

## **Appendix A: Notice of Preparation**





## Notice of Preparation

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**To:** Interested Agencies, Organizations, and Individuals

**Subject:** Notice of Preparation of a Draft Environmental Impact Report for Plan Bay Area

**Lead Agencies:**

Metropolitan Transportation Commission  
& Association of Bay Area Governments  
Joseph P. Bort MetroCenter  
101 Eighth Street  
Oakland, CA 94607-4700

**Contact Person:**

Ashley Nguyen, EIR Project Manager  
Metropolitan Transportation  
Commission  
Phone: 510.817.5809  
Fax: 510.817.5848  
Email: [anguyen@mtc.ca.gov](mailto:anguyen@mtc.ca.gov)

The Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) are co-lead agencies for preparing a program-level Draft Environmental Impact Report (EIR) for the Plan Bay Area in accordance with the California Environmental Quality Act (CEQA).

This Notice of Preparation (NOP) is intended to seek comments with specific detail about the scope and content of the environmental information that will be evaluated in the EIR. Agencies who have statutory responsibilities in connection with the project to be evaluated should share their views. Such agencies will use the EIR prepared by MTC and ABAG when considering a permit or other approval of a discrete project from Plan Bay Area. Local jurisdictions and transportation agencies may also elect to use this program-level EIR for tiering in second-tiered EIRs covering land use projects or transportation plans, projects, or programs.

MTC and ABAG seek your input on the following questions:

- Are there potential environmental issues that MTC and ABAG should analyze that are not identified in Attachment A to this notice?
- Are there any alternatives that MTC and ABAG should evaluate that are not identified in Attachment A to this notice?
- What types of mitigation measures should be considered that would help avoid or minimize potential environmental impacts of the proposed Project and alternatives?
- What elements of this EIR would help your agency with CEQA exemptions and tiering?

Four regional scoping meetings will be held to solicit input on the scope of the Draft EIR:

**Wednesday, June 20, 2012**

**6:00 p.m. to 8:00 p.m.**

Joseph P. Bort MetroCenter  
MTC Auditorium  
101 Eighth Street  
Oakland, CA 94607

**Thursday, June 21, 2012**

**10:00 a.m. to Noon**

Dr. Martin Luther King, Jr. Library  
Room 255/257  
150 East San Fernando Street  
San Jose, CA 95112

**Tuesday, June 26, 2012**

**10:00 a.m. to Noon**

San Francisco Planning + Urban  
Research (SPUR)  
Public Assembly Hall – 2<sup>nd</sup> Floor  
654 Mission Street  
San Francisco, CA 94105

**Wednesday, June 27, 2012**

**1:30 p.m. to 3:30 p.m.**

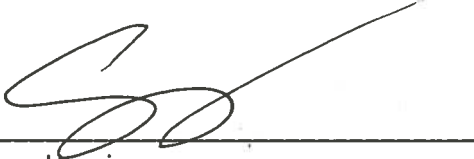
Embassy Suites Hotel  
Novato/Larkspur Room  
101 McInnis Parkway  
San Rafael, CA

All interested agencies, organizations and individuals are welcome to participate in the scoping meetings. Oral and written comments will be accepted at the scoping meetings. Due to the time limits mandated by State law, your response must be sent at the earliest possible date but ***no later than 30 days*** after receipt of this notice. **Please send your response to Ashley Nguyen, EIR Project Manager by July 11, 2012 through any of the following methods.** Remember to include a return address and the name of the contact person.

Mail	Fax	E-mail
Ashley Nguyen, EIR Project Manager Metropolitan Transportation Commission Joseph P. Bort MetroCenter 101 Eighth Street Oakland, CA 94607-4700	510.817.5848	<a href="mailto:eircomments@mtc.ca.gov">eircomments@mtc.ca.gov</a>

The project description, location and the potential environmental effects are contained in the attached materials. An Initial Study is not required and thus not prepared.

**Project Title:** Environmental Impact Report for Plan Bay Area  
**Project Location:** San Francisco Bay Area Region, California  
(Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo,  
Santa Clara, Solano, and Sonoma Counties)  
**Attachment:** Attachment A: Project Description & Scope of Environmental Analysis  
**Date:** June 11, 2012



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Steve Heminger  
MTC Executive Director



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Pat Jones  
ABAG Assistant Executive Director

## ATTACHMENT A PROJECT DESCRIPTION & SCOPE OF ENVIRONMENTAL ANALYSIS

### NOTICE OF PREPARATION

The Notice of Preparation (NOP), along with this Attachment A, is being issued to interested agencies, organizations and individuals, to solicit comments that will assist in the preparation of the Draft Environmental Impact Report (EIR) for Plan Bay Area. As a result of the responses to the NOP and staff analysis, the project description and scope of the environmental analysis described herein will likely be revised and then further refined through the course of preparing the EIR.



### BACKGROUND

The Metropolitan Transportation Commission (MTC) is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area (which includes Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties). Created by the State Legislature in 1970, MTC functions as both the regional transportation planning agency (RTPA)—a state designation—and for federal purposes, as the region’s metropolitan planning organization (MPO). As required by State legislation (Government Code Section 65080 et. seq.) and by federal regulation (Title 23 USC Section 134), MTC is responsible for preparing the Regional Transportation Plan

(RTP) for the San Francisco Bay Area Region. An RTP is a long-range plan that identifies the strategies and investments to maintain, manage, and improve the region’s transportation network.

In the past, MTC has undertaken the task of regional transportation planning somewhat separately from the regional population and employment projections and regional housing needs allocation processes conducted by the Association of Bay Area Governments (ABAG). ABAG is a joint powers agency formed in 1961 pursuant to California Government Code §§ 6500, *et seq.*, and is the council of governments (COG) for the San Francisco Bay Area. ABAG prepares demographic and economic forecasts, and prepares the state-mandated Regional Housing Needs Allocation for the Bay Area. Consistent with the requirements of the Sustainable Communities and Climate Protection Act of 2008 (SB 375), MTC and ABAG are jointly developing a Regional Transportation Plan and Sustainable Communities Strategy, known as Plan Bay Area. In addition, MTC and ABAG are jointly preparing and certifying the EIR for Plan Bay Area.

### **SENATE BILL (SB) 375**

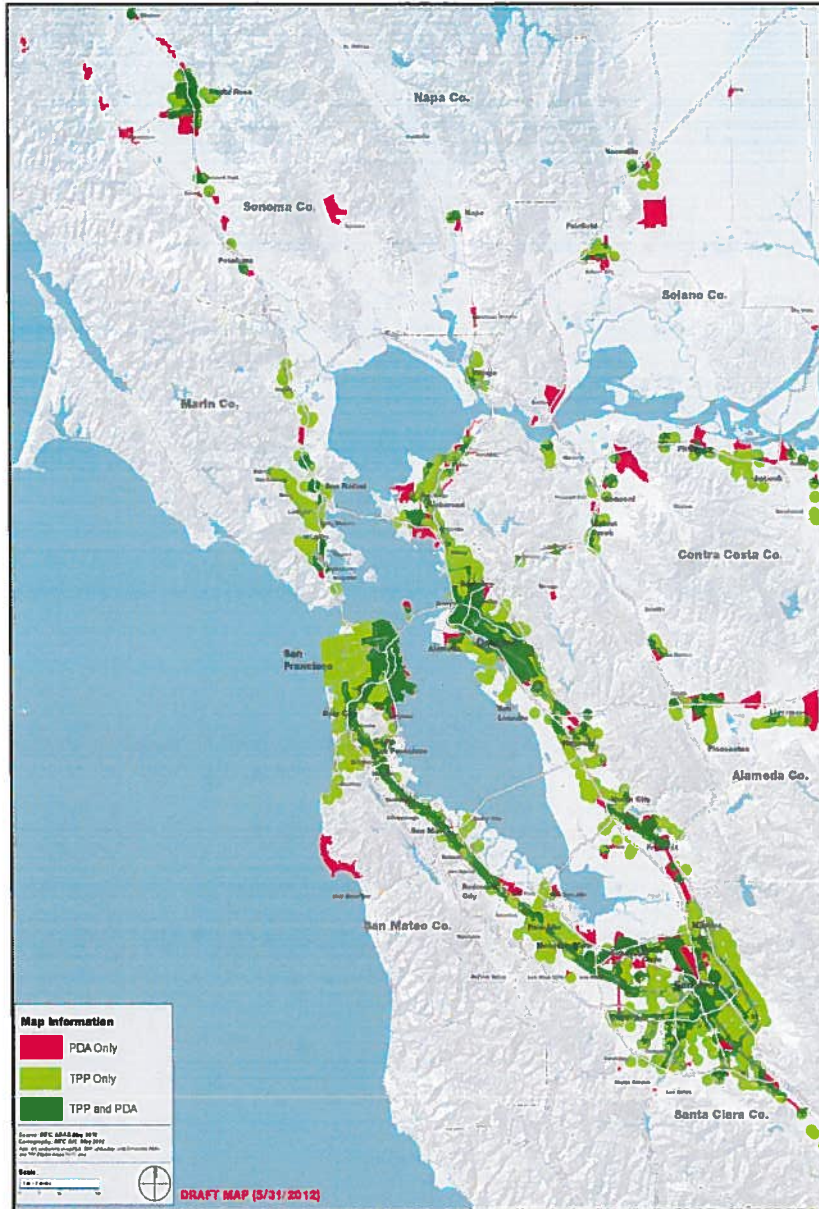
Senate Bill (SB) 375 went into effect in 2009 to help achieve the goal of reducing greenhouse gas (GHG) emissions to levels established by the California Air Resources Board and mandated under Assembly Bill (AB) 32. The Bay Area's per-capita GHG emission reduction targets are -7 percent in 2020 and -15 percent in 2035 from 2005 levels. The primary purpose of SB 375 is to integrate land-use and transportation planning to help lower GHG emissions and vehicle miles traveled through the development of a Sustainable Communities Strategy (SCS). If the SCS is unable to achieve the GHG emission reduction targets, an Alternative Planning Strategy (APS) must be developed to demonstrate how the targets could be achieved.

To help ensure its success, the SCS is developed in collaboration among many partners and stakeholders, including local jurisdictions, Congestion Management Agencies (CMAs), Caltrans, transit agencies, business and community organizations, and members of the public. Because SB 375 establishes new RTP land use elements, input from local jurisdictions with land use authority is essential to create a feasible and effective SCS.

While MTC, along with other regional agencies, prepares Regional Airport and Seaport plans, the projects in these advisory plans do not require MTC funding or approvals. As such, these plans are separate from the proposed Plan Bay Area and are subject to separate review processes. Therefore, this EIR does not analyze the environmental effects of these plans.

### **SB 375 CEQA STREAMLINING**

SB 375 provides CEQA streamlining provisions for certain "residential/mixed use residential projects" and "transit priority projects" to encourage integrated land use and transportation planning. Below is a map of Transit Priority Project-eligible areas based on transit service compared to Priority Development Areas, which are locally-identified, infill development opportunity areas within existing communities.



To take advantage of these CEQA streamlining provisions, projects must pre-qualify based on two criteria:

1. A project must be consistent with the land use designation, density, building intensity, and applicable policies in an approved SCS or APS.
2. A project must be considered a Residential/Mixed Use Residential Project or a Transit Priority Project (TPP) (as defined in SB 375).

To qualify as a residential and mixed use project, at least 75% of the total building square footage of the project must consist of residential use.

To qualify as a TPP, a project must (1) contain at least 50 percent residential use, based on total building square footage, and if the project contains between 26 percent and 50 percent nonresidential uses, a floor area ratio of not

less than 0.75; (2) provide a minimum net density of at least 20 dwelling units per acre; and (3) be within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan.

A project is considered to be within one-half mile of a major transit stop or high-quality transit corridor if all parcels within the project have no more than 25 percent of their area farther than one-half mile from the stop or corridor and if not more than 10 percent of the residential units or 100 units, whichever is less, in the project are farther than one-half mile from stop or corridor. A *major transit stop* is defined as a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. A *high-quality transit corridor* is defined as a corridor



with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

MTC and ABAG’s role is to include the appropriate land use and transportation information in the Plan and EIR, including general land use designations, density, building intensities, and applicable policies, so that lead agencies/local jurisdictions can utilize SB 375 CEQA streamlining provisions for their projects and make their own consistency determinations with the Plan. In defining the alternatives, MTC and ABAG also intend to maximize opportunities to support residential/mixed use projects and TPPs so that lead agencies/local jurisdictions that wish to plan and implement a qualifying residential/mixed use project or TPP may take advantage of the SB 375 CEQA streamlining provisions.

During the EIR scoping process, MTC and ABAG are seeking input and comments on what elements of the Plan and EIR would be valuable to lead agencies/local jurisdictions for purposes of CEQA streamlining as called out in SB 375.

**PLAN BAY AREA – THE PROPOSED PROJECT**

Plan Bay Area is a joint effort led by MTC and ABAG and developed in partnership with the Bay Area’s other two regional government agencies, the Bay Area Air Quality Management District (BAAQMD), and the Bay Conservation and Development Commission (BCDC). Plan Bay Area meets the requirements of SB 375 by developing an integrated RTP/SCS plan and strives to attain the per-capita GHG emission reduction targets of -7 percent by year 2020 and -15 percent by year 2035 from 2005 levels. Plan Bay Area, which covers the period through 2040, is the first Bay Area RTP that is subject to SB 375.

Plan Bay Area reinforces land use and transportation integration per SB 375 and presents a vision of what the Bay Area’s land use patterns and transportation networks might look like in 2040. The vision for Plan Bay Area is guided by the three Es of sustainability: building a stronger economy, protecting the natural environment, and enhancing opportunities for Bay Area residents from all walks of life. Goals of Plan Bay Area include:

- Climate Protection
- Adequate Housing
- Healthy & Safe Communities
- Open Space & Agricultural Preservation
- Equitable Access
- Economic Vitality
- Transportation System Effectiveness

The Bay Area is projected to add over 2 million people, 1.1 million new jobs, and 660,000 new housing units between 2010 and 2040. To plan for this future growth, Plan Bay Area calls for focused housing and job growth around high-quality transit corridors, particularly within areas identified by local jurisdictions as Priority Development Areas (PDAs). This land use strategy enhances mobility and economic growth by linking housing/jobs with transit, thus offering a more efficient land use pattern around transit and a greater return on existing and planned transit investments than today’s.

Plan Bay Area includes a financially constrained transportation investment plan as required by state and federal planning regulations. It includes transportation projects and programs that would be funded through existing and future revenues that are projected to be reasonably available to the region over the 28-year horizon of the plan. A total of \$277 billion in revenues is available for the financially constrained Plan Bay Area. As such, the proposed Project and alternatives evaluated in the EIR must be financially constrained to the \$277 billion envelope.

For more information about Plan Bay Area, visit: [http://www.onebayarea.org/plan\\_bay\\_area/](http://www.onebayarea.org/plan_bay_area/).  
For more information about Plan Bay Area EIR, visit: <http://www.onebayarea.org/EIR/>.

### **SCOPE OF ENVIRONMENTAL ANALYSIS**

The EIR for Plan Bay Area will be prepared in compliance with the California Environmental Quality Act (CEQA) of 1970, as amended. In general, the purpose of the EIR is to:

- Analyze the potential environmental effects of the adoption of the Plan;
- Inform decision-makers, other responsible agencies, and members of the public as to the range of these environmental impacts of the Plan;
- Recommend a set of measures to mitigate any significant adverse regional impacts; and
- Analyze a range of reasonable alternatives to the proposed Plan.

Specifically, the EIR for Plan Bay Area will be a program EIR, which is a first-tier CEQA document designed to consider broad, regional impacts of a program of actions (CEQA Guidelines §15168). Therefore, the EIR will focus on the entire set of projects and programs contained in the Plan, rather than on individual projects. This EIR will evaluate potentially significant environmental impacts, and cumulative impacts, and will include mitigation measures to offset potentially significant effects. In addition, this EIR will be the basis for subsequent tiered CEQA documents for project-specific or site-specific environmental reviews that will be conducted by implementing agencies as land use and transportation projects in the Plan are more clearly defined and more detailed studies prepared. Specific analysis of localized impacts in the vicinity of individual projects is not included in this program level EIR.

Under CEQA, key impact categories identified for analysis in this EIR include:

#### Transportation

- Potential decrease in the average number of jobs within 15, 30, or 45 minutes from home by auto or transit
- Potential increase in vehicle miles traveled (VMT) on facilities experiencing level of service F
- Potential increase in per-capita VMT

#### Air Quality

- Potential increase in short-term construction-related emissions
- Potential net increase of emissions of criteria pollutants and toxic air contaminants from on-road mobile sources

- Potential increase in health risks due to increased particulate matter and toxic air contaminants from mobile and stationary sources within high-quality transit corridors
- Potential conflict with an applicable air quality plan or violation of applicable air quality standard or substantial contribution to an existing or potential air quality violation

#### Land Use, Housing, Agriculture, and Physical Displacement

- Potential conversion of agricultural lands and open space to non-agricultural use
- Potential conflict with locally adopted land use plans, including general plans and zoning
- Potential disruption of residential or business uses or displacement of population and housing
- Potential alterations to the characteristics and qualities of an existing neighborhood or community by separating residences from community facilities and services

#### Energy

- Potential increase in the consumption of electricity, natural gas, gasoline, diesel, or other non-renewable energy types
- Potential inconsistency with adopted plans or policies related to energy conservation

#### Greenhouse Gases and Climate Change (including Sea Level Rise)

- Potential increase in net and per-capita CO<sub>2</sub> emissions from on-road mobile sources
- Potential vulnerability of land uses and transportation network to sea-level rise
- Potential conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases

#### Noise

- Potential exposure to construction, highway, transit noise levels or ground borne vibration in excess of established standards

#### Geology and Seismicity

- Potential increase in exposure of people or structures to the risk of property loss, injury, or death involving: rupture of a known earthquake fault; strong seismic ground shaking; and/or seismic-related ground failure
- Potential soil erosion or topsoil loss
- Potential location of projects on: a geologic unit or soil that is unstable or would become unstable as a result of the project; on expansive soils; or on weak, unconsolidated soils

#### Water Resources

- Potential violation of water quality standards or waste or storm water discharge requirements
- Potential interference with or reduced rates of groundwater recharge due to increased amount of impervious surfaces
- Potential erosion by altering the existing drainage patterns of a site

- Potential increase in non-point pollution of storm water runoff
- Potential increases in rates and amounts of runoff due to additional impervious surfaces
- Potential placement of structures within a 100-year flood hazard area which would impede or redirect flows
- Potential exposure of people to significant risk of loss, injury, or death involving flooding, seiche, tsunami, or mudflow

#### Biological Resources

- Potential adverse effect on sensitive or special-status species
- Potential adverse effect on riparian habitat, protected wetlands, or other sensitive natural community
- Potential interference with the movement of any native resident, migratory fish, or wildlife species
- Potential conflict with adopted local conservation policies

#### Visual Resources

- Potential adverse effect on scenic vistas
- Potential damage to scenic resources within a scenic highway,
- Potential degradation of existing visual character
- Potential creation of a new source of substantial light or glare

#### Cultural Resources

- Potential adverse change or damage to the significance of a historic resource, unique archaeological resource, and/or a unique paleontological resource/site
- Potential disruption of any human remains

#### Public Utilities

- Potential adverse effect on water supply, wastewater/storm water facilities, and solid waste

#### Growth-Inducing Impacts

- Potential direct or indirect substantial, unanticipated increases in population beyond those currently projected

Impact categories not specifically addressed in this EIR include hazardous materials, public services, recreation and mineral resources because no significant impacts of regional importance are expected to occur in these areas. These impact areas will be addressed in project-specific environmental documents.

#### **PROPOSED PROJECT AND ALTERNATIVES TO BE ANALYZED IN THE EIR**

The proposed Project and preliminary draft alternatives that may be evaluated in this EIR are described below. MTC will use the latest planning assumptions in the EIR analysis, as well as the same regional growth control totals of 1,120,000 new people, 2,147,000 new jobs, and 660,000 new housing units except for Alternative 4 (see Alternative 4 for details). It is

important to note that more precise definitions of the alternatives, or new alternatives, will likely emerge as the EIR scoping and preparation process evolves.

### **Alternative 1 – No Project**

CEQA requires the evaluation of a No Project alternative. The No Project alternative addresses the effect of not implementing Plan Bay Area as required by Section 15126.6(e) (2) of the CEQA Guidelines. It includes “what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services” (CEQA Section 15126.6(e) (2)). The No Project alternative allows decision-makers to compare the impacts of approving the proposed Project with the impacts of not approving the proposed Project.

For purposes of this EIR, the No Project alternative consists of two elements: (a) the existing 2010 land uses plus continuation of existing land use policy as defined in adopted general plans, zoning ordinances, etc. from all jurisdictions in the region and (b) the existing 2010 transportation network plus a set of highway, transit, local roadway, bicycle and pedestrian projects that have either already received funding or are scheduled for funding and have received environmental clearance by May 1, 2011.

### **Alternative 2 – Jobs-Housing Connection (Proposed Project)**

The Jobs-Housing Connection alternative is the proposed Project, as approved by ABAG and MTC on May 17, 2012. This alternative lays out a land use pattern that is structured around four key elements: (1) over 200 locally selected Priority Development Areas (PDAs) that support job growth and accessibility as well as housing diversity and affordability, (2) the region’s core transit network, (3) the Bay Area’s network of open spaces and conservation land, including 100 Priority Conservation Areas (PCAs), and (4) a network of complete communities in which each community is supported by the appropriate services and amenities. To distribute future growth, regional growth factors were applied to address the changing economic, demographic and housing needs of the region.

- **Employment Distribution:** The approach for distributing new employment growth accounts for job growth by sector and is linked to transit infrastructure. Local planning and economic analysis regarding growing industries in the Bay Area informed focused growth in PDAs. Knowledge-sector jobs (such as information technology companies, legal or engineering firms, and biotechnology firms) are expected to grow based on current concentrations, specialization, and past growth as well as transit services and access. Population-based jobs (such as retail, stores, or restaurants) are expected to grow in a manner reflecting the distribution of future household growth. All other jobs (such as government, agriculture and manufacturing) are expected to grow according to the existing distribution of jobs in each of these sectors.
- **Housing Distribution:** The strategy for locating new housing begins with local plans at the county, city, and PDA levels. Housing growth in each place was then adjusted to ensure that regional goals were advanced based on five regional growth factors: (1) level of transit service, (2) vehicle-miles traveled per household, (3) employment by 2040, (4) low-wage workers commuting from outside each place, and (5) housing value.

More housing growth was directed to locations near transit, jobs, and high-quality services.

As a result, PDAs are proposed to absorb about 80 percent of new housing and 66 percent of new jobs on about five percent of the total regional land area. Regional centers in Oakland, San Francisco, and San Jose account for about 14 percent of new housing and 17 percent of job growth. Medium size cities also play an important role by adding a mix of new housing, employment, and services in strategic locations. About 99 percent of the region's open space and agricultural land are retained and North Bay counties take a very small share of growth. Napa and Marin counties account for about 1 percent of each of the total regional housing growth and Sonoma and Solano, 5 and 3 percent, respectively.

The transportation investment strategy for the Jobs-Housing Connection alternative is financially constrained (as required by federal and state planning regulations) to the \$277 billion in federal, state, regional and local revenues forecasted to be reasonably available to the Bay Area over the next 28-years. Of the \$277 billion in revenues, 88 percent of the revenue (\$244 billion) is directed towards maintaining and operating the existing transit, roads and bridges, while the remaining 12 percent goes to transit and road expansions. Key new commitments funded with the \$56 billion (out of \$277 billion) in discretionary funds include:

- \$700 million towards Climate Policy Initiatives (such as clean vehicles, smart driving, carsharing, vanpools, etc.)
- \$24 billion towards maintaining existing pavement conditions for local streets and roads, highest-rated transit assets, and bridges, as well as fully funding operating needs for existing transit services
- \$14 billion towards the OneBayArea Grant framework that rewards jurisdictions that produce housing near transit, support planning efforts for transit-oriented development in PDAs, and support Priority Conservation Areas (PCAs)
- \$8 billion towards implementation of high-performing, cost-effective transportation projects, which includes the next generation of capital transit investments
- \$3 billion towards the Regional Express Lanes Network, San Francisco Pricing Program, and MTC's Freeway Performance Initiative
- \$500 million towards MTC's Transit Performance Initiative

### **Alternative 3 – Lower Concentrations of PDA Growth**

This alternative creates alternative land use patterns to that proposed in the Jobs-Housing Connection by lowering concentrations of PDA growth. This alternative will examine land uses surrounding transit-rich or other transit services that were not proposed by local government through the PDA process. Land use policy levers such as upzoning, incentives, fees, and growth boundaries will be considered to allow us to test the effects of placing growth in these areas.

The Lower Concentrations of PDA Growth alternative builds from the No Project alternative, and uses the same transportation investment strategy as contained in Alternative 2. The upzoning policy will be applied in transit-rich areas. For all other areas, assumptions based on the adopted general plan and zoning policies will remain unchanged. This alternative also

assumes tighter compliance of adopted urban growth boundaries (or similar urban service or limit lines) as defined by local jurisdictions as a means to further constrain greenfield development.

#### **Alternative 4 – Eliminate Inter-Regional Commuting**

This alternative assumes that all Bay Area jobs will be filled by Bay Area workers (thereby eliminating in-commuting from neighboring regions). This alternative will test different ways to accommodate this in-commute growth.

This alternative tests a modified transportation investment strategy, which is different from the approved transportation investment strategy reflected in Alternatives 2 and 3. The modification redirects about \$6 billion in discretionary funding to increase transit service. The transit service to be implemented in this alternative is informed by Comprehensive Operations Analyses (COAs). These COAs were completed by major transit operators in San Francisco (i.e., Municipal Transit Authority) and Santa Clara County (i.e., Valley Transportation Authority), or conducted by MTC for the Inner East Bay (i.e., BART and AC Transit) as part of its Transit Sustainability Project. In addition, this alternative will not reflect the full implementation of the Regional Express Lanes network. It includes only projects that convert existing high-occupancy vehicle (HOV) lanes into high-occupancy toll (HOT) lanes.

#### **Alternative 5 – Environment, Equity and Jobs**

This alternative is proposed for evaluation in this EIR by various Bay Area equity stakeholders. This alternative seeks to carry out two objectives: (a) provide affordable housing in job-rich communities, and (b) maximize transit services by restoring transit service cuts made after 2005. Land use policies such as upzoning, incentives and fees will be applied in this alternative as a means to provide more affordable housing in high job accessibility areas. This alternative also assumes tighter compliance with adopted urban growth boundaries (or similar urban service or limit lines) as defined by local jurisdictions as a means to further constrain greenfield development.

This alternative tests a modified transportation investment strategy. This alternative redirects about \$6 billion in discretionary funding towards restoring transit bus service to 2005 levels, and includes the latest 2010 rail network and transit capital expansion projects identified in the approved transit investment strategy from Alternative 2. The Regional Express Lanes Network contemplated in Alternative 4 will also be the same for this alternative.