

PLAN BAY AREA

FINAL

ENVIRONMENTAL

IMPACT REPORT

STATE CLEARINGHOUSE NO. 2012062029

Prepared for

Metropolitan Transportation Commission and
Association of Bay Area Governments

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- Appendix E: Attachments from Individual Comments

1 Introduction

This Final Environmental Impact Report (FEIR) has been prepared on behalf of the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) in accordance with the California Environmental Quality Act (CEQA). This EIR analyzes the potential significant impacts of the adoption and implementation of the proposed Plan Bay Area, which includes an update to the 2009 Regional Transportation Plan (RTP) as well as the first Sustainable Communities Strategy (SCS) for the San Francisco Bay Area. MTC and ABAG will consider and certify this FEIR prior to taking action on Plan Bay Area.

1.1 Purpose

This Final EIR has been prepared in compliance with the California Environmental Quality Act (CEQA) (Section 21000 et seq., California Public Resources Code, in accordance with the *Guidelines for the Implementation of the California Environmental Quality Act* (Section 15000 et seq., California Code of Regulations, Tit.14). It includes revisions to the Draft EIR and responds to comments addressing the Draft EIR, published April 2, 2013.

The revisions, public comments, and responses to comments in this document, combined with the Draft EIR, constitute the Final EIR on Plan Bay Area. This Final EIR amends and incorporates by reference the Draft EIR, which is available as a separately bound document from MTC.

The primary purposes of this Final EIR are to make minor revisions to the Draft EIR and respond to written and oral comments and recommendations received during the 45-day public review period. This public review period of the Draft EIR (State Clearinghouse No. 2012062029) was from April 2, 2013 through May 16, 2013. A list of the individuals, agencies, and organizations that commented on the Draft EIR and copies of the written and oral comments are included in Section 3 of this document. Responses to comments are also provided in Section 3. Some comment letters raised points relating to both Plan Bay Area and the Draft EIR; this Final EIR responds to comments on the latter. To respond to some comments, revisions and refinements have been made to the Draft EIR environmental analysis and mitigation measures. Comments on the Plan that do not raise environmental issues are addressed separately by MTC and ABAG.

The Draft EIR represents a good faith effort to disclose all significant environmental effects of implementing the proposed Plan Bay Area (Plan), identify possible ways to minimize the significant effects, and describe reasonable alternatives to the proposed Plan. “CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors...” Rather, a Lead Agency, “need only respond to significant environmental issues and do[es] not need to provide all information requested by reviewers, as long as a good faith effort at full

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disclosure is made in the EIR.” (CEQA Guidelines Sections 15204(a).) Information provided in the responses to comments and in the revisions to the Draft EIR clarifies and amplifies the analysis presented in the Draft EIR. However, no significant new information was added that would trigger recirculation of the Draft EIR under CEQA. Specifically, there are no new significant environmental impacts, or a substantial increase in the severity of any impact, identified in the comments or responses that were not already identified in the Draft EIR. The Final EIR is available online at <http://www.onebayarea.org> and at the MTC-ABAG Library located at 101 Eighth Street, Oakland, CA 94607, as well as on CD at the libraries listed in Section 1.2 below.

1.2 Draft EIR Public Review Process

The Draft EIR was released for public review on April 2, 2013. The review process provided the public with opportunity to review the document and make comments. MTC and ABAG’s Notice of Availability of the Draft EIR and public outreach efforts are described below:

- On April 1, 2013, MTC and ABAG sent the Notice of Completion to the Office of Planning and Research’s State Clearinghouse, which was received on April 2, 2013.
- MTC and ABAG filed a Notice of Availability with the nine County Clerks in the Bay Area region on April 2, 2013 and requested that they post it for a period of at least 30 days.
- MTC and ABAG posted the Draft EIR on the OneBayArea website: <http://onebayarea.org> on April 2, 2013. The Draft EIR was available for viewing online or downloading.
- On April 2, 2013, MTC and ABAG issued an E-mail blast announcing the availability of the Draft Plan Bay Area and Draft EIR for public review to 8,273 Federal, State, regional, and local agencies, Tribal governments, and interested organizations and individuals with e-mail addresses as identified in MTC’s contact database.
- On April 2, 2013, MTC and ABAG mailed the Notice of Availability to 217 public agencies.
- MTC and ABAG posted legal notices about the availability of the Draft EIR and upcoming public hearings on the Draft Plan Bay Area and Draft EIR in the newspapers and publications listed below:

California Voice, 3/24/2013

Contra Costa Times, 3/20/2013

The Daily Republic, 3/20/2013

Marin Independent Journal, 3/19/2013

El Mensajero, 3/31/2013

Oakland Tribune, 3/20/2013

Napa Valley Register, 3/20/2013

The Press Democrat, 3/20/2013

San Jose Mercury News, 3/20/2013

San Francisco Examiner, 3/15/2013

San Mateo County Times, 3/20/2013

Sing Tao Daily, 3/26/2013

- MTC and ABAG purchased display ads regarding the Draft EIR public hearings in the following publications:

Sing Tao (Chinese), 4/5/2013 and 4/12/2013

El Observador (Spanish), 4/5/2013

La Voz (Spanish), 4/1/2013

Vision Hispana (Spanish), 3/29/2013

- MTC and ABAG mailed the Notice of Availability and the complete Draft EIR document on April 2, 2013 to the following Bay Area public libraries:

Richmond Public Library

Mill Valley Public Library

Marin County Free Library

San Francisco Public Library

Redwood City Public Library

Dr. Martin Luther King, Jr. Library

Daly City Public Library

Newark Public Library

Petaluma Regional Library

Solano County Library, Fairfield

Sunnyvale Public Library

Calistoga Public Library

MTC/ABAG Library

- MTC and ABAG mailed the Notice of Availability and a CD with the complete Draft EIR document on April 2, 2013 to the following Bay Area public libraries:

Solano County Library, Vallejo

Belvedere Tiburon Library

Los Gatos Public Library

Alameda County Business Library

Oakland Public Library

Santa Clara City Library

Livermore Public Library

Dixon Public Library

City of Palo Alto

Hayward Public Library

Napa City-County Library

Contra Costa County Library, Pleasant Hill

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Berkeley Public Library
San Mateo County Library
San Leandro Community Library
Contra Costa County Library, Concord
San Ramon Branch Library
San Mateo Public Library
Contra Costa County Library, Antioch
Novato Regional Library
Santa Clara County Library
Sonoma County Library

- A four-panel brochure with a schedule of Draft Plan Bay Area and Draft EIR hearings and other information was sent to 7,475 addresses. The brochure was also available at MTC and ABAG in the library and lobbies.
- MTC and ABAG released two news releases via Business Wire and sent them to media contacts in our contact database (293 contacts).
 - “Draft Plan Bay Area Slated for Release – Public Invited to Comment Online or at Public Hearings” was released by Business Wire on March 21, 2013 and viewed 1,466 times.
 - “Comment on Draft Bay Area Housing and Transport Plan from the Convenience of Your Laptop or Mobile Device” was released by Business Week on April 26, 2013 and viewed 1,389 times.
- MTC and ABAG briefed journalists on April 9, 2013, which was publicized by two media advisories.
- The MTC-ABAG Library sent out copies of the Draft EIR upon request.

The public review period lasted 45 calendar days, and closed on May 16, 2013. MTC and ABAG accepted written comments via mail, fax, and e-mail. MTC and ABAG also held three public hearings to receive oral comments, on April 16 in San Rafael, on April 16 in Oakland, and on April 17 in San Jose. Verbal comments made at these meetings were accepted by MTC and ABAG as official Draft EIR comments. In addition, MTC and ABAG held nine public hearings throughout the region on the Draft Plan; verbal comments made at these meetings that pertained to the Draft EIR were also considered by MTC and ABAG to be official Draft EIR comments.

1.3 Decision-Making Process

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

- The Final EIR has been completed in compliance with CEQA;
- The Commission and Board reviewed and considered the information contained in the Final EIR prior to considering the proposed Plan; and

- The Final EIR reflects the independent judgment and analysis of the Commission and Board. (CEQA Guidelines Section 15090)

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

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

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

1.4 Organization of the Final EIR

The remainder of this document is organized as follows:

SECTION 2

- Lists revisions to the Draft EIR by chapter and page, in the same order as the revisions would appear in the Draft EIR.

SECTION 3

- Lists all agencies, organizations, and persons who submitted either written or oral comments on the Draft EIR; reproduces and numbers all comment letters, and provides a unique number for each EIR comment in the left-hand margin. Due to the volume of attachments to the comment letters received, attachments are included in the Appendices to increase readability and ensure all comment letters are easily accessible.
- Provides responses to comments, including master responses.

APPENDICES

- Supplemental information, including an expanded glossary, details on revisions made to the EIR analysis, and attachments to commenter letters:
 - Appendix A: Glossary of Terms
 - Appendix B: Supplemental Technical Information

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- Appendix C: Attachments from Agency Comment Letters
- Appendix D: Attachments from Organization Comment Letters
- Appendix E: Attachments from Individual Comment Letters