as established by local jurisdictions. Strategy EN5 would provide funds to help conserve and manage high-priority agricultural and open space lands that support recreation opportunities, biodiversity, natural resources, and priority conservation areas. Implementation of Strategies EN4 and EN5 would protect existing recreation resources located within high-priority agricultural and open space lands. Further, Strategy EN6 would fund enhancements to regional and local parks, development and maintenance of parks and recreation facilities, acquisition of new open space, and construction of cross-jurisdictional trails and greenways with an emphasis on expanding recreation opportunities in Communities of Concern and other underserved areas. Funding for new parks and trails may also be generated at the local level through in-lieu fees collected pursuant to applicable policies and regulations (described above in Section 3.13.2, "Regulatory Setting"). The timing, siting, and project-specific details of individual development projects would dictate the necessity of increasing recreational services in existing service areas or expanding service to new areas. While land use development could increase demand on recreational services, existing State requirements regarding development of a complete general plan, including Open Space and Conservation Elements, require local jurisdictions to address impacts on recreational facilities. Thus, land use development under the proposed Plan would not have a significant impact on recreational resources.

However, implementation of the proposed Plan could result in impacts related to the construction or expansion of recreation facilities. As noted above under impact PSR-1, construction may cause adverse short-term traffic impacts or short-term air quality and noise impacts associated with the use of heavy-duty equipment. If construction occurs on previously undeveloped land, it could have additional impacts including increased stormwater runoff, loss of habitat, or damage to cultural/tribal cultural resources. Thus, this impact would be potentially significant (PS).

Transportation System and Sea Level Rise Adaptation Impacts

Construction and Operation

Implementation of the Proposed Plan would include transportation projects that would maintain and optimize the existing transportation system, create healthy and safe streets, and build a next generation transit network. Sea level rise adaptation infrastructure could result in the construction of levees, seawalls, elevated roadways, marsh restoration projects, and tidal gates. Construction and operation of transportation projects and sea level rise adaptation infrastructure would not contribute to population growth that would generate new residents who would require new or expanded parks or recreation facilities. Further, parks and recreation facilities would not be needed to support the transportation facilities or sea level rise adaptation infrastructure.

However, construction of sea level rise adaptation infrastructure, particularly elevated roadways, levees, and sea walls, would potentially constitute a barrier that would affect the ability of residents to access and utilize regionally important water-oriented uses, such as shoreline parks and trails, water-related recreation, ports, water-related industry, and wildlife refuges along the bay or coast. Implementation of the proposed Plan is intended to result in shoreline adaptation that maintains or provides access to shoreline PUAs. The majority of the new sea level rise adaptation footprint would occur within the BCDC shoreline band or the California Coastal Zone, requiring project consistency with the San Francisco Bay Plan and applicable Local Coastal Plan adopted policies, respectively. Individual sea level rise adaptation projects would be required to conform to land use restrictions detailed in the Bay Plan or applicable Local Coastal Plan or be consistent with Bay Plan requirements, if applicable, and in particular in relation to maintaining public access.

As noted in Section 3.11 and in Section 3.13.2, "Regulatory Setting," the Bay Plan identifies PUAs, which are reserved for water-oriented land uses, including ports, water-related industries, airports, wildlife refuges, water-oriented recreation and public assembly, desalinization plants, and power plants requiring large amounts of water for cooling purposes. Regionally, the extent of overlap between PUAs and the sea level rise adaptation footprint is approximately 1,300 acres. Individual projects that overlap with PUAs would be required to conform to land use restrictions detailed in the Bay Plan. Generally, implementation of the proposed Plan is intended to result in shoreline adaptation that maximizes use of green archetypes and maintains or provides access to shoreline PUAs. In cases where the projected footprint associated with sea level rise adaptation infrastructure overlaps with a PUA, the uses within the PUA must be consistent with Bay Plan requirements. Land use compatibility would be further addressed during subsequent environmental review as individual projects are implemented and detailed project design or specific plans resolve land use inconsistencies.

Construction activities could create short-term barriers along the shoreline that could result in access closures, detours, and/or project development and staging. For example, access to the bay trail may need to be temporarily disrupted during construction activities. These temporary effects would be minimized with the use of best practice strategies for construction activities, which would be prescribed by the entities described above. With implementation of the sea level rise adaptation infrastructure, access would be improved. In addition, new and expanded capacity roadway projects,

bicycle and pedestrian improvements, and increased transit service have the potential to improve access to existing neighborhood and regional parks or other recreational facilities for residents in the region. Therefore, impacts on recreational resources related to transportation and sea level rise adaptation infrastructure improvements would be less than significant (LTS).

Conclusion

Implementation of the proposed Plan's land use development pattern, sea level rise adaptation infrastructure, and transportation projects have the potential to directly increase demand on recreational services associated with increases in regional growth. Transportation projects could improve access to recreational facilities. = These impacts would not be significant because impacts on open space and recreational facilities would be managed at the local level as required by State planning law and existing recreational areas and facilities located within priority conservation areas would not be subject to Plan-related development. However, the construction of new or expanded recreational facilities itself may result in significant environmental impacts. Therefore, this impact is **potentially significant (PS)**. Mitigation Measure PSR-2 addresses this impact and is described below.

Mitigation Measures

Mitigation Measure PSR-2 Implementing agencies and/or project sponsors shall implement, where feasible and necessary, the mitigation measures described throughout this EIR to address the environmental effects related to the construction of new or expanded recreational facilities:

- ▲ Mitigation Measures AES-1 through AES-4
- ▲ Mitigation Measures AGF-1 through AGF-3
- ▲ Mitigation Measures AQ-2 through AQ-4
- ▲ Mitigation Measures BIO-1 through BIO-3 and BIO-5
- ▲ Mitigation Measures GHG-1 and GHG-3
- ▲ Mitigation Measures CUL/TCR-1, CUL/TCR-2, and CUL/TCR-4
- ▲ Mitigation Measure GEO-7
- ▲ Mitigation Measures HAZ-4, HAZ-6 and HAZ-7
- ▲ Mitigation Measures LU-1, LU-2, and LU-4
- ▲ Mitigation Measures NOISE-1 through Noise-4
- ▲ Mitigation Measures PSR-1
- ▲ Mitigation Measures PUF-1 through PUF-4
- ▲ Mitigation Measure TRA-2

Significance after Mitigation

Implementation of Mitigation Measure PSR-1(b) would reduce the severity of impacts from construction of new or expanded facilities because it would include implementation of measures to offset the impacts of construction of new or physically altered facilities. However, the measures would not reduce this impact to a less-than-significant level, as discussed in the appropriate sections of this EIR. Therefore, this impact would be significant and unavoidable (**SU**).

Projects taking advantage of CEQA streamlining provisions of SB 375 (PRC Sections 21155.1, 21155.2, and 21159.28) must apply the mitigation measure described above to address site-specific conditions. However, MTC/ABAG cannot require local implementing agencies to adopt the above mitigation measure, and it is ultimately the responsibility of a lead agency to determine and adopt mitigation. Therefore, this impact would be **significant and unavoidable (SU)** for purposes of this program-level review.